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**ORDINARY COUNCIL MEETING****26 JUNE 2018**

<b>Submission by</b>	<b>Request</b>	<b>Recommended Action</b>
Graeme & Helen Granleese	Timber Bridge over Cassons Creek Lavadia	The bridge services a small number of properties for agricultural and not residential purposes and therefore remains a lower priority. Cost estimates approximately \$105,000.
Grace Westera, Laurel Dowling & Gulmarrad Progress Group	Community facilities in Gulmarrad	The strategic planning adopted by Council has a park and playground located on the corner of Sheehans Lane and Brooms Head road adjoining the business zoning (intention for a tavern/coffee shop/convenience store) and the proposed future medium density residential development. There are no current plans to duplicate (or relocate) this in another location.
Sandon River Ratepayers Association	Preparation of Coastal Zone Management Plan for Sandon River. Residents are prepared to contribute \$20,000 toward recommended coastal management related works included in a gazetted Plan.	Preparation of an estuary and open coast management plan is a three year project that would cost in vicinity of \$100,000-150,000. Executive recommends inclusion of \$45,000 in the 2018/19 budget, and that a matching grant be sought from the Office of Environment and Heritage to commence the project.
Grafton Chamber of Commerce	Support for prioritisation of the Grafton Waterfront Precinct as a priority project.	Project remains a priority pending land acquisition. A report will be submitted in Q1 to progress this issue.
Robyn Shelley	Expressing discontent with a number of Council activities, but relating specifically to the IP&R documentation, the \$15 Fee for reprint of lost and misplaced rates notices.	Council does not charge for original copies, but is proposing a charge for reprint to recover costs. Ratepayers can access rates notices free of charge by creating an online account that they can view anywhere, including our free access Library computers.
John Hagger	Objection to - increased cemetery fees and costs of funerals, increased employee costs, DMU meeting fees, increased Domestic Waste Charges and cost for hardcopy Business Papers.	Increases to cemetery fees and funerals in accordance with adopted improvement strategy. Increase to employees costs are regulated by the Award, DMU meeting fees have been benchmarked against other Councils. Domestic Waste charges have been explained in relation to increased contractual costs associated with the decision of China regarding recycled waste material and Business Papers are freely available online for printing and in hardcopy format for those attending meetings – charging for hardcopy is common practice.
Paul Brennan	Proposed swale design solution for drainage at Ulmarra.	Currently being considered by Civil Services for completion in 2018/19 within existing budget.



required as both the policy/planning (intangible) side of flood mitigation is of equal importance to the physical works implementation (tangible) side of flood mitigation.

It is proposed to rank both the tangible and intangible projects using a risk matrix assessing the estimated cost of projects with the number of people impacted by flooding within that area. This matrix is provided below in Figure 1.

	<10 people	10 -100 people	100 – 999 people	1,000-5000 people	>5000 people
<\$1,000	Medium	High	High	Very High	Very High
\$1,000-10,000	Medium	Medium	High	High	Very High
\$10,000-100,000	Low	Medium	Medium	High	High
\$100,000-500,000	Very Low	Low	Medium	Medium	High
>\$500,000	Very Low	Very Low	Low	Medium	Medium

**Figure 1 – Flood Mitigation Project Risk Matrix**

The concept of the matrix is that high cost projects which benefit few people should not be prioritised over lower cost projects which benefit many people.

#### KEY ISSUES

##### 2018/19 FLOODPLAIN MANAGEMENT PROGRAM

Council's applications under the 2018-19 Floodplain Management Program for the *Bluff Bridge (Orara River) Flood Monitoring* and the *Lower Clarence Rural Floodplain Risk Management Study and Plan* projects were successful.

##### FLOODPLAIN PROJECT PRIORITIES

The FPRMC resolved to recommend to Council that the floodplain project priority lists for tangible and intangible works, as included in the attachments, be adopted.

##### 2019/20 FLOODPLAIN MANAGEMENT PROGRAM

The FPRMC also endorsed four applications being submitted under the 2019/20 Floodplain Management program, which closed on 20 March 2019, being the top two projects from each list. Further information on these four projects is provided below:

##### **Wooli Update Flood Study** (Intangible project)

Total project estimated to cost \$60,000 (\$40,000 OEH and \$20,000 CVC). The current Wooli Floodplain Risk Management Plan dates from 1999 and the NSW Government *Floodplain Development Manual* recommends Plans to be reviewed on a 5 yearly basis. This project was recommended as the highest

**Adele McGeary**

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**From:** Adele McGeary  
**Sent:** Monday, 27 March 2017 3:55 PM  
**To:** Helen  
**Subject:** Re: Response to letter Re: Notification of Refusal to Pay Rates and a Request for a Refund of Rates Paid

Dear Mr and Mrs Granleese,

Mchelle Morris has forwarded me your email dated 20 March 2017 and asked me to respond regarding the closed bridge on Cassons Creek Road.

The bridge at the end of Cassons Creek Road is one of Council's floodplain assets. In 2016 (in response to your letter dated 14 April 2016) I first started looking at the bridge with the Floodplains Technical Officer to determine the extent of the works required to restore the bridge. The bridge is in a very poor condition and would have been in an unserviceable condition for several years. Based on conversations I have had with you previously you purchased the property approximately 2-3 years ago. The high level of deterioration at the bridge indicates that at that time the bridge would not have been in a serviceable condition. Based on conversations with the Bridges Supervisor I believe the bridge crew had provided pricing information for restoration of the bridge for the Floodplain team some years ago but at that time there was no funding available to carry out the work that was required.

Council has had a consultant prepare a structural assessment of the bridge which confirmed the extent of the work required. It has been determined that no budget is available for the restoration of the bridge in the 2016-17 financial year so we decided to officially mark the bridge as closed for public safety. The road closed signs were erected approximately in the week commencing 16 January 2017. I note that even before we erected signs to mark the bridge as closed no vehicles were able to cross the bridge due to the large gaps in the timber decking.

If the bridge was serviceable it would provide access to Lots 3-4 DP 1010385, however there are a number of other properties located on the same side of the drain as these lots which don't seem to be reliant on the bridge.

The owners of properties adjacent to yours use an alternative access to get to their properties. I'm not sure of their access arrangements but it may be possible that you could negotiate with your neighbours to gain access to Lots 3-4 DP 1010385.

As advised previously the restoration of the bridge is currently being considered for inclusion in the 2017-18 budget, but Council cannot guarantee that the bridge works will be included in the 2017-18 works program due to the large number of Council operations that must be assessed and prioritised.

If you require any further information please contact me, during normal business hours on .

Yours faithfully,

Adele McGeary  
 Bridges Engineer  
**Clarence Valley Council**  
 Locked Bag 23, GRAFTON NSW 2460

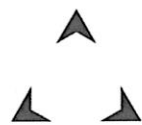


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# Depot Options Review

Clarence Valley Council

Final Report



**AECgroup**

Outcome Driven

## Executive Summary

Clarence Valley Council (Council) presently utilises five depots to service Grafton and surrounds, with the depots identified as being in various states of decay and requiring considerable work to ensure they can efficiently and safely facilitate essential works into the future. Instead of spending considerable funds on renewing and upgrading the depots, Council has identified an alternative servicing option via the establishment of a new, consolidated depot in South Grafton supported by a secondary depot operating as a 'park and ride' facility (existing Koolkhan depot). This report undertakes an assessment of the establishment costs of the new depot relative to the costs of renewing the existing depots, in addition to the cost savings and efficiency dividends expected from the new depot.

A fit for purpose review of existing depot sites identified the following:

- Most of the sites are inadequately sized to allow for fit for purpose upgrades to occur.
- In their present form, the depot sites are not functional in layout and inefficient in operation.
- The South Grafton depot has suboptimal access issues that need to be resolved.
- The Grafton and South Grafton depots have staff parking and onsite traffic flow issues which are only expected to get worse.
- All depot buildings are generally in a poor state of repair, are unfit for their current purpose, and would need to be demolished and rebuilt to an improved design to continue to support Council's functions and activities.
- Staff amenities are generally sub-standard and are in need of upgrades.
- With the exception of Grafton depot, wash down areas are unsatisfactory.
- All depot pavements are in poor condition, requiring considerable work.
- Most other depot infrastructure requires refurbishment to varying degrees.
- Some of the depots require some minor maintenance work to reduce water ingress into buildings and water ponding.
- The Grafton and South Grafton depots are located within close proximity to residential development.
- The three separate workshops are all considered to be not fit for purpose and out of date with regards to standards and facilities.
- No first aid room exists at any of the depots.

The required capital investment in renewal and upgrades to the Grafton, South Grafton, Weeds, Koolkhan and Floodplain depots to bring them to a satisfactory standard was estimated at \$8.779 million, considerably higher than the identified backlog in Council's Asset Management Plan. Further, the asset consumption ratio (i.e. Written Down Value divided by Current Replacement Cost) calculated for depot assets of between 80% and 90% does not appropriately reflect their condition.

The establishment cost of the new depot is estimated at \$13.385 million, with the land purchase being \$80,400. Funds already expended/committed from the Strategic Building Reserve for planning and design processes associated with the new depot total \$0.685 million, leaving \$12.700 million to be funded. Retaining the Koolkhan depot as a 'park and ride' facility would not require any renewal/upgrade works to be undertaken at that depot site. Offsetting these upfront establishment costs for the new depot to some extent would be the sale funds from the surplus existing depot sites (Grafton, South Grafton, Weeds and Floodplain depots) which should yield no less than \$1.327 million in net terms.

Once the new depot is operational, a range of cost savings and efficiency dividends will be achieved including reductions in staffing costs, inventories, major plant, small plant, rates and charges, electricity, insurance, cleaning and security. Overall, the cost savings and efficiency dividends are expected to produce \$480,000 in one-off benefits and \$1.089 million in ongoing annual savings.

A Net Present Value (NPV) assessment was undertaken of the marginal cash inflows and outflows of the new depot scenario versus the status quo. The following table highlights the NPV outcomes under a real discount rate of 2.50%, in addition to higher real discount rates of 4.00%, 7.00% and 10.00%. Sensitivity analysis shows that an increase in the

*Clarence Valley Council Depot Options Review  
Final Report*

discount rate does not impact the fact that the proposal produces a significant net financial benefit, with the NPV outcome being positive within 5 years.

**Table E.1: NPV Outcomes**

Period	2.50%	4.00%	7.00%	10.00%
<b>5 years</b>	\$ 1,084,965	\$ 930,473	\$ 645,475	\$ 388,844
<b>10 years</b>	\$ 5,668,338	\$ 5,074,494	\$ 4,051,809	\$ 3,208,370
<b>15 years</b>	\$ 9,719,373	\$ 8,480,578	\$ 6,480,478	\$ 4,959,074
<b>20 years</b>	\$ 13,299,897	\$ 11,280,130	\$ 8,212,085	\$ 6,046,124
<b>30 years</b>	\$ 19,261,658	\$ 15,472,436	\$ 10,326,959	\$ 7,140,201

Source: AEC

Council has indicated its desire to fund the new depot project without the need for borrowing. While Council has not yet decided on the final funding mix for the proposed new depot, the following table represents an indicative funding scenario. Further consideration of possible funding options by Council will need to occur subsequent to the finalisation of this report.

**Table E.2: Indicative Funding Scenario for the New Depot**

Description	Amount
<b>FUNDING REQUIREMENT</b>	
Required Funds	\$13,385,000
Funds Already Expended or Committed	\$685,421
<b>Total Funding Requirement</b>	<b>\$12,699,579</b>
<b>AVAILABLE FUNDS</b>	
Contribution from Water and Sewerage for Land Reclamation	\$1,173,000
Contribution for Portion of Depot From Water and Sewerage	\$3,660,000
Net Balance of Strategic Building Reserve (excluding funds already committed)	\$1,706,451
Net Proceeds from Sale of Land	\$5,145,000
Allocation from Heavy Plant Fleet Reserve	\$1,000,000
<b>Total Available Funds</b>	<b>\$12,684,451</b>
<b>Funding Surplus/(Shortfall)</b>	<b>-\$15,128</b>

Source: AEC

It is important to note that the NPV assessment includes a renewals allowance of \$8.779 million under the status quo that is required to bring the existing depot sites up to a satisfactory standard. Consequently, Council would need to find these funds from somewhere in the short to medium term even if the new depot was not to proceed.

In addition to the financial benefits, there are a range of non-financial benefits that will accrue to Council and the community from the move to the new depot. These include:

- High benefits from improved staff culture, training and interaction; improved equal opportunity access; and improved coordination of emergency response.
- Medium benefits from improved workplace health and safety; improved noise and amenity impacts; and improved communications and business continuity.
- Low benefits from improved traffic movements and congestion; safer site access; and enhanced economic activity.

Low costs are identified to exist relating to the security concerns of supervisors and staff due to the new depot's location, in addition to the potential for constrained emergency response as a result of all strategic assets and resources being located on one side of the river. It is important that these identified potential negative impacts are appropriately considered and mitigated if the new depot is to proceed.

**The findings of the assessment show a definite financial and non-financial benefit to Council and the Clarence Valley community from closing down the Grafton, South Grafton, Weeds and Floodplain depots and establishing a new, fit for purpose depot at the proposed location. This benefit is estimated to accrue almost immediately and be maintained through the long term, and will allow Council to achieve improved financial sustainability outcomes.**

The cost savings identified are considered to be the minimum achievable, with additional benefits likely to accrue upon consolidation particularly in the areas of job scheduling and resource management, major plant management and utilisation, and workshop/plant maintenance costs.

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# 1. Background

## 1.1 Project Background

Clarence Valley Council (Council) was formed in February 2004 by the amalgamation of Grafton City Council, Maclean Shire Council, Copmanhurst Shire Council, Pristine Waters Council, North Coast Water and Clarence River County Council.

The legacy of the amalgamation remains, with Council providing support to its infrastructure and service provision and maintenance functions in the Grafton and surrounding areas via five depots.

The depots are utilised by a large number of Council staff and house the majority of Council's plant/fleet assets. The depots have been identified as being in various states of decay and require considerable work to ensure that they are able to efficiently and safely facilitate essential works across the Council area into the future.

Council has identified an alternative depot servicing option via the establishment of a single, consolidated depot location potentially supported by an additional site for the strategic location of plant/fleet assets, in the hope of securing efficiencies and cost savings through the medium to long term when compared to the retention and renewal/upgrade of the five existing depot locations.

## 1.2 Project Objective

AEC Group Pty Ltd (AEC) was commissioned by Council to undertake an assessment of the potential net benefit (or cost) associated with the consolidated depot servicing option when compared with the retention of the five existing depots.

The following methodology has been applied to undertake the project:

- Review of the current and proposed function of the five existing depots (incorporated site visits), in addition to the identification of issues experienced in service provision.
- Estimation of the costs associated with retaining the existing depots.
- Estimation of the establishment costs for the proposed new depot, in addition to the identification of cost savings, efficiencies and/or additional costs that may be achieved or incurred.
- Quantification of the extent of net financial benefits (or costs) attributed to the new depot scenario versus the retention scenario over the short, medium and long term.
- Identification of qualitative benefits and/or costs associated with the proposed change.
- Summary of the outcomes of the assessment and recommendations regarding the proposed change.

Benefits and costs are only included in the assessment if they are directly attributed to the existence of five depots in separate locations versus the existence of a single, consolidated depot and associated support depot. Any identified potential improvements that could be made to depot operations within the existing servicing structure irrespective of depot location are excluded from the financial assessment.

It is understood that this project forms part of a broader review of all major Council assets, which is being undertaken to identify means by which service delivery may be enhanced and/or infrastructure and service provision provided in a least cost manner. Given that Council currently undertakes the vast majority of its works and services via day labour delivery rather than contractors, this project is deemed to be a significant component of the broader review and of great importance to the local community.

## 2. Review of Existing Depots

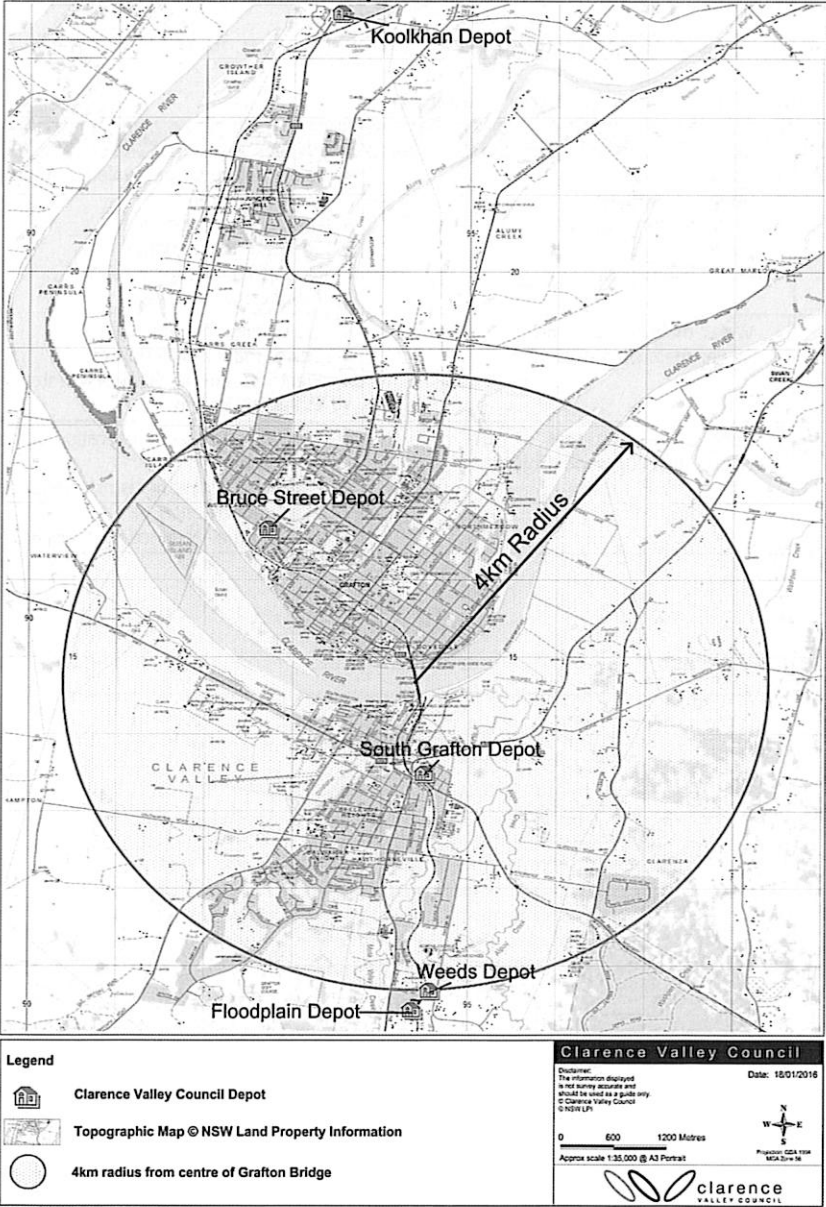
### 2.1 Location

Council presently has five depot locations to support its infrastructure and service provision and maintenance functions in the Grafton and surrounding areas:

- Grafton.
- South Grafton.
- Koolkhan.
- Lilypool Road (Weeds).
- Brickworks Lane (Floodplain).

The following figure outlines the proximity of each existing depot to one another.

**Figure 2.1: Current Council Depot Locations Servicing Grafton and Surrounds**



Source: Council



## 2.2 Depot Functions

Council's depots provide vital support to 'on the ground' works undertaken on essential infrastructure and services. Example activities undertaken at Council's depots include:

- Office space for Supervisors and Senior Field Operators.
- Vehicle/plant parking/storage.
- Plant workshops.
- Small plant storage and maintenance.
- Material/chemical storage.
- Fabrication/repair.
- Minor concrete pre-casting.
- Stores.
- Spoil dumps.
- Records storage.

Some the major functions supported by Council's depots are outlined below.

**Table 2.1: Major Functions Supported by Depots**

Function	Capital	Maintenance
Civil Services	<ul style="list-style-type: none"> <li>• Road construction</li> <li>• Bridge construction</li> <li>• Drainage construction</li> <li>• Footpath construction</li> <li>• Floodplain capital</li> </ul>	<ul style="list-style-type: none"> <li>• Road maintenance (sealed and unsealed)</li> <li>• Bridge maintenance</li> <li>• Drainage maintenance</li> <li>• Footpath maintenance</li> <li>• Floodplain maintenance</li> <li>• Airport maintenance</li> </ul>
Water Cycle	<ul style="list-style-type: none"> <li>• Water main construction</li> <li>• Sewer main construction</li> </ul>	<ul style="list-style-type: none"> <li>• Water main maintenance</li> <li>• Sewer main maintenance</li> <li>• Electrical and mechanical maintenance</li> <li>• Metal fabrication.</li> </ul>
Open Spaces	<ul style="list-style-type: none"> <li>• Parks upgrade projects</li> <li>• Sports fields upgrade projects</li> </ul>	<ul style="list-style-type: none"> <li>• Weeds and bush regeneration operations and maintenance</li> <li>• Parks and sports fields maintenance</li> <li>• Tree maintenance</li> <li>• Building maintenance (e.g. trades, cleaning)</li> </ul>

Source: Council

## 2.3 Fit for Purpose Review

A mix of common and different functions are presently undertaken at each of the depots. The following table provides a description of the role of each depot in infrastructure and service provision across the Council area, in addition to identifying any issues identified with each depot from the fit for purpose review. A comprehensive library of photos from the depot site visits is provided as an Appendix to this assessment report, and highlights the poor overall condition of infrastructure and other assets at each of the sites.

**Table 2.2: Fit for Purpose Review of Existing Depots**

Issue	Grafton Depot <i>Bruce Street, Grafton</i>	South Grafton Depot <i>Schwinghammer Street, South Grafton</i>	Weeds Depot <i>Lilypool Road, South Grafton</i>	Koolkhan Depot <i>Summerland Way, Koolkhan</i>	Floodplain Depot <i>Brickworks Lane, South Grafton</i>
<b>SITE CHARACTERISTICS</b>					
Size	<ul style="list-style-type: none"> <li>Located on an inadequately sized parcel of land to upgrade to fit for purpose.</li> </ul>	<ul style="list-style-type: none"> <li>Located on an inadequately sized parcel of land to upgrade to fit for purpose.</li> <li>It is a rectangular shape that accentuates the problem.</li> </ul>	<ul style="list-style-type: none"> <li>Located on an inadequately sized parcel of land to upgrade to fit for purpose.</li> <li>It is being closed, with functions temporarily relocated to South Grafton.</li> </ul>	<ul style="list-style-type: none"> <li>Located on an inadequately sized parcel of land to upgrade to fit for purpose.</li> <li>It has the potential to be utilised as a satellite depot if necessary.</li> </ul>	<ul style="list-style-type: none"> <li>Located on an adequately sized parcel of land to upgrade to fit for purpose to cater for current operational purposes only.</li> </ul>
Site Layout	<ul style="list-style-type: none"> <li>All depot sites have naturally progressed over time via a series of 'add-ons' and are not considered to be functional in layout and operation, giving rise to inefficiencies in the undertaking of work tasks and related activities.</li> <li>South Grafton depot was not designed as a Council depot and the overall layout and traffic flows are far from ideal.</li> </ul>				
External Access and Egress	<ul style="list-style-type: none"> <li>No identified issues.</li> </ul>	<ul style="list-style-type: none"> <li>Access to Pacific Highway is suboptimal, with enhanced access requirements from Roads and Maritime Services (RMS) likely to be significant.</li> <li>Particular issue with truck and dog trailer combination.</li> </ul>	<ul style="list-style-type: none"> <li>No identified issues.</li> </ul>	<ul style="list-style-type: none"> <li>No identified issues.</li> </ul>	<ul style="list-style-type: none"> <li>No identified issues.</li> </ul>
Parking and Traffic	<ul style="list-style-type: none"> <li>Limited on-site parking and manoeuvring room, especially at year-end when all plant returns to depot.</li> <li>Traffic flow is an issue.</li> <li>Staff parking is predominantly on street and street parking can become congested at times, especially for meetings.</li> </ul>	<ul style="list-style-type: none"> <li>Limited on-site parking and manoeuvring room, especially at year-end when all plant returns to depot.</li> <li>Issues set to increase with Weeds depot activities being relocated to South Grafton depot.</li> <li>Staff parking is predominantly on street and street parking can become congested at times, especially for meetings.</li> </ul>	<ul style="list-style-type: none"> <li>On-site parking for staff.</li> <li>There is sufficient room for small numbers of plant and vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>On-site parking for staff.</li> <li>There is sufficient room for manoeuvring large plant items and for parking.</li> </ul>	<ul style="list-style-type: none"> <li>On-site parking for staff.</li> <li>There is sufficient room for manoeuvring large plant items and for parking.</li> </ul>

Issue	Grafton Depot <i>Bruce Street, Grafton</i>	South Grafton Depot <i>Schwinghammer Street, South Grafton</i>	Weeds Depot <i>Lilypool Road, South Grafton</i>	Koolkhan Depot <i>Summerland Way, Koolkhan</i>	Floodplain Depot <i>Brickworks Lane, South Grafton</i>
Site Drainage	<ul style="list-style-type: none"> <li>There is good overall site drainage.</li> <li>Several buildings have water ingress due to poor maintenance.</li> </ul>	<ul style="list-style-type: none"> <li>Water ponds in some parking bays.</li> </ul>	<ul style="list-style-type: none"> <li>Some drainage issues.</li> </ul>	<ul style="list-style-type: none"> <li>No drainage issues.</li> </ul>	<ul style="list-style-type: none"> <li>No yard drainage issues but some water ingress into buildings.</li> </ul>
Proximity to Residential Development and Visual Amenity	<ul style="list-style-type: none"> <li>Surrounded by residential development.</li> <li>Issues have previously been raised, especially with early morning starts, including the street sweeper at 3am on weekdays.</li> <li>Council has modified some early morning work practices as a result – there have not been any more recent (12+ months) complaints regarding noise levels.</li> <li>There have not been any recent complaints about the depot's visual amenity.</li> </ul>	<ul style="list-style-type: none"> <li>Adjacent to residential development.</li> <li>Issues have previously been raised, especially with early morning starts.</li> <li>Council has modified some early morning work practices as a result – there have not been any more recent (12+ months) complaints regarding noise levels.</li> <li>No visual amenity issues.</li> </ul>	<ul style="list-style-type: none"> <li>Located in an industrial area.</li> <li>No identified issues.</li> <li>No visual amenity issues.</li> </ul>	<ul style="list-style-type: none"> <li>Located in an industrial area.</li> <li>No identified issues.</li> <li>No visual amenity issues.</li> </ul>	<ul style="list-style-type: none"> <li>Located in an industrial area.</li> <li>No identified issues.</li> <li>No visual amenity issues.</li> </ul>
Summary Outcomes	<ul style="list-style-type: none"> <li><b>The Weeds depot is being shut down, with operations temporarily moved to the South Grafton depot.</b></li> <li><b>Most of the current depot sites are inadequately sized to allow for fit for purpose upgrades to occur, with the exception of the Floodplain depot (to meet its intended operations only).</b></li> <li><b>In their present form, the depot sites are not functional in layout and are inefficient in operation.</b></li> <li><b>The South Grafton depot not only features suboptimal access issues that would need to be resolved, but was never designed as a Council depot and is particularly inefficient in layout and operation.</b></li> <li><b>The Grafton and South Grafton depots have staff parking and onsite traffic flow issues which are only expected to get worse.</b></li> <li><b>Some of the depots require some minor maintenance work to reduce water ingress into buildings and water ponding.</b></li> <li><b>There have previously been some issues raised in relation to noise at the Grafton and South Grafton depots from surrounding residential development, although changes in early morning work practices appear to have mitigated these concerns.</b></li> <li><b>Council advises that Koolkhan depot is best suited if a satellite depot is considered appropriate under the alternative servicing structure.</b></li> </ul>				
<b>FUNCTIONS/ACTIVITIES</b>					
Major Functions and Activities	<ul style="list-style-type: none"> <li>Parks and Gardens.</li> <li>Water Cycle.</li> <li>Civil Services.</li> <li>Signs.</li> <li>Maintenance workshop.</li> <li>Store.</li> </ul>	<ul style="list-style-type: none"> <li>Water Cycle.</li> <li>Civil Services including: <ul style="list-style-type: none"> <li>Road operations.</li> <li>Bridge crew.</li> </ul> </li> <li>Depot administration.</li> <li>Maintenance workshop.</li> <li>Store.</li> </ul>	<ul style="list-style-type: none"> <li>Weed spraying and inspections.</li> </ul>	<ul style="list-style-type: none"> <li>Civil Services including: <ul style="list-style-type: none"> <li>Roads maintenance (mostly unsealed).</li> <li>Road construction.</li> </ul> </li> <li>Some mulching.</li> <li>Maintenance workshop.</li> <li>Store.</li> <li>Records storage.</li> </ul>	<ul style="list-style-type: none"> <li>Civil Services including: <ul style="list-style-type: none"> <li>All flood related work.</li> <li>Gates.</li> <li>Levies.</li> <li>Drainage excluding CBD.</li> <li>Construction including CFP.</li> <li>Spraying.</li> <li>Drain cleaning.</li> <li>Rock work.</li> <li>Stockpiles.</li> </ul> </li> </ul>

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Major Plant Assets <i>(as provided by depot supervisors during site interviews)</i>	<ul style="list-style-type: none"> <li>• 2 x tipper trucks.</li> <li>• 3 x mini excavators.</li> <li>• Franna crane.</li> <li>• Street sweeper and footpath sweeper.</li> <li>• Small trucks.</li> <li>• Mowers and trailers.</li> <li>• 15t excavator and truck.</li> <li>• Truck and dog trailer.</li> <li>• EPV for tree operations.</li> <li>• 1 x road maintenance truck.</li> <li>• Utes.</li> </ul>	<ul style="list-style-type: none"> <li>• 20t excavator.</li> <li>• 7t excavator on trailer.</li> <li>• Tag trailers.</li> <li>• 4 x trucks with dog trailers.</li> <li>• 4 x graders usually on site.</li> <li>• 5 x road rollers (4 x 12t, 1 x 7t).</li> <li>• 1 x Paveliner truck.</li> <li>• 2 x 8t tippers.</li> <li>• 1 backhoe.</li> <li>• 4 x water carts.</li> <li>• 1 x road maintenance truck.</li> <li>• 1 x bridge truck.</li> <li>• Utes.</li> </ul>	<ul style="list-style-type: none"> <li>• 2 x landcruiser spray units.</li> <li>• 1 x vegetation management ute.</li> <li>• Inspector utes (1 with spray unit).</li> <li>• 1 x quad bike, 1 boat.</li> </ul>	<ul style="list-style-type: none"> <li>• 3 truck and dog trailers.</li> <li>• 2 x 8t trucks.</li> <li>• 1 x backhoe.</li> <li>• 2 x loaders at quarries.</li> <li>• 2 x gang trucks.</li> <li>• 1 x bridge truck.</li> <li>• 1 x road maintenance truck.</li> <li>• Utes.</li> </ul>	<ul style="list-style-type: none"> <li>• Gang truck.</li> <li>• Utes.</li> <li>• Pumps and trailer.</li> </ul>
Workshop/ Plant Maintenance	<ul style="list-style-type: none"> <li>• Workshop located at the depot with 2 mechanics.</li> <li>• Workshop not fit for purpose and out of date with regard to safety standards, layout, lighting, storage, and facilities.</li> <li>• Plant is predominantly repaired and maintained from the workshop, with the exception of specialist repairs and maintenance or large-scale repairs.</li> <li>• Dealers nearby for external maintenance.</li> <li>• Specialist contractors.</li> <li>• Refuelling occurs offsite.</li> </ul>	<ul style="list-style-type: none"> <li>• Workshop located at the depot with 2 mechanics and 1 apprentice.</li> <li>• Workshop not fit for purpose and out of date with regard to standards and facilities.</li> <li>• Plant is predominantly repaired and maintained from the workshop, with the exception of specialist repairs and maintenance or large-scale repairs.</li> <li>• Specialist contractors.</li> <li>• Refuelling occurs offsite.</li> </ul>	<ul style="list-style-type: none"> <li>• No workshop located at the depot.</li> <li>• Maintenance undertaken at Grafton depot workshop.</li> <li>• Refuelling occurs offsite.</li> </ul>	<ul style="list-style-type: none"> <li>• Workshop located at the depot with 2 mechanics.</li> <li>• Workshop not fit for purpose and out of date with regard to standards and facilities.</li> <li>• Plant is predominantly repaired and maintained from the workshop, with the exception of specialist repairs and maintenance or large-scale repairs.</li> <li>• Refuelling occurs on-site because of the lack of a local refuelling station for major plant and trucks, with a card control system in place.</li> </ul>	<ul style="list-style-type: none"> <li>• No workshop located at the depot.</li> <li>• Maintenance undertaken at South Grafton or Grafton depot workshops.</li> <li>• Refuelling occurs offsite.</li> </ul>
Stores, Waste Management and Hazardous Substances	<ul style="list-style-type: none"> <li>• Store located at the depot with a range of regularly used stock items.</li> <li>• Stock includes signs, water fittings, pipes and crusher dust.</li> <li>• An industrial skip bin is available for waste.</li> <li>• Some spoil is stockpiled.</li> <li>• Fuel is held in an unbunded location and chemicals are in a banded storage.</li> </ul>	<ul style="list-style-type: none"> <li>• Store located at the depot with a range of regularly used stock items.</li> <li>• Stock includes some bridge materials plus Premix, metal, and concrete pipes.</li> <li>• An industrial skip bin is available for waste.</li> <li>• The bitumen storage and chemical storage are both banded.</li> </ul>	<ul style="list-style-type: none"> <li>• No store located at the depot.</li> <li>• Chemicals are stored in a banded location in a shed but access is unsatisfactory.</li> <li>• Some noxious weeds are stored on site then removed to landfill.</li> </ul>	<ul style="list-style-type: none"> <li>• Store located at the depot with a range of regularly used stock items.</li> <li>• Stock includes gravel, stone, cold mix, bridge gang materials and signs.</li> <li>• Tyres are being stored instead of using the contract arrangements.</li> <li>• The store manages the dips and orders fuel.</li> <li>• An industrial skip bin is available for waste.</li> <li>• Some spoil is stockpiled.</li> <li>• Oil storage is not banded.</li> </ul>	<ul style="list-style-type: none"> <li>• No store located at the depot.</li> <li>• There are significant quantities of timber bridge materials and floodgates stored in the depot in a random manner.</li> <li>• Storage of sheet piling, bridge bolts, cofferdams.</li> <li>• An industrial skip bin is available for waste.</li> <li>• Some spoil is stockpiled.</li> <li>• Fuel storage is not banded, herbicide spray is banded, and engine oil is not banded.</li> </ul>

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Document Management	<ul style="list-style-type: none"> <li>• Timesheets are sent in weekly for processing and job sheets are printed at the depot.</li> <li>• Supervisors do most of the document handling, as there is no dedicated courier service.</li> </ul>	<ul style="list-style-type: none"> <li>• Timesheets are input at the depot and job sheets printed at the depot.</li> <li>• Supervisors do most of the document handling, as there is no dedicated courier service.</li> </ul>	<ul style="list-style-type: none"> <li>• Timesheets are sent in weekly for processing.</li> <li>• Supervisors do most of the document handling, as there is no dedicated courier service.</li> </ul>	<ul style="list-style-type: none"> <li>• There is a small records storage building on site for old hard copy documents that have not been scanned.</li> <li>• Timesheets are sent in weekly for processing.</li> <li>• Supervisors do most of the document handling, as there is no dedicated courier service.</li> </ul>	<ul style="list-style-type: none"> <li>• Timesheets are sent in weekly for processing.</li> <li>• Supervisors do most of the document handling, as there is no dedicated courier service.</li> </ul>
Summary Outcomes	<ul style="list-style-type: none"> <li>• <b>A few of the depots have a distinct purpose, while others exist to service a range of common functions and activities across the Council area.</b></li> <li>• <b>Three separate workshops currently exist, limiting the capacity to</b> <ul style="list-style-type: none"> <li>◦ Share workloads across existing resources.</li> <li>◦ Share information and spare parts.</li> <li>◦ More efficiently schedule jobs.</li> </ul> </li> <li>• <b>The three separate workshops are all considered to be not fit for purpose and out of date with regards to standards and facilities, therefore requiring considerable work to upgrade to the required service level.</b></li> <li>• <b>Plant at the Weeds and Floodplain depots are required to be transported to Grafton or South Grafton for maintenance.</b></li> <li>• <b>Sharing of plant between depots to optimise utilisation is minimal and some plant may be excess to requirements and may exist simply due to geographic location.</b></li> <li>• <b>Stores and associated inventories are duplicated/triplicated for convenience at the three separate stores.</b></li> </ul>				
<b>RESOURCING</b>					
Hours of Operation	<ul style="list-style-type: none"> <li>• Council operates on start and finish on the job, with a 7am start and a 4pm finish. This will not change.</li> <li>• Water Cycle has a 24-hour / 365 days per year emergency response function which requires the relevant staff and plant to be able to access the relevant depot outside of normal work hours to respond to emergencies.</li> </ul>	<ul style="list-style-type: none"> <li>• Council operates on start and finish on the job, with a 7am start and a 4pm finish.</li> <li>• This depot often starts at 6am if working a long distance from the depot.</li> </ul>	<ul style="list-style-type: none"> <li>• Council operates on start and finish on the job, with a 7am start and a 4pm finish.</li> <li>• This depot may start earlier and finish later if required (noting that start times are limited to 6am for workplace health and safety reasons).</li> </ul>	<ul style="list-style-type: none"> <li>• Council operates on start and finish on the job, with a 7am start and a 4pm finish.</li> <li>• This depot often starts at 6am if working a long distance from the depot.</li> </ul>	<ul style="list-style-type: none"> <li>• Council operates on start and finish on the job, with a 7am start and a 4pm finish.</li> <li>• This depot may start earlier and finish later if required (noting that start times are limited to 6am for workplace health and safety reasons).</li> </ul>
Staffing	<ul style="list-style-type: none"> <li>• 81 in total: <ul style="list-style-type: none"> <li>◦ 23 x Civil services.</li> <li>◦ 15 x Water Cycle (including 2 mechanics).</li> <li>◦ 15 x Parks.</li> <li>◦ 3 x Supervisors.</li> <li>◦ 25 FTE staff casually employed to fill current vacancies.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• 45 in total: <ul style="list-style-type: none"> <li>◦ 36 x Civil services.</li> <li>◦ 9 x M&amp;E (including 8 fitters plus 1 supervisor).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• 8 in total: <ul style="list-style-type: none"> <li>◦ 3 x Inspectors.</li> <li>◦ 4 x Spray operators.</li> <li>◦ 1 x Other.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• 17 in total (including 4 casuals).</li> </ul>	<ul style="list-style-type: none"> <li>• 4 in total at the depot.</li> <li>• Also used by the bridge crew also for storage and preparation work and other gangs when assisting floodplain staff.</li> </ul>
Rostered Days Off	<ul style="list-style-type: none"> <li>• Council depot staff work under a 9-day fortnight, with rostered days off (RDOs) falling on either Monday or Friday.</li> <li>• RDOs are staggered between depots and for some depots (Grafton and South Grafton) also within the depots.</li> </ul>				



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Staff Culture, Training and Interaction	<ul style="list-style-type: none"> <li>Operating areas predominantly based upon former Council areas prior to amalgamation.</li> <li>Duplication and triplication (sometimes x 5) of work teams and activities.</li> <li>Very limited interaction between technical and field based staff.</li> <li>Office based supervisors are physically separated from staff.</li> <li>Work teams can move between depots depending on where works are scheduled.</li> <li>For the most part, sections work independently of each other – although interaction between supervisors within each operational area (Civil Services, Open Spaces and Water Cycle) does occur on occasion for work scheduling and plant sharing, this is limited, particularly with regard to plant usage and sharing.</li> <li>Differing work practices and cultures.</li> <li>Most training is carried out in the Grafton CBD requiring staff at other depots to travel, with parking often a problem and wasting additional time.</li> <li>Staff consultation and group meetings are generally held at each depot (not combined).</li> <li>No access to a canteen or food vans, although not a major issue given most field staff do not use the depot during the day.</li> </ul>				
Workplace Health and Safety	<ul style="list-style-type: none"> <li>No major issues.</li> <li>No first aid room exists.</li> <li>Regular inspections are done and immediate issues identified.</li> <li>First aid kits are provided at the depot and in each plant item.</li> <li>Each gang has a nominated first aid officer.</li> </ul>	<ul style="list-style-type: none"> <li>No major issues.</li> <li>No first aid room exists.</li> <li>Regular inspections are done and immediate issues identified.</li> <li>The number of steps and ramps impacts safe pedestrian access.</li> <li>First aid kits are provided at the depot and in each plant item.</li> <li>Each gang has a nominated first aid officer.</li> </ul>	<ul style="list-style-type: none"> <li>No major issues.</li> <li>No first aid room exists.</li> <li>Regular inspections are done and immediate issues identified.</li> <li>First aid kits are provided at the depot and in each plant item.</li> <li>Each gang has a nominated first aid officer.</li> </ul>	<ul style="list-style-type: none"> <li>No major issues.</li> <li>No first aid room exists.</li> <li>Regular inspections are done and immediate issues identified.</li> <li>First aid kits are provided at the depot and in each plant item.</li> <li>Each gang has a nominated first aid officer.</li> </ul>	<ul style="list-style-type: none"> <li>No major issues.</li> <li>No first aid room exists.</li> <li>Regular inspections are done and immediate issues identified.</li> <li>First aid kits are provided at the depot and in each plant item.</li> <li>Each gang has a nominated first aid officer.</li> </ul>
Security	<ul style="list-style-type: none"> <li>Nightly patrols outside depot.</li> <li>Some theft and no vandalism.</li> <li>Some previous instances of damage and fuel theft when plant is left onsite.</li> </ul>	<ul style="list-style-type: none"> <li>Nightly patrols inside depot.</li> <li>4 security cameras on a 7-day lapse.</li> <li>Theft and vandalism in the depot is an issue.</li> </ul>	<ul style="list-style-type: none"> <li>Nightly patrols outside depot.</li> <li>Alarms fitted but not monitored.</li> <li>Theft and vandalism has not been an issue.</li> </ul>	<ul style="list-style-type: none"> <li>Nightly patrol to front and side gates.</li> <li>Workshop and store have alarms fitted.</li> <li>Theft and vandalism has not been an issue.</li> </ul>	<ul style="list-style-type: none"> <li>No patrols or any alarms fitted.</li> <li>Theft and vandalism has not been an issue.</li> </ul>
Summary Outcomes	<ul style="list-style-type: none"> <li><b>For the most part, sections work independently of each other with differing work practices and cultures.</b></li> <li><b>Operations tend to predominantly still be based on pre-amalgamation structures.</b></li> <li><b>Duplication and triplication of certain activities, including staff consultation and group meetings held at each depot rather than being combined.</b></li> <li><b>Training is generally carried out at a Grafton CBD location, requiring all other depot staff to travel and find suitable parking.</b></li> <li><b>Joint work scheduling and plant sharing are impeded by the geographic separation of the depot servicing structure.</b></li> <li><b>Theft and vandalism is a definite issue at the South Grafton depot, and an issue to a lesser extent at the Grafton depot.</b></li> <li><b>No first aid room exists at any of the depots.</b></li> </ul>				

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<b>INFRASTRUCTURE</b>					
Buildings	<ul style="list-style-type: none"> <li>Buildings generally in a poor state of repair.</li> <li>Amenities building is in reasonably good condition, only requiring minor refurbishment.</li> <li>Many other buildings are unfit for their current purpose, being the wrong shape and size, badly located, and not designed for the current purpose.</li> <li>Most buildings would need to be demolished and rebuilt to an improved design.</li> </ul>	<ul style="list-style-type: none"> <li>Buildings generally in a poor state of repair.</li> <li>Some of the roof structures leak in wet weather.</li> <li>Many of the buildings are unfit for their current purpose, being the wrong shape and size, badly located, and not designed for the current purpose.</li> <li>Most buildings would need to be demolished and rebuilt to an improved design.</li> </ul>	<ul style="list-style-type: none"> <li>Buildings generally in a poor state of repair.</li> <li>Some drainage and roof leaking issues.</li> <li>Some of the roof sheets are corroded.</li> <li>Many of the buildings are unfit for their current purpose, being the wrong shape and size, badly located, and not designed for the current purpose.</li> <li>Most buildings would need to be demolished and rebuilt to an improved design.</li> </ul>	<ul style="list-style-type: none"> <li>Buildings generally in an average state of repair.</li> <li>No roof leakage.</li> <li>Many of the buildings are unfit for their current purpose, being the wrong shape and size, badly located, and not designed for the current purpose.</li> <li>Several buildings would need to be demolished and rebuilt to an improved design.</li> </ul>	<ul style="list-style-type: none"> <li>Buildings in a varied state of repair with some requiring demolition and rebuilding.</li> <li>Floors in need of repair.</li> <li>The sand blasting building has been decommissioned and work has been outsourced permanently.</li> </ul>
Amenities	<ul style="list-style-type: none"> <li>No major issues were identified by Council (lunch room, toilets, showers, lockers).</li> </ul>	<ul style="list-style-type: none"> <li>No major issues were identified by Council (lunch room, toilets, showers, lockers), although the site review identified that the amenities are not of a high standard.</li> </ul>	<ul style="list-style-type: none"> <li>No major issues were identified by Council (lunch room, toilets, showers, lockers) although the site review identified that the standard of amenities is not deemed to be acceptable.</li> </ul>	<ul style="list-style-type: none"> <li>No major issues were identified by Council (lunch room, toilets, showers, lockers) although the site review identified that the standard of amenities is average and the lunchroom is sometimes used for data processing because of the limited office space.</li> </ul>	<ul style="list-style-type: none"> <li>No major issues were identified by Council (lunch room, toilets, showers, lockers), although the site review identified that the amenities are in need of an upgrade.</li> </ul>
Communications	<ul style="list-style-type: none"> <li>4G is available and the broadband service is available but slow and drops out sometimes.</li> </ul>	<ul style="list-style-type: none"> <li>4G is available and the broadband service is available but slow.</li> </ul>	<ul style="list-style-type: none"> <li>4G is available and the broadband service is available</li> </ul>	<ul style="list-style-type: none"> <li>Poor mobile phone reception and the broadband service is available but very slow.</li> </ul>	<ul style="list-style-type: none"> <li>Mobile phone reception is adequate 3G.</li> <li>No ICT service at the depot.</li> </ul>
Wash Down Areas	<ul style="list-style-type: none"> <li>There is an existing wash-down bay that is covered and has an interceptor trap.</li> </ul>	<ul style="list-style-type: none"> <li>The wash down bay is generally unsatisfactory but does have some oil separation.</li> </ul>	<ul style="list-style-type: none"> <li>The wash down area is unsatisfactory, as it cannot capture all waste including seeds from weeds attached to vehicles and spray equipment.</li> </ul>	<ul style="list-style-type: none"> <li>The wash down bay is unsatisfactory and would need to be rebuilt to an acceptable environmental standard.</li> </ul>	<ul style="list-style-type: none"> <li>The wash down area is unsatisfactory with no interceptor traps.</li> </ul>
Pavements	<ul style="list-style-type: none"> <li>Most of the depot pavements require upgrading and in dry weather, dust can be a problem for neighbours.</li> </ul>	<ul style="list-style-type: none"> <li>Much of the depot pavement requires upgrading.</li> </ul>	<ul style="list-style-type: none"> <li>Most of the depot pavements require upgrading.</li> </ul>	<ul style="list-style-type: none"> <li>The majority of internal pavements may require upgrading.</li> </ul>	<ul style="list-style-type: none"> <li>Yard pavement in poor condition.</li> </ul>
Other Infrastructure	<ul style="list-style-type: none"> <li>Most other infrastructure requires refurbishment to varying degrees.</li> </ul>	<ul style="list-style-type: none"> <li>Most other infrastructure requires refurbishment to varying degrees.</li> </ul>	<ul style="list-style-type: none"> <li>Most other infrastructure requires refurbishment to varying degrees.</li> </ul>	<ul style="list-style-type: none"> <li>A new loading ramp is required.</li> <li>Most other infrastructure requires refurbishment to varying degrees.</li> </ul>	<ul style="list-style-type: none"> <li>Poor lighting.</li> <li>No lifting facilities.</li> <li>Need for a hardstand area.</li> <li>Most other infrastructure requires refurbishment to varying degrees.</li> </ul>

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Issue	Grafton Depot <i>Bruce Street, Grafton</i>	South Grafton Depot <i>Schwinghammer Street, South Grafton</i>	Weeds Depot <i>Lilypool Road, South Grafton</i>	Koolkhan Depot <i>Summerland Way, Koolkhan</i>	Floodplain Depot <i>Brickworks Lane, South Grafton</i>
Contamination	<ul style="list-style-type: none"> <li>• The old underground fuel tanks have been removed and the groundwater is tested regularly with no current issues.</li> </ul>	<ul style="list-style-type: none"> <li>• The two old fuel tanks are filled with concrete.</li> <li>• The emulsion tank area appears to have considerable spillage.</li> <li>• Part of the site used to be a heavy machinery dealer/ workshop facility and contamination is unknown.</li> </ul>	<ul style="list-style-type: none"> <li>• Extent of contamination is unknown, but the depot has been utilised for the storage of all sorts of chemicals that could have potentially contaminated the site and some form of remediation works are likely to be required.</li> </ul>	<ul style="list-style-type: none"> <li>• On-site refuelling requires ongoing monitoring for tank leakage.</li> </ul>	<ul style="list-style-type: none"> <li>• There has been underground fuel storage at the depot.</li> </ul>
Summary Outcomes	<ul style="list-style-type: none"> <li>• <b>All depot buildings are generally in a poor state of repair and are unfit for their current purpose.</b></li> <li>• <b>Most of the depot buildings would need to be demolished and rebuilt to an improved design to continue to support Council's functions and activities.</b></li> <li>• <b>Staff amenities are generally sub-standard and are in need of upgrades.</b></li> <li>• <b>With the exception of Grafton depot, wash down areas are unsatisfactory.</b></li> <li>• <b>All depot pavements are in poor condition, requiring considerable work.</b></li> <li>• <b>Most other depot infrastructure requires refurbishment to varying degrees.</b></li> <li>• <b>All of the depot sites have contamination issues that would need to be resolved should Council exit any of the sites.</b></li> </ul>				

Source: AEC, Council



## 2.4 Site Valuations

The following table provides the current valuations for each depot land parcel and for each depot (excluding Koolkhan depot) based on the market value of each site including improvements. The valuations of each site assume no rehabilitation obligations (or liabilities) are attached to the depot sites, and as such the values provided may only be realised if such works have been undertaken by Council prior to sale. The total value of land at the five depot sites is estimated at \$1.42 million. Based on the property valuations, some additional benefit may be expected upon sale as a result of the capital improvements at each site.

**Table 2.3: Depot Land and Property Valuations**

Depot	Address	Area	Land Value	Property Value
Grafton	28 Bruce Street, Grafton	1.177ha	\$590,000	\$565,000
South Grafton	11 Schwinghammer Street, South Grafton	0.8441ha	\$236,900	\$785,000
Weeds	Lot 7 Lilypool Road, South Grafton	0.2191ha	\$126,000	\$180,000
Koolkhan	1176 Summerland Way, Koolkhan	1.5ha	\$300,000	n.a.
Floodplain	33 Brickworks Lane, South Grafton	1.287ha	\$167,000	\$300,000
<b>Total</b>		<b>5.0272ha</b>	<b>\$1,419,900</b>	<b>n.a.</b>

Source: APV (2015), Taylor Byrne (2015a-2015d)

Notes: No property valuation was undertaken of Koolkhan depot given that it would likely be retained under the alternative depot servicing option.

## 2.5 Capital Investment and Renewal Obligations

The following table provides the current asset register valuations for each of the five current depots, in addition to annual depreciation charges based on the adopted useful lives for each asset item.

**Table 2.4: Depot Asset Valuations**

Depot	Cost	WDV	Depreciation	Consumption Ratio
Grafton	\$1,928,316	\$1,638,659	\$17,439	85%
South Grafton	\$2,320,085	\$1,954,789	\$22,269	84%
Weeds	\$362,269	\$290,656	\$3,921	80%
Koolkhan	\$1,444,666	\$1,219,550	\$47,492	84%
Floodplain	\$449,548	\$404,923	\$3,863	90%
<b>Total</b>	<b>\$6,504,884</b>	<b>\$5,508,578</b>	<b>\$94,984</b>	<b>85%</b>

Source: APV (2015), Taylor Byrne (2015a-2015d)

Council's Buildings Asset Management Plan (July 2015) identifies a renewals backlog for the buildings and other structures associated with the five current depot sites of \$1.02 million, with a total renewals requirement of \$2.10 million through to 2023/24.

The depot site visits confirmed that the current depots are in various states of decay and require considerable work to ensure that they are fit for purpose and able to efficiently and safely facilitate essential works across the Council area into the future. It was identified that most of the depot buildings would need to be demolished and rebuilt to an improved design to continue to support Council's functions and activities. Further, staff amenities are generally sub-standard, wash down areas are unsatisfactory (with the exception of the Grafton depot) and depot pavements are in poor condition.

Consequently, the asset consumption ratios calculated above are not considered reflective of the state of the buildings and infrastructure at each of the depots, with the depot assets likely to be worth considerably less than what is presently recorded as the Written Down Value on Council's balance sheet.

The following table details the estimated cost of bringing the current depot infrastructure and facilities up to a satisfactory standard, which totals \$8.779 million.

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**Table 2.5: Estimated Depot Upgrade Costs – Status Quo**

Function	Details	Grafton	South Grafton	Weeds	Koolkhan	Floodplain
Administration	Current area	348 sqm	315 sqm	101 sqm	185 sqm	320 sqm
	Refurbish/rebuild	Rebuild	rebuild	rebuild	refurbish	rebuild
	% to refurbish/rebuild	75%	75%	100%	100%	100%
	Estimated cost	\$334,000	\$302,400	\$129,000	\$118,000	\$409,000
Washbay	Current area	67 sqm	90 sqm	45 sqm	30 sqm	50 sqm
	Refurbish/rebuild	refurbish	refurbish	refurbish	refurbish	refurbish
	% to refurbish/rebuild	100%	100%	100%	100%	100%
	Estimated cost	\$89,000	\$89,000	\$89,000	\$89,000	\$89,000
Workshop	Current area	450 sqm	430 sqm	n.a.	475 sqm	130 sqm
	Refurbish/rebuild	rebuild	rebuild	n.a.	refurbish	rebuild
	% to refurbish/rebuild	100%	100%	n.a.	100%	100%
	Estimated cost	\$803,000	\$768,000	n.a.	\$304,000	\$232,000
Stores	Current area	250 sqm	395 sqm	n.a.	185 sqm	n.a.
	Refurbish/rebuild	rebuild	rebuild	n.a.	refurbish	n.a.
	% to refurbish/rebuild	75%	100%	n.a.	100%	n.a.
	Estimated cost	\$220,000	\$347,000	n.a.	\$81,000	n.a.
General Storage	Current area	1,195 sqm	1,062 sqm	270 sqm	635 sqm	285 sqm
	Refurbish/rebuild	rebuild	rebuild	rebuild	refurbish	Rebuild
	% to refurbish/rebuild	50%	75%	50%	100%	50%
	Estimated cost	\$525,000	\$700,920	\$237,600	\$279,000	\$251,000
Pavements	Current area	5,758 sqm	6,470 sqm	715 sqm	9,103 sqm	4,180 sqm
	Refurbish/rebuild	refurbish	refurbish	refurbish	refurbish	refurbish
	% to refurbish/rebuild	100%	100%	100%	50%	50%
	Estimated cost	\$504,345	\$550,255	\$64,745	\$826,890	\$346,750
<b>TOTAL</b>		<b>\$2,475,345</b>	<b>\$2,757,575</b>	<b>\$520,345</b>	<b>\$1,697,890</b>	<b>\$1,327,750</b>
<b>AGGREGATE</b>						<b>\$8,778,905</b>

Source: AEC

Notes: Estimated costs are based on quantity survey rates for the new depot with rebuilding at 100% and refurbishment at 50% of new cost.

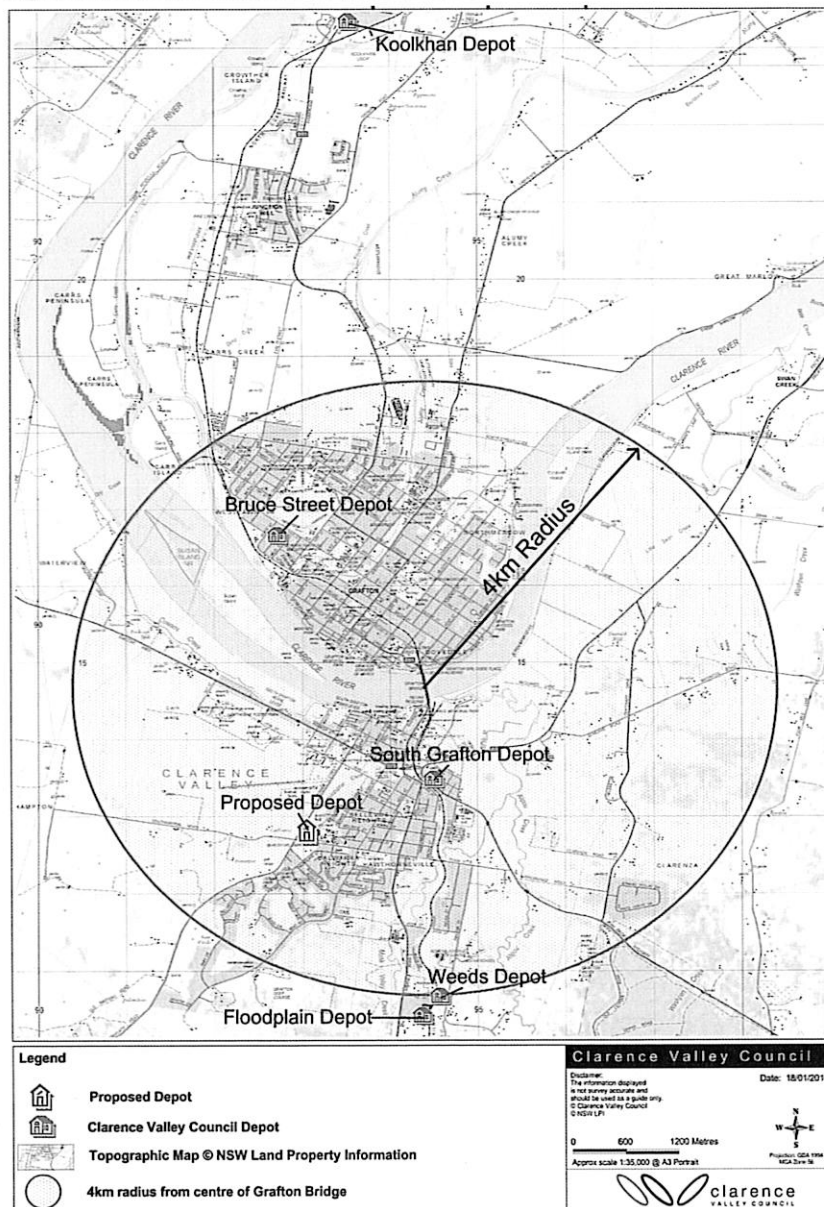
## 3. Evaluation of Proposed Depot

### 3.1 Location

A site has been identified for the proposed new depot, located near the intersection of Skinner Street (Rushforth Road) and Tyson Street in South Grafton. This is the site of the former sewerage treatment plant.

The following figure outlines the proximity of the proposed new depot site relative to the existing depot sites.

**Figure 3.1: Proposed New Depot Location**



Source: Council

Council has indicated that it would consider the appropriateness of retaining a second depot as a 'park and ride' type approach, which would be the Koolkhan Depot. Council also has the opportunity to leverage off one of the existing Sewerage Treatment Plant sites as a plant storage area to retain some form of satellite location for selected plant items should that be deemed necessary.

## 3.2 Establishment Costs

### 3.2.1 Land

The purchase price of the new depot land as per Council resolution is \$80,400, which is to be transferred to the Sewer Fund given that the site is a former Sewerage Treatment Plant location.

The site is classified as contaminated land. Site rehabilitation is therefore required, with a contaminated land assessment report and Remediation Action Plan having been prepared by consultants Parsons Brinkerhoff. The site remediation is to be funded by the Sewer Fund as it is required to remediate the site as a condition of surrendering the Environmental Protection Licence regardless of the proposed future use.

Total land purchase costs are estimated at a **one-off cash outflow of \$80,400.**

### 3.2.2 Construction/Renewal Costs

WT Partnership (2015) has provided Council with a cost estimate of constructing the new depot facility and administration building of \$13.385 million (\$10.675 million for the new depot facility and \$2.710 million for the new administration building). This includes allowance for a 5% contingency.

Funds already expended or committed from the Strategic Building Reserve for planning and design processes associated with the proposed new depot total \$685,421, leaving \$12.700 million to be funded.

Council has indicated that Koolkhan depot will continue to operate as a depot with significantly reduced functions from those that currently exist. No workshop or store will exist and consequently no refurbishment or rebuilding costs are deemed necessary for its proposed function.

Total establishment and renewal costs are estimated to be a **one-off cash outflow of \$12.700 million.**

## 3.3 Surplus Site Sales

The Grafton, South Grafton, Weeds and Floodplain depot sites would become surplus to requirements and would be available for sale under the proposed depot servicing structure.

Taylor Byrne (2015a-2015d) provides estimates of the property valuations for each surplus site, being \$565,000 for the Grafton depot, \$785,000 for the South Grafton depot, \$180,000 for the Weeds depot and \$300,000 for the Floodplain depot. According to APV (2015), land at each of the depots is presently valued at \$590,000 for the Grafton depot, \$236,900 for the South Grafton depot, \$126,000 for the Weeds depot and \$167,000 for the Floodplain depot. The potential sales value range is therefore \$1.120 million based on land value alone and up to \$1.830 million based on market value with capital improvements.

The potential net sales price able to be achieved on the depot site land and residual assets will be impacted by the extent of site contamination and the rehabilitation works required to be undertaken, in addition to sales commissions and other selling costs. In order to be conservative, the average of the base land value and the market value with capital improvements is applied as the relevant net sales price at each depot site, with sales commissions and other selling costs estimated at 10% of the aggregate sales price achieved.

Based on these assumptions, the net funds received from surplus site sales is estimated to be a **one-off cash inflow of \$1,327,455.**

It should be noted here that as soon as Council makes the decision to move to the new depot and no longer utilise the Grafton, South Grafton, Weeds and Floodplain depots, it will be required to amend the valuation of these sites on its balance sheet from the current land value plus Written Down Value of assets approach to market value per the Taylor Byrne (2015a-2015d) valuations as the sites essentially become commercial property for sale. The write-off on disposal is estimated to be significant based on a total written down (book) value of assets (excluding plant and land) at the four depots of \$4.289 million, in



addition to the land being valued at \$1.120 million. As indicated earlier, this book value does not appear to appropriately reflect the condition of the assets at the depots.

### 3.4 Anticipated Efficiency Dividends

#### 3.4.1 Summary

A range of cost savings and efficiency dividends are anticipated as a result of the introduction of the new, consolidated depot when compared with the retention of the existing depot locations. The considerable savings are achievable without diminishing service standards, and in fact given the improved working conditions and job coordination anticipated at the new depot, service standards have the capacity to also improve.

The following table lists the anticipated efficiency dividends accruing with a move to the new depot and the exiting from the existing Grafton, South Grafton, Weeds and Floodplain depots.

**Table 3.1: Anticipated Efficiency Dividends**

Impact	Cost Saving	Frequency
Reduction in Staffing Costs (including overheads)	\$800,000	Annual
Reduction in Inventory Held	\$181,121	One-off
Reduction in Major Plant Requirements	\$299,000 \$164,000	One-off Annual
Reduction in Small Plant Requirements	\$81,642	Annual
Reduction in Council Rates and Charges	\$19,106*	Annual
Reduction in Electricity Costs	\$17,464	Annual
Reduction in Insurance Costs	\$2,781	Annual
Reduction in Cleaning Costs	\$2,244	Annual
Reduction in Security Costs	\$1,737	Annual
<b>Total Measurable Cost Savings</b>	<b>\$480,121</b> <b>\$1,088,974</b>	<b>One-off</b> <b>Annual</b>

Source: AEC, Council

Notes: \* A substantial portion of this identified cost saving will correspond with a reduction in Council revenues if the exited depot sites are not able to be sold to a third party.

#### 3.4.2 Staffing

With improved efficiencies and consolidated depot functions, it is expected that the medium to long term saving in staffing costs would be of the order of 3% to 10%. For the purposes of this assessment, we have adopted the mid-point of this range – being a 6.5% cost saving – given the number of depots being consolidated and the duplication/triplication of certain activities being undertaken.

The savings will accrue across the entire depot operation as a result of:

- The ability to change supervisory responsibility to be activity-based rather than location-based.
- Duplication of functions for Senior Field Operators (SFOs) upon combination of the existing depot workforces as there will be duplication and triplication.
- Significant savings in training and staff consultation/meeting activity and associated travel given that all training will occur at the new depot where the majority of staff will be based.
- Administration and coordination activities supporting operations will be located alongside technical and field staff, with efficiency benefits to be gained in relation to the submission of timesheets, job costing and job scheduling.
- Reduced landholdings and building serviceability.
- Improved effectiveness in managing store and storage service delivery, given current stores have poor layouts, do not utilise modern racking systems, have poor lighting and unsatisfactory access – the new depot store will have high-level pallet racking, good access and lighting, better security and a reduced stock range.

- Reduced store staffing requirements as a result of consolidating the current three stores to one, in addition to the anticipated significant reduction in inventories and the associated savings in stocktakes and procurement.
- Consolidated workshop functions as a result of moving from the current three workshops to one, and the ability to more effectively coordinate and optimise maintenance scheduling to reduce potential downtime<sup>1</sup>.
- The following advantages in running a single, fit for purpose and modern workshop:
  - Sharing of labour resources for priority jobs.
  - Sharing technical knowledge and training.
  - Easy access to a single stock of service and repair parts/lubricants.
  - Improved workshop layout and lifting devices in lieu of pits.
  - Improved plant access.
  - Reduced number of repair tools and specialist equipment.
  - Improved environmental management practices for waste products.
  - Ready access to an approved washbay for cleaning plant prior to repairs.

Consultation with all Council operational supervisors confirmed that there would not be any significant net travel time costs associated with the location of staff and the majority of plant and equipment at the new depot versus the status quo. This was particularly the case given that the Koolkhan depot is proposed to be retained as a 'park and ride' facility. It was also indicated that traffic congestion on the main bridge will not be an issue as most operational teams depart by around 7am and return by 4pm.

With 155 full-time equivalent (FTE) staff presently utilising the five existing depots, the anticipated saving of 6.5% equates to 10 FTE employee positions. With an estimated cost per FTE including all oncosts of \$870,000 per annum, this equates to an **annual cost saving of \$800,000**.

This cost saving does not necessarily equate to an immediate reduction in staff numbers and could be achieved via a mix of a reduced need to fill currently vacant positions, natural attrition and a reduced need to augment the workforce to service growth. For the purposes of the financial assessment, it is assumed that the annual cost saving will phase in over a three-year period.

### 3.4.3 Inventories

With three stores presently in existence, there is a duplication/triplication of many stock items. Consolidation to a single store at the new depot would allow for a major rationalisation of materials stored and a considerable improvement in overall stock control and management. It is expected that the total current inventory will reduce by 30%. Other stored resources can also be shared (e.g. maintenance signs).

With current inventories totalling \$603,736, this equates to a **one-off reduction in inventories of \$181,121**.

### 3.4.4 Major Plant

Council has already undertaken a plant review, which highlighted a number of strategies to minimise the assets held and costs incurred. While major plant reductions have already been identified, there is potential for further reductions as a direct result of the relocation of all plant to a single site with a focus on improved utilisation. Plant sharing would no longer be impeded by the geographic separation of depots.

Major plant reductions have been identified as:

- 1 x grader (sales proceeds of \$109,000 and annual cost savings of \$77,000).

<sup>1</sup> A maintenance scheduler position may be created although this might not be a full time position and could possibly include some procurement and stock management tasks.

- 1 x backhoe (sales proceeds of \$34,000 and annual cost savings of \$30,000).
- 3 x trucks (sales proceeds of \$147,000 and annual cost savings of \$45,000).
- 1 x dog trailer (sales proceeds of \$9,000 and annual cost savings of \$12,000).

There is potential for additional, significant cost savings in the future once functions and activities are integrated at the new depot. Further, it is possible that the consolidation of workshop functions to the new depot could result in an overall reduction in plant maintenance costs. While this has not been included in this assessment, it provides potential for the cost savings to be considerably higher overall particularly when combined with major plant savings.

As a result of major plant consolidation, the estimated benefits include **one-off sales proceeds of \$299,000 and annual cost savings of \$164,000.**

#### 3.4.5 Small Plant

Presently, there is a substantial degree of duplication/triplication of the small plant held across each of the five depots. Consolidation of the depot servicing structure would see a reduced need for small plant levels previously held, and the quantity of small plant is expected to be cut by 40%.

With current small plant assets totalling \$1.575 million, this equates to a reduction in small plant of \$630,061. The current weighted average useful life for small plant assets is 7.7 years, resulting in an **annual cost saving of \$81,642** (\$630,061/7.7 years).

#### 3.4.6 Rates and Charges

Rates and charges at the Grafton, South Grafton and Floodplain depots total \$31,843. Exiting these depot sites and moving to the new depot is expected to result in a reduction in rates and charges of around 60%, which produces an **annual cost saving of \$19,106.** It should be noted here that much of this cost saving will correspond with a reduction in Council revenues, if the exited depot sites are not able to be sold to a third party.

#### 3.4.7 Electricity

Electricity costs at the Grafton, South Grafton and Floodplain depots total \$29,106. Exiting these depot sites and moving to the new depot is expected to result in a reduction in electricity costs of around 60%, which produces an **annual cost saving of \$17,464.**

#### 3.4.8 Insurance

Insurance premiums at the Grafton, South Grafton and Floodplain depots total \$13,907. Exiting these depot sites and moving to the new depot is expected to result in a reduction in insurance premiums of around 20%, which produces an **annual cost saving of \$2,781.**

#### 3.4.9 Cleaning

Cleaning costs at the Grafton, South Grafton and Floodplain depots total \$11,220. Exiting these depot sites and moving to the new depot is expected to result in a reduction in cleaning costs of around 20%, which produces an **annual cost saving of \$2,244.**

#### 3.4.10 Security

Security costs at the Grafton, South Grafton and Floodplain depots total \$4,383. Exiting these depot sites and moving to the new depot is expected to result in a reduction in security costs of around 40%, which produces an **annual cost saving of \$1,737.**

### 3.5 Non-Financial Benefits and Costs

#### 3.5.1 Impact Methodology

Risk-based impact assessment frameworks are well recognised as an appropriate approach for assessing economic, social and environmental impacts.

The assessment examines the likelihood of an effect occurring, and the potential consequences (i.e., a measure of severity/ magnitude of effect) should the effect occur. The following table contains the descriptors used to classify the likelihood and consequence using a risk-based approach adapted from the Australian/New Zealand Standard for risk management (AS/NZS 31000:2009).

**Table 3.2: Descriptors Used to Classify Likelihood and Consequence**

Descriptor	Description
<b>Likelihood</b>	
Very High	Is expected to occur
High	Will probably occur
Moderate	Might occur
Low	Unlikely to occur
Very Low	May occur in exceptional circumstances
<b>Consequence</b>	
Very High	<ul style="list-style-type: none"> <li>• <b>Adverse Impact:</b> Extreme permanent loss of human, social, financial or built capital/wellbeing, with anticipated major public outrage</li> <li>• <b>Beneficial Impact:</b> Significant permanent enhancement of human, social, financial or built capital/wellbeing</li> </ul>
High	<ul style="list-style-type: none"> <li>• <b>Adverse Impact:</b> Substantial loss of human, social, financial or built capital/wellbeing, will attract public concern</li> <li>• <b>Beneficial Impact:</b> Substantial enhancement of human, social, financial or built capital/wellbeing</li> </ul>
Moderate	<ul style="list-style-type: none"> <li>• <b>Adverse Impact:</b> Moderate and noticeable loss of human, social, financial or built capital/wellbeing</li> <li>• <b>Beneficial Impact:</b> Moderate enhancement of human, social, financial or built capital/wellbeing</li> </ul>
Low	<ul style="list-style-type: none"> <li>• <b>Adverse Impact:</b> Small but noticeable loss of human, social, financial or built capital/wellbeing, can be easily rehabilitated</li> <li>• <b>Beneficial Impact:</b> Small enhancement of human, social, financial or built capital/wellbeing</li> </ul>
Very Low	<ul style="list-style-type: none"> <li>• <b>Adverse Impact:</b> Negligible loss of human, social, financial or built capital/wellbeing</li> <li>• <b>Beneficial Impact:</b> Negligible enhancement of human, social, financial or built capital/wellbeing</li> </ul>

Source: Adapted from AS/NZS 31000:2009

The level of impact associated with each potential impact is then determined by combining likelihood and consequence using the matrix below. Where impacts are negligible, then the likelihood/consequence outcome is also negligible.

**Table 3.3: Qualitative Impact Assessment Matrix**

Likelihood	Consequences				
	Very Low	Low	Moderate	High	Very High
Very High	Medium	Medium	High	Very High	Very High
High	Low	Medium	Medium	High	Very High
Moderate	Low	Low	Medium	High	High
Low	Very Low	Low	Low	Medium	High
Very Low	Very Low	Very Low	Low	Medium	Medium

Source: Adapted from AS/NZS 31000:2009

### 3.5.2 Summary

The new depot will be designed to be much more energy efficient, have better workflow, and have much improved staff working conditions, benefits that would be unlikely to be realised from the retention of the current depot arrangements.

The following table highlights that the majority of qualitative impacts under assessment are positive for Council and the local community, with the exception of security concerns at the depot site and for depot staff and the potential risk associated with a single emergency response location for strategic assets and resources. It is important that these identified potential negative impacts are appropriately considered and mitigated if the new depot is to proceed.



**Table 3.4: Qualitative Impact Summary**

Impact	Likelihood	Consequence	Outcome
Improved Staff Culture, Training and Interaction	High	High	High Benefit
Increased Travel Time to Place of Work	n.a.	Negligible	<b>Negligible Impact</b>
Improved Workplace Health and Safety	High	Moderate	Medium Benefit
Improved Equal Opportunity Access	Very High	Moderate	High Benefit
Security Concerns	Low	Low	Low Cost
Improved Traffic Movements and Congestion	Moderate	Low	Low Benefit
Improved Noise and Amenity	Moderate	Moderate	Medium Benefit
Safer Access	Moderate	Low	Low Benefit
Improved Communications and Business Continuity	High	Moderate	Medium Benefit
Constrained Emergency Response	Very Low	Low	Low Cost
Improved Coordination of Emergency Response	High	High	High Benefit
Enhanced Economic Activity	Moderate	Low	Low Benefit

Source: AEC

**3.5.3 Staff Culture, Training and Interaction – High Benefit, High Likelihood**

A new, consolidated depot would not only enhance staff attitudes as a result of the significantly improved working environment, but would allow for improved integration and communication between sections as well as between supervisors, administration staff and operational staff. With most operational staff at one depot there will be more of a one team approach rather than a continuation of the historic pre-amalgamation approach with sections working independently of each other with differing work practices and cultures.

Improvements are expected in the following areas:

- Organisational systems and reporting capability, particularly job scheduling, resource planning and job costing due to easier and more frequent communication.
- Service standards being set for supervisors which will be accountable for specific areas of service rather than operational (geographic) areas – the current approach exists because of the multiple depot arrangement inherited post amalgamation.
- Interaction between supervisors within each operational area (Civil Services, Open Spaces and Water Cycle).
- Interaction between technical staff and field staff and the supervision of field staff.
- Knowledge sharing across and within operational areas.

Further, staff have had extensive input into the design of the new depot and will have some level of emotional 'buy-in' once it became operational.

**3.5.4 Travel Time to Place of Work – Negligible Impact, High Likelihood**

Any impact on the travel time to work for existing staff was deemed to be minor given the radius within which the existing depots are located from the new depot. There will be a small number of staff who live close to an existing depot that will have increased commute times and cost. However, there are also staff who live closer to the new depot than the current depot to which they are assigned. It was indicated by Council that traffic congestion on the main bridge will not be an issue as most operational teams depart by around 7am and return by 4pm.

**3.5.5 Workplace Health and Safety – Moderate Benefit, High Likelihood**

All of the vehicles, trucks and depots have approved first aid kits with adequate staff trained at the appropriate level. However, none of the depots have a dedicated first aid room or carer's room. These are considered essential in a large depot and will be able to be provided at the proposed new depot facility. Further, while regular safety inspections/audits are carried out at each of the existing depots, some of the current housekeeping would be enhanced if the building layouts were better and the buildings were in reasonable condition. A fit for purpose depot would also significantly reduce the risk of workplace health and safety incidents from occurring.

**3.5.6 Equal Opportunity Access – Moderate Benefit, High Likelihood**

None of the current depots have any approved disabled access or facilities, which adversely impacts staff and visitors with a permanent disability or staff returning to work with a temporary disability. The new depot will have the required facilities, including appropriate access and will provide an enhanced working environment meeting the necessary requirements for equal opportunity access.

**3.5.7 Security – Low Cost, Low Likelihood**

Council indicated that theft and vandalism is an issue presently at the South Grafton depot. With the new depot proposed to be located in South Grafton – a lower socio-economic area – there are some security concerns from supervisors and staff which will need to be mitigated through effective perimeter fencing, security cameras, traffic movement controls and nightly patrols, in addition to other measures. These impacts will be limited to those staff previously not located at depots in South Grafton.

**3.5.8 Traffic Movements and Congestion – Low Benefit, Moderate Likelihood**

Travel between depots will be significantly reduced and staff parking issues will also be significantly improved. While there will be increased concentration of vehicle movements surrounding the new depot, any conflicts with peak work and school traffic periods are anticipated to be minimal given that most operational teams depart by around 7am and return by 4pm.

**3.5.9 Noise and Amenity – Moderate Benefit, Moderate Likelihood**

There have previously been some issues raised in relation to noise at the Grafton and South Grafton depots from surrounding residential development, although changes in early morning work practices appear to have mitigated these concerns. Movement of all major activity to the new depot will reduce impacts on residential properties given its location. Residual impacts at the existing Grafton and South Grafton depot sites will be dependent on what land uses occupy these sites post-sale.

**3.5.10 Safe Access – Low Benefit, High Likelihood**

The new depot will be designed in a manner that ensures safe access for staff and third parties, overcoming the identified access issues at the existing South Grafton depot.

**3.5.11 Information/Communications and Business Continuity– Moderate Benefit, High Likelihood**

The UHF network will still be required because of the numerous blackspots across the Council area. However, communications and data/document management and security will improve overall at the new site with better ICT services and reduced handling of operations documents such as work requests and timesheets. Information will be much more secure with most operational staff at one location, particularly as Council moves towards more office automation. High speed internet access will also be available at the new depot.

A Business Continuity Plan will be developed for the new depot and include emergency power, dual data centres, communications, materials storage, staff availability and other strategic and operational matters.

**3.5.12 Constrained Emergency Response – Low Cost, Very Low Likelihood**

Given that the Council area has the potential to be split into two during extreme flood events and extreme traffic congestion, it is essential that access to the new depot be maintained at all times to allow for appropriate emergency response or other mitigation strategies are in place during these events.

Regarding emergency access issues, a reasonable period of warning is provided when potential flooding may occur and strand assets on one side of the river. There will be sufficient time to move assets and staff to provide adequate availability. Further, while there is congestion on the existing bridge for two relatively short peak periods each day,

this is a short to medium term problem only as the new bridge construction is planned to be completed within 3-4 years.

### **3.5.13 Improved Coordination of Emergency Response – High Benefit, High Likelihood**

The relocation should actually enable a more co-ordinated response to an emergency because of the central location of assets and key materials. Emergency responses are currently co-ordinated from 42 Victoria Street office with major response for Grafton/South Grafton from the Grafton depot. The proposal is that a coordination centre will exist at the administration building at the new depot. Separate to coordination of response, emergency response will allow an emergency operations centre (legislative) to operate from site in conjunction with site operations.

### **3.5.14 Economic Impacts – Low Benefit, Moderate Likelihood**

There will be an injection of funds into the local community from the initial construction activities at the new depot site. On an ongoing basis, there will be slightly greater concentration in the spending patterns of staff in South Grafton, offset to some extent by a removal of some of the spending currently taking place in areas surrounding the existing depots that would be exited. However, these sites would become available for alternative uses that could replace this economic activity.

## **3.6 Other Issues Raised During Site Interviews**

Other issues raised during the site interviews that may require consideration as part of the potential relocation of functions to the new depot include:

- The storage of Floodplain materials such as floodgates should be on the Southside.
- The wash down bay must be capable of capturing seeds from the vehicles and spray equipment as well as grease, oils, fuel and soil.
- The fuel arrangements at the Koolkhan depot will need to be reviewed when the store is closed and relocated, as someone will need to be responsible for managing the dips and ordering fuel (given that onsite fuel storage will remain at the depot due to a lack of external supply nearby).

## 4. Net Benefit Assessment

### 4.1 Financial Assessment

#### 4.1.1 Methodology

A Net Present Value (NPV) approach has been adopted using marginal cash flows from the status quo. In essence, the following cash flows are assessed:

- Marginal construction and renewal works, consisting of new depot establishment costs less renewal works required under the status quo.
- Net funds from the sale of surplus sites to offset upfront capital costs.
- Efficiency dividends (in the form of cost savings) to offset upfront capital costs.

Cash inflows and outflows under the proposed new depot scenario are therefore assessed relative to the inflows and outflows that would otherwise exist under the status quo.

#### 4.1.2 Discount Rate

A real discount rate of 2.50% is applied to real cash flows.

Sensitivity is undertaken at real discount rates of 4.00%, 7.00% and 10.00%.

#### 4.1.3 Cash Flows

For simplicity, it is assumed that all establishment costs occur in the first year (2016/17), including renewal cost savings. Surplus site sales then occur in year two, along with all efficiency dividends (with the exception of staffing costs which are phased over three years).

The following table shows the cash inflows and outflows underlying the financial assessment. The efficiency dividends are anticipated to remain stable at \$1.089 million per annum in real terms from 2019/2020.

**Table 4.1: Cash Flow Summary**

PROPOSED CASE	2017	2018	2019	2020
<b>CONSTRUCTION/RENEWAL COSTS</b>				
Land Costs - New Depot	-\$ 80,400			
Construction Costs - New Depot	-\$ 13,385,000			
Amount Already Expended or Committed	\$ 685,421			
less Renewal Works Required Under Status Quo	\$ 8,778,905			
<b>Marginal Construction/Renewal Costs</b>	<b>-\$ 4,001,074</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>SURPLUS SITE SALES</b>				
Sales Price Achieved (net of remediation works)		\$ 1,474,950		
Sales Commission and Other Selling Costs		-\$ 147,495		
<b>Net Surplus Site Sales</b>	<b>\$ -</b>	<b>\$ 1,327,455</b>	<b>\$ -</b>	<b>\$ -</b>
<b>EFFICIENCY DIVIDENDS</b>				
Reduction in Staffing Costs		\$ 266,667	\$ 533,333	\$ 800,000
Reduction in Inventory Held		\$ 181,121		
Reduction in Major Plant Requirements		\$ 463,000	\$ 164,000	\$ 164,000
Reduction in Small Plant Requirements		\$ 81,642	\$ 81,642	\$ 81,642
Reduction in Council Rates and Charges		\$ 19,106	\$ 19,106	\$ 19,106
Reduction in Electricity Costs		\$ 17,464	\$ 17,464	\$ 17,464
Reduction in Insurance Costs		\$ 2,781	\$ 2,781	\$ 2,781
Reduction in Cleaning Costs		\$ 2,244	\$ 2,244	\$ 2,244
Reduction in Security Costs		\$ 1,737	\$ 1,737	\$ 1,737
<b>Efficiency Dividends</b>	<b>\$ -</b>	<b>\$ 1,035,762</b>	<b>\$ 822,307</b>	<b>\$ 1,088,974</b>
<b>CONSTRUCTION/RENEWAL CASH INFLOWS/(OUTFLOWS)</b>	<b>-\$ 4,001,074</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>SURPLUS SITE SALES CASH INFLOWS/(OUTFLOWS)</b>	<b>\$ -</b>	<b>\$ 1,327,455</b>	<b>\$ -</b>	<b>\$ -</b>
<b>EFFICIENCY DIVIDENDS CASH INFLOWS/(OUTFLOWS)</b>	<b>\$ -</b>	<b>\$ 1,035,762</b>	<b>\$ 822,307</b>	<b>\$ 1,088,974</b>
<b>NET CASH INFLOWS/(OUTFLOWS) RELATIVE TO STATUS QUO</b>	<b>-\$ 4,001,074</b>	<b>\$ 2,363,217</b>	<b>\$ 822,307</b>	<b>\$ 1,088,974</b>

Source: AEC

#### 4.1.4 NPV Outcomes

NPV outcomes at a real discount rate of 2.50% are outlined below. Based on these outcomes, the payback period is less than 4 years. Even excluding the \$8.779 million in estimated renewal cost savings (which would otherwise be required under the status quo to bring depot facilities up to a satisfactory standard) from the financial assessment, the NPV is positive by year 14.

**Table 4.2: NPV Outcomes, 2.50% Real Discount Rate**

NET PRESENT VALUE	
<b>5 years</b>	<b>\$ 1,084,965</b>
<b>10 years</b>	<b>\$ 5,668,338</b>
<b>15 years</b>	<b>\$ 9,719,373</b>
<b>20 years</b>	<b>\$ 13,299,897</b>
<b>30 years</b>	<b>\$ 19,261,658</b>

Source: AEC

Other indicators are outlined below:

- NPV/Capital Costs Ratio = 1.04.
- Benefit Cost Ratio = 2.04.
- Internal Rate of Return = 34%.

NPV outcomes at real discount rates of 4.00%, 7.00% and 10.00% are outlined below for sensitivity testing, highlighting that an increase in the discount rate does not impact the fact that the proposal produces a significant net financial benefit.

**Table 4.3: NPV Outcomes, Higher Real Discount Rates**

Period	2.50%	4.00%	7.00%	10.00%
<b>5 years</b>	<b>\$ 1,084,965</b>	<b>\$ 930,473</b>	<b>\$ 645,475</b>	<b>\$ 388,844</b>
<b>10 years</b>	<b>\$ 5,668,338</b>	<b>\$ 5,074,494</b>	<b>\$ 4,051,809</b>	<b>\$ 3,208,370</b>
<b>15 years</b>	<b>\$ 9,719,373</b>	<b>\$ 8,480,578</b>	<b>\$ 6,480,478</b>	<b>\$ 4,959,074</b>
<b>20 years</b>	<b>\$ 13,299,897</b>	<b>\$ 11,280,130</b>	<b>\$ 8,212,085</b>	<b>\$ 6,046,124</b>
<b>30 years</b>	<b>\$ 19,261,658</b>	<b>\$ 15,472,436</b>	<b>\$ 10,326,959</b>	<b>\$ 7,140,201</b>

Source: AEC

## 4.2 Funding

Council has indicated its desire to fund the new depot project without the need for borrowing. While Council has not yet decided on the final funding mix for the proposed new depot, the following table represents an indicative funding scenario. Further consideration of possible funding options by Council will need to occur subsequent to the finalisation of this report.

**Table 4.4: Indicative Funding Scenario for the New Depot**

Description	Amount
<b>FUNDING REQUIREMENT</b>	
Required Funds	\$13,385,000
Funds Already Expended or Committed	\$685,421
<b>Total Funding Requirement</b>	<b>\$12,699,579</b>
<b>AVAILABLE FUNDS</b>	
Contribution from Water and Sewerage for Land Reclamation	\$1,173,000
Contribution for Portion of Depot From Water and Sewerage	\$3,660,000
Net Balance of Strategic Building Reserve (excluding funds already committed)	\$1,706,451
Net Proceeds from Sale of Land	\$5,145,000
Allocation from Heavy Plant Fleet Reserve	\$1,000,000
<b>Total Available Funds</b>	<b>\$12,684,451</b>
<b>Funding Surplus/(Shortfall)</b>	<b>-\$15,128</b>

Source: AEC

Net proceeds from sale of land refers to proceeds from surplus land identified by Council, with Council having resolved to transfer all proceeds to the Strategic Building Reserve for the purpose of funding projects such as the proposed new depot.



It is important to note that the NPV assessment includes a renewals allowance of \$8.779 million under the status quo that is required to bring the existing depot sites up to a satisfactory standard. Consequently, Council would need to find these funds from somewhere in the short to medium term even if the new depot was not to proceed.

### 4.3 Recommendations

**The findings of the assessment show a definite financial and non-financial benefit to Council and the Clarence Valley community from closing down the Grafton, South Grafton, Weeds and Floodplain depots and establishing a new, fit for purpose depot at the proposed location. This benefit is estimated to accrue almost immediately and be maintained through the long term, and will allow Council to achieve improved financial sustainability outcomes.**

The cost savings identified are considered to be the minimum achievable, with additional benefits likely to accrue upon consolidation particularly in the areas of job scheduling and resource management, major plant management and utilisation, and workshop/plant maintenance costs.

### 4.4 Risk Mitigation

A number of risks have been identified that should be considered as part of any implementation plan for the new depot, with appropriate mitigation strategies put in place. A few of these risks are identified in the following table, with impacts identified both without and with appropriate mitigation strategies in place.

**Table 4.5: Risk Assessment and Mitigation**

Risk Description	Potential Impact			Mitigation Strategies / Controls	Post-Mitigation		
	Likelihood	Consequence	Rating		Likelihood	Consequence	Residual
Political/public backlash	High	High	HIGH	<ul style="list-style-type: none"> <li>Regular communications, Council briefings and public notices</li> <li>Appropriate consideration of timing of Council elections and potential for change of Council</li> </ul>	Low	Moderate	LOW
Cost savings not achieved	Moderate	High	HIGH	<ul style="list-style-type: none"> <li>Clear plan of cost savings to be targeted and reviewed during depot consolidation</li> <li>Review of new depot operating costs on an ongoing basis</li> </ul>	Very Low	Low	LOW
Staff/industrial action	High	High	HIGH	<ul style="list-style-type: none"> <li>Regular staff briefings and other communication</li> <li>Communication with unions regarding the change of work location and practices, highlighting the benefits of the new depot relative to the existing depot sites</li> <li>Staff savings focussed on natural attrition and absorbed by growth pressures</li> </ul>	Very Low	Moderate	LOW
Unexpected traffic issues	High	High	HIGH	<ul style="list-style-type: none"> <li>Detailed planning for plant asset parking and traffic flows at the new depot</li> </ul>	Very Low	Moderate	LOW
No improvement in service standards or operational effectiveness	High	High	HIGH	<ul style="list-style-type: none"> <li>Ongoing review of operations and service standards</li> <li>Targeted strategic approach to depot operations under the new servicing structure</li> </ul>	Very Low	Moderate	LOW
Emergency response issues	High	Very High	HIGH	<ul style="list-style-type: none"> <li>Clear action plan regarding emergency response and change management training regarding changes from the status quo</li> <li>Ongoing review of emergency response capability and strategic asset and resource locations</li> </ul>	Very Low	Low	LOW
Business continuity implications	High	Very High	HIGH	<ul style="list-style-type: none"> <li>Effective planning for the relocation to the new depot facilities, possibly during the three-week shutdown over the Christmas period</li> <li>Business continuity plans to be developed for the new depot site</li> <li>Transition/staged relocation from existing depots to new depot and appropriate testing to avoid catastrophic failures</li> </ul>	Very Low	Low	LOW
Reasonable rehabilitation requirements at exited depot sites	High	High	HIGH	<ul style="list-style-type: none"> <li>Ensure that any uncertainties surrounding the requisite level of rehabilitation required at the Grafton, South Grafton and Floodplain depots are overcome as early as possible to allow for impacts on net site values to be determined</li> </ul>	Very Low	Low	LOW
Inability to obtain funding	Moderate	Moderate	MODERATE	<ul style="list-style-type: none"> <li>Ensure that the identified available funds are retained for the specific purpose of establishing the new depot</li> <li>Ensure that the identified surplus land and assets are listed on the market as early as possible so as to allow sufficient time for sales to occur</li> </ul>	Very Low	Low	LOW
Cost escalation	Moderate	Moderate	MODERATE	<ul style="list-style-type: none"> <li>Appropriate contingencies included in the cost estimates for the new depot</li> </ul>	Very Low	Low	LOW
Relocation delays	Very High	Moderate	MODERATE	<ul style="list-style-type: none"> <li>Effective planning, staging and resourcing of the relocation to the new depot</li> </ul>	Very Low	Low	LOW
Security concerns	High	Moderate	MODERATE	<ul style="list-style-type: none"> <li>Effective perimeter fencing, security cameras, traffic movement controls and nightly patrols, in addition to other measures</li> <li>Consider allowing after hours' staff to park inside the new depot rather than use the staff car park</li> <li>Appropriate security for staff vehicles at the new depot</li> </ul>	Low	Low	LOW

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Risk Description	Potential Impact			Mitigation Strategies / Controls	Post-Mitigation		
	Likelihood	Consequence	Rating		Likelihood	Consequence	Residual
External contractor impacts	Moderate	Moderate	MODERATE	<ul style="list-style-type: none"> <li>Review current contract arrangements to identify any contractors that may be adversely affected by the closure of the Grafton, South Grafton and Floodplain depots</li> </ul>	Very Low	Moderate	LOW
Need to expand the new depot	Very Low	High	MODERATE	<ul style="list-style-type: none"> <li>There is no current plan for future changes to Council boundaries that could require Council to increase service levels and scope.</li> <li>Any growth can be managed through the efficiencies identified at the new depot, in addition to via outsourcing and new contract arrangements if required (blending service provision through both day labour and contractors)</li> </ul>	Very Low	Low	LOW

Source: AEC



## References

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- APV (2015). *Desktop Valuation of Clarence Valley Council Land, Building and Other Structure Assets – 30 June 2015*, August 2015.
- Clarence Valley Council (2015). *Buildings Asset Management Plan*, July 2015.
- Taylor Byrne (2015a). *Valuation of Industrial Property Located at 28 Bruce Street Grafton NSW 2460*, July 2015, Grafton.
- Taylor Byrne (2015b). *Valuation of Industrial Property Located at 11 Schwinghammer Street South Grafton NSW 2460*, June 2015, Grafton.
- Taylor Byrne (2015c). *Valuation of Industrial Property Located at Lot 7 Lilypool Road South Grafton NSW 2460*, May 2015, Grafton.
- Taylor Byrne (2015d). *Valuation of Industrial Property Located at 29-31 Brickworks Lane South Grafton NSW 2460*, May 2015, Grafton.
- Uniqco (2015). *Review of Light Fleet and Heavy Plant*, November 2015, Australind.
- WT Partnership (2015). *Clarence Valley Council New Depot Facility Project – Revised Indicative Cost Estimate*, Prepared for Ridgemill Pty Ltd, July 2015.

Undetermined Applications as at 14 November 2020.

As of 14 December 2020 there were 181 outstanding development applications, which have been with Council for the following timeframes:

<b>Less than 40 days</b>	106
<b>41 - 60 days</b>	16
<b>61 - 80 days</b>	17
<b>81+ days</b>	42

The table below shows undetermined DAs that have been with Council for over 40 days with reasons for their current status.

Application No	Received Date	Total	Full Details	Property	Reason
DA2020/0678	2/11/2020	41	Swimming Pool	130 Ryan Street, SOUTH GRAFTON NSW 2460	Currently being assessed*
SUB2020/0036	30/10/2020	44	Two lot subdivision	40 Richmond Street, LAWRENCE NSW 2460	Report to December Council meeting.
DA2020/0668	29/10/2020	45	Demolish existing shed and construct new shed	24 Through Street, SOUTH GRAFTON NSW 2460	Amended plans received and currently being assessed*.
DA2020/0670	28/10/2020	46	Shed	8 Dorrigo Street, GLENREAGH NSW 2450	Currently being assessed*
DA2020/0665	26/10/2020	48	Alterations and Additions to dwelling	82 Blackswan Drive, COUTTS CROSSING NSW 2460	Currently being assessed*
DA2020/0659	26/10/2020	48	Dwelling, swimming pool and fence	11 Dunes Court, YAMBA NSW 2464	On exhibition until 16/12.
DA2020/0658	23/10/2020	51	Carport	3 Gumnut Road, YAMBA NSW 2464	Referral from Essential Energy received. DCP Variation (front setback) and currently being assessed*
DA2020/0660	23/10/2020	51	Alterations and Additions	93 Lakes Boulevard, WOLOWEYAH NSW 2464	Awaiting additional information (amended plans).
DA2020/0635	21/10/2020	53	Alterations to dwelling and new rear deck	9 Carraboi Street, WOOLI NSW 2462	Currently being assessed*
DA2020/0654	21/10/2020	53	Dual occupancy	165-169 Cambridge Street, SOUTH GRAFTON NSW 2460	Awaiting Additional information (compliance with DCP - landscaping area, private open space and stormwater management)
DA2020/0655	21/10/2020	53	Dual occupancy	165-169 Cambridge Street, SOUTH GRAFTON NSW 2460	Awaiting Additional information (compliance with DCP - landscaping area, private open space and stormwater management)
DA2020/0645	21/10/2020	53	Convert part of existing shed to secondary dwelling	23 Riverstone Road, SEELANDS NSW 2460	Currently being assessed*
DA2020/0644	20/10/2020	54	Dwelling	85 Frickers Road, NYMBOIDA NSW 2460	Currently being assessed*
SUB2020/0034	15/10/2020	59	Three lot subdivision	485 Armidale Road, ELLAND NSW 2460	Awaiting additional information (ecological study and details of driveway)
DA2020/0628	14/10/2020	60	Alterations and additions to GDSC	105 Mary Street, GRAFTON NSW 2460	Amended plans submitted and currently being assessed*
DA2020/0620	14/10/2020	60	Dwelling	32 Taine Court, YAMBA NSW 2464	DCP Variation (front setback) currently being assessed*
DA2020/0615	13/10/2020	61	Dual occupancy	1233 Tullymorgan Road, TULLYMORGAN NSW 2463	Currently being assessed*

DA2020/0623	13/10/2020	61	Alterations and additions to dwelling	12 Weemala Drive, WATERVIEW HEIGHTS NSW 2460	Currently being assessed*
DA2020/0632	13/10/2020	61	Shed	401 Armidale Road, ELLAND NSW 2460	Currently being assessed*
SUB2020/0033	12/10/2020	62	Two lot strata subdivision	62 Prince Street, GRAFTON NSW 2460	Awaiting additional information (fire safety measures and BCA compliance).
DA2020/0616	9/10/2020	65	Dwelling	13 Clarence Street, ASHBY NSW 2463	Submissions received and currently being assessed*
DA2020/0618	9/10/2020	65	Convert shed into dwelling	275 School Road, PALMERS ISLAND NSW 2463	Awaiting additional information (contamination assessment)
DA2020/0604	8/10/2020	66	Demolish barn and erect new shed	2071 Big River Way, ULMARRA NSW 2462	Additional information (amended plans) submitted 2/12 and currently being assessed*
DA2020/0613	8/10/2020	66	Extensions to flood mound	21 Fischers Road, SOUTHGATE NSW 2460	Awaiting additional information (amended plans and details of fill)
DA2020/0608	8/10/2020	66	Shed	497 Parker Road, LANITZA NSW 2460	Being determined.
CDC2020/0041		68	Swimming pool	3 Ashby Street, ASHBY NSW 2463	To withdrawn by Applicant
DA2020/0592	2/10/2020	72	Dwelling	Tullymorgan-Jackybulbin Road, JACKY BULBIN FLAT NSW 2463	Awaiting additional information (amended plans showing setbacks and clarification of area to be cleared)
DA2020/0585	1/10/2020	73	Two lot subdivision and alterations and additions to existing dwelling	132 Spenser Street, ILUKA NSW 2466	Awaiting external referral (RFS).
DA2020/0582	1/10/2020	73	Ambulance Station	75-79 Spenser Street, ILUKA NSW 2466	Draft Conditions sent to Applicant to review as DA is Crown Development.
DA2020/0579	30/09/2020	74	Dwelling	76 Armidale Street, SOUTH GRAFTON NSW 2460	Awaiting additional information (stormwater management and dischargeto sewer)
DA2020/0570	29/09/2020	75	Dual Occupancy	20 Kathleen Street, MACLEAN NSW 2463	Awaiting external referral (RFS)
DA2020/0573	29/09/2020	75	Dual occupancy	16-22 Grafton Street, LAWRENCE NSW 2460	Awaiting additional information (Amended Flood report)
DA2020/0572	25/09/2020	79	Alterations and additions to dwelling	1147 Lawrence Road, SOUTHGATE NSW 2460	Awaiting additional information (amended plans to consider hieitage listed building)
DA2020/0558	21/09/2020	83	Laundromat	115 River Street, MACLEAN NSW 2463	Awaiting external referral (Essential Energy)
DA2020/0542	17/09/2020	87	Dwelling and shed	Round Mountain Road, LOWER SOUTHGATE NSW 2460	Awaiting addition information (amended plans and BASIX certificate)
DA2020/0543	17/09/2020	87	37 lot subdivision and two dwellings	Orion Drive, YAMBA NSW 2464	Awaiting external referrals (DPI Fisheries, Transport for NSW) Additional information letter being finalised (connection to services, additional house design, compliance with DCP, draft management plan for waterbody).
DA2020/0549	17/09/2020	87	Shed	14 Convent Lane, YAMBA NSW 2464	Amended Plans received 11/12 and currently being assessed*
DA2020/0546	16/09/2020	88	Alterations and additions to car showroom	37 Turf Street, GRAFTON NSW 2460	Awaiting additional information (submit modification application to original consent)
SUB2020/0028	16/09/2020	88	Two lot subdivision	18 Beach Street, YAMBA NSW 2464	Being determined.

DA2020/0536	14/09/2020	90	Building envelope	Back Lane, JUNCTION HILL NSW 2460	Awaiting external referral ( Department of Planning)
DA2020/0529	10/09/2020	94	As built dwelling	637 Parker Road, LANITZA NSW 2460	Awaiting additional information (WAE for plumbing work, certification from electrician and bushfire report)
DA2020/0519	7/09/2020	97	Shed and two carports	32 Prescott Street, COPMANHURST NSW 2460	Awaiting additional information (amended plans to comply with DCP or seek DCP variation - setbacks)
DA2020/0492	28/08/2020	107	As built carport and outdoor area	15 Duke Street, ILUKA NSW 2466	Awaiting external referral (Essential Energy - requested further information before will give consideration)
DA2020/0474	24/08/2020	111	Convert caravan park to manufactured homes estate	54 Iluka Road, WOOMBAH NSW 2469	Report to December Council meeting.
DA2020/0470	21/08/2020	114	Four residential units, strata subdivision and consolidation	Duke Street, GRAFTON NSW 2460	Awaiting additional information (amendment to building design regarding heritage concerns).
SUB2020/0024	21/08/2020	114	Six lot strata subdivision	12 Fairtrader Drive, YAMBA NSW 2464	Awaiting additional information (on-site manoeuvring diagrams).
SUB2020/0021	20/08/2020	115	Three lot subdivision	126 North Street, GRAFTON NSW 2460	Additional information requested (location of easements for infrastructure and concept access plan).
DA2020/0461	19/08/2020	116	Equestrian Facility	346 Shipmans Road, GLENREAGH NSW 2450	Awaiting additional information (details of scale of operation expected and traffic impacts)
DA2020/0422	10/08/2020	125	Dual occupancy	2090 Lawrence Road, LOWER SOUTHGATE NSW 2460	Awaiting additional information (flood engineers certificate).
SUB2020/0016	9/07/2020	157	Five Lot Subdivision	439 Murrayville Road, ASHBY NSW 2463	Revised BDAR submitted 4/12, referred back to DPIE – Biodiversity and Conservation to review.
DA2020/0338	25/06/2020	171	Additions to dwelling	40 Kerry Street, MACLEAN NSW 2463	Applicant does not agree with RFS response and has advised they will engage a bushfire consultant to address issues.
DA2020/0294	5/06/2020	191	Dwelling, sheds, spa and flood mound	546 Lawrence Road, ALUMY CREEK NSW 2460	Additional information required (acid sulfate soil assessment).
DA2020/0291	3/06/2020	193	Site regrading and filling works	72-82 Swallow Road, SOUTH GRAFTON 2460	Awaiting external referrals (ARTC )
DA2020/0288	2/06/2020	194	Alterations and Additions (roof over deck)	6 Pilot Street, YAMBA NSW 2464	Applicant has requested to withdraw application, request being processed.
SUB2020/0010	20/05/2020	207	Two lot subdivision	135 Adams Street, WOOMBAH NSW 2469	Awaiting additional information as requested by NSW DPIE Biodiversity and Conservation Division - Aboriginal Cultural Heritage Assessment in accordance with National Parks & Wildlife Regulation 2019.
DA2020/0259	18/05/2020	209	Garage for PCYC	300 Powell Street, GRAFTON NSW 2460	Further revised plans show new location of shed on Crown Land, land owners consent required from Lands.

DA2020/0251	13/05/2020	214	Storage yard	121 Jubilee Street, TOWNSEND NSW 2463	Awaiting additional information (amended plans). Second additional information letter sent requesting update 9/09.
DA2020/0227	5/05/2020	222	Fence	66 Skinner Street, SOUTH GRAFTON NSW 2460	Awaiting additional information (amended design to comply with heritage provisions). Meeting to be arranged to discuss information requested.
DA2020/0220	30/04/2020	227	Redevelopment of caravan park	8A Harbour Street, YAMBA NSW 2464	Further consultation with NTS Corp in progress.
SUB2020/0006	20/04/2020	237	Three lot subdivision	115 Centenary Drive, CLARENZA NSW 2460	Awaiting additional information (address urban release area controls and preliminary intersection design).
DA2020/0188	14/04/2020	243	Dual Occupancy and two lot subdivision	4 Little River Close, WOOLI NSW 2462	Third request sent to Applicant regarding OSM for the development.
SUB2020/0002	4/03/2020	284	17 large lot residential subdivision	273-331 Centenary Drive, CLARENZA NSW 2460	Awaiting additional information (ecological details outstanding, stormwater management plan and road design). Awaiting comments from external agencies for comment (RFS and Crown Lands).
DA2020/0071	27/02/2020	290	Dwelling and boundary adjustment	25 McPhee Street, MACLEAN NSW 2463	Awaiting additional information (access and clearing). Applicant has advised that they are still liaising with Crown Lands to determine access arrangement.
SUB2019/0044	9/12/2019	370	Four lot subdivision	Micalo Road, MICALO ISLAND NSW 2464	Staff have written to the applicant with advice regarding options for access and are awaiting a response from applicant on how to progress the application. Applicant in negotiation with adjoining land owner to acquire land to be dedicated as road.
SUB2019/0041	29/11/2019	380	Two lot subdivision	33 Spenser Street, ILUKA NSW 2466	Further information requested regarding stormwater management from road upgrade and future buildings. Applicant has requested second meeting to discuss requirements.
DA2019/0636	22/11/2019	387	Vehicle repair station	228 Fitzroy Street, GRAFTON NSW 2460	Council staff have advised that ownership of the adjacent road reserve is unclear and suggest that the applicant complete a title search and/or seek legal advice regarding ownership of the lane before determining what option to progress the application.
DA2019/0539	17/10/2019	423	Monthly Twilight Markets	Clarence Street, YAMBA NSW 2464	Additional information requested (owners consent).
DA2019/0478	2/09/2019	468	Dwelling	191 Dirty Creek Road, DIRTY CREEK NSW 2456	Awaiting additional information (Bushfire Report)



SUB2019/0034	28/08/2019	473	41 lot subdivision	Old Glen Innes Road, WATERVIEW HEIGHTS NSW 2460	Additional information received 2/12 and referred back to RFS.
SUB2019/0033	20/08/2019	481	Boundary adjustment & consolidation of Lot 10 DP752845 & Lot 32 DP 752845	900-1278 Laytons Range Road, KANGAROO CREEK NSW 2460	Report to December Council meeting.
SUB2019/0030	14/08/2019	487	295 lot staged residential subdivision	52-54 Miles Street, YAMBA NSW 2464	NRAR have revised additional information request which will amend the proposal. Applicant to respond to this request. Council staff have requested that the applicant submit amended plans and reports for the amended layout.
DA2019/0423	12/08/2019	489	255 manufactured home estate with community facilities	Brooms Head Road, GULMARRAD NSW 2463	Additional information received (amended plans, BDAR and stormwater report) and being re-notified.
DA2019/0152	26/03/2019	628	Temporary use of land (function centre)	Micalo Road, MICALO ISLAND NSW 2464	Staff have written to the applicant with advice regarding options for access and are awaiting a response from applicant on how to progress the application.
SUB2018/0027	8/10/2018	797	Two lot subdivision	20 The Glen, MACLEAN NSW 2463	Awaiting additional information (Biodiversity and bushfire). Have met with Applicant on-site, plans to be submitted that demonstrate a house can achieve BAL29 with minimal clearing required.
DA2017/0671	18/10/2017	1152	Caravan Park - Alterations & Additions (10 additional sites) and amenities	391 Goodwood Island Road, GOODWOOD ISLAND NSW 2469	Awaiting additional information (Building Certificate Application, plans and compliance with Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

Approved applications from 23 November 2020 to 14 December 2020:

Application No.	Approved Date	Total	Details	Property
DA2020/0218	10/12/2020	223	Convert as built outbuilding to dwelling to create dual occupancy	96 Banana Road, MORORO NSW 2469
DA2020/0388	25/11/2020	132	Dual occupancy (detached)	2A Petticoat Lane, HARWOOD NSW 2465
DA2020/0431	1/12/2020	119	Dwelling and secondary dwelling	1-9 Grafton Street, LAWRENCE NSW 2460
DA2020/0450	27/11/2020	100	Dwelling	95 West Street, WOOMBAH NSW 2469
DA2020/0454	30/11/2020	103	Dwelling	3 Pottery Lane, WOOMBAH NSW 2469
DA2020/0503	2/12/2020	89	Shed & as built flood mound	229 Middle Road, PALMERS ISLAND NSW 2463
DA2020/0534	30/11/2020	80	Secondary dwelling	746 Brooms Head Road, GULMARRAD NSW 2463
DA2020/0548	30/11/2020	75	Dwelling and In-ground Swimming Pool	1 Dunes Court, YAMBA NSW 2464
DA2020/0554	9/12/2020	79	Dual Occupancy and shed	Sandon River Road, BROOMS HEAD NSW 2463
DA2020/0556	25/11/2020	68	Mechanical workshop	4B Fairtrader Drive, YAMBA NSW 2464
DA2020/0568	3/12/2020	68	Carport addition to front of shed	10 Schonbien Court, JUNCTION HILL NSW 2460
DA2020/0574	3/12/2020	63	Dwelling & as built pad & retaining walls	524 Tullymorgan-Jackybulbin Road, JACKY BULBIN FLAT NSW 2463

DA2020/0586	7/12/2020	66	Dwelling	160 Grasstree Drive, TALOUMBI NSW 2463
DA2020/0587	4/12/2020	63	Shed	10 Lakkari Street, COUTTS CROSSING NSW 2460
DA2020/0598	9/12/2020	68	Shed	946 Rushforth Road, ELLAND NSW 2460
DA2020/0599	26/11/2020	54	Dual Occupancy	1 Cowper Close, GRAFTON NSW 2460
DA2020/0600	9/12/2020	67	Secondary Dwelling	805 Rushforth Road, ELLAND NSW 2460
DA2020/0602	10/12/2020	63	Dwelling Addition - Deck extension	352 Bent Street, SOUTH GRAFTON NSW 2460
DA2020/0607	30/11/2020	54	Shed & sanitary facilities	193 Gardiners Road, JAMES CREEK NSW 2463
DA2020/0622	9/12/2020	57	Relocate dwelling, alterations and additions to dwelling	5695 Banana Road, MORORO NSW 2469
DA2020/0636	3/12/2020	43	Shed	16 Morelia Way, WOOMBAAH NSW 2469
DA2020/0639	27/11/2020	38	Dwelling and swimming pool	15 Dunes Court, YAMBA NSW 2464
DA2020/0646	4/12/2020	38	Dwelling, retaining wall and swimming pool	15 Amaroo Place, YAMBA NSW 2464
DA2020/0647	24/11/2020	35	Alterations and Additions	44 McFarlane Street, SOUTH GRAFTON NSW 2460
DA2020/0648	10/12/2020	49	Dwelling and shed with sanitary facilities	41 Parklands Drive, GULMARRAD NSW 2463
DA2020/0650	3/12/2020	41	Shed extension with sanitary facilities	10 Blue Wren Close, GULMARRAD NSW 2463
DA2020/0651	2/12/2020	41	Dwelling, swimming pool and shed with facilities	Dianella Drive, GULMARRAD NSW 2463
DA2020/0652	25/11/2020	34	Dwelling	12B Armstrong Road, GULMARRAD NSW 2463
DA2020/0656	25/11/2020	34	Shed	17 Acacia Circuit, YAMBA NSW 2464
DA2020/0662	2/12/2020	37	Enclose rear patio	45 Sovereign Street, ILUKA NSW 2466
DA2020/0664	3/12/2020	40	Dwelling	1209 Lower Coldstream Road, ULMARRA NSW 2462
DA2020/0666	2/12/2020	34	Secondary dwelling	501 Old Ferry Road, ASHBY NSW 2463
DA2020/0672	3/12/2020	34	Dwelling and secondary dwelling	80 Dianella Drive, GULMARRAD NSW 2463
DA2020/0674	8/12/2020	40	Alterations and additions to prawn processing facility	166 O'Keefes Lane, PALMERS ISLAND NSW 2463
DA2020/0676	4/12/2020	34	Shed	80 Dianella Drive, GULMARRAD NSW 2463
DA2020/0679	7/12/2020	33	Dwelling	20 Frogmouth Drive, GULMARRAD NSW 2463
DA2020/0682	9/12/2020	35	Dwelling	30 Major Mitchell Drive, GULMARRAD NSW 2463
DA2020/0683	4/12/2020	29	Dwelling	18 Robin Place, GULMARRAD NSW 2463
DA2020/0686	10/12/2020	29	Shed with sanitary facilities	620 Brooms Head Road, GULMARRAD NSW 2463
DA2020/0689	9/12/2020	33	Shed	30 Major Mitchell Drive, GULMARRAD NSW 2463
DA2020/0690	2/12/2020	26	Shed	Alans Close, YAMBA NSW 2464
DA2020/0695	1/12/2020	21	Shop fit out	50 Prince Street, GRAFTON NSW 2460
DA2020/0715	10/12/2020	20	Carport	3 Pardalote Place, GULMARRAD NSW 2463
DA2020/0739	3/12/2020	8	Swimming pool	3 Ashby Street, ASHBY NSW 2463
SUB2020/0032	27/11/2020	56	Six lot subdivision (Three additional lots)	4 Dunes Court, YAMBA NSW 2464
SUB2020/0035	2/12/2020	34	Two lot subdivision	873 Armidale Road, BRAUNSTONE NSW 2460



# Bushfire Local Economic Recovery Fund

PROGRAM GUIDELINES



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# FOREWORD

People living in regional NSW have been doing it tough in 2020, and none more so than those whose homes and livelihoods were affected by the bushfires across much of the state. Many are still rebuilding their lives, restricted by the ongoing impacts of COVID-19.

Despite the daily demands of the coronavirus, the NSW Government continues to prioritise support for communities in bushfire affected regions.

More than \$2.3 billion has been committed to assist communities impacted by the bushfires, which includes supporting a temporary accommodation program, property clean-up and mental health services.

We established Resilience NSW to co-ordinate a range of support initiatives offered across government, and over the next two years has allocated \$1 billion to help rebuild our bushfire-affected communities and make them stronger into the future.

This latest \$250 million Bushfire Local Economic Recovery (BLER) Fund package is jointly funded by the Australian and NSW Government to further support the social and economic recovery of communities from 47 bushfire-affected Local Government Areas (LGAs) across the state. It aims to promote community, industry and local economic recovery in the short, medium and long-term.

Combined with a range of fast-tracked priority projects, over \$500 million in joint funding will be provided to support bushfire impacted communities under the BLER Fund.

It will help retain and create jobs in regional areas and stimulate regional economies by supporting entrepreneurship and innovation, diversification, market expansion and capacity building.

It will also help prepare communities for future bushfire seasons, by funding refuge centres and energy security infrastructure for community buildings for example and will support regional economies by funding tourism campaigns and attractions that bring visitors to experience our beautiful countryside.



I understand many people in regional areas are feeling overwhelmed by the amount of paperwork they have had to complete this year as they rebuild their lives after years of drought and the devastating bushfires.

I would like to assure regional communities that staff from the Department of Regional NSW are on hand and are willing to help applicants to make funding applications.

The new Department of Regional NSW is a central agency for regional issues, focused on putting the needs of regional communities, industries and businesses first. Its mission is to help build strong, resilient communities and economies, support our young people, grow primary industries, create jobs and employment and oversee the use of our natural resources: our lands, mining and minerals and agricultural resources. It is also to make sure government investment into regional NSW is fair and delivers positive outcomes.

I encourage potential applicants to review the BLER Fund Guidelines, consider what your community needs and take every available opportunity to secure funding to recover, grow and thrive.

**The Hon. John Barilaro MP**

Deputy Premier

Minister for Regional NSW, Industry and Trade



## OVERVIEW

The NSW Government and Australian Government are supporting the recovery of bushfire impacted communities through a range of funding programs that support local and regional economic and social recovery - including initiatives across economic, social, built and natural environment recovery.

The Bushfire Local Economic Recovery (BLER) Fund supports communities to recover both economically and socially from the 2019-2020 bushfires. The BLER Fund will make \$500 million available for projects in bushfire affected communities.

All projects supported under the BLER Fund will be jointly funded by the NSW and Australian Governments.

Bushfire affected communities will have access to funding for infrastructure projects and local programs and initiatives that encourage the short, medium and long-term recovery.

### Bushfire funding streams

#### COMMUNITY RECOVERY AND RESILIENCE FUND

Support community recovery, capacity building and improve future disaster resilience

#### INDUSTRY RECOVERY PACKAGE

Targeted support for driver industries of forestry, agriculture and horticulture

#### BUSHFIRE LOCAL ECONOMIC RECOVERY FUND

Support local and regional economic and social recovery projects



## PROGRAM OBJECTIVE

The objective of the BLER Fund is to support economic and social recovery at a local and regional level in areas impacted by the 2019-2020 bushfires. The BLER Fund will support job retention and creation in these regions, strengthen community resilience and reduce the impact future natural disasters will have on our communities. The majority of funding should be committed to the areas most impacted by the fires.

### Key Dates

KEY PHASE	DATE
BLER Fund applications open	27 October 2020
Applications close	2pm 28 January 2021
Assessment and approval process	Complete end of May 2021
Announcement of successful applications	From June 2021
Final project completion	No later than 30 June 2023

In extenuating circumstances, late applications may be accepted at the sole discretion of the Department of Regional NSW (the Department).



## PROGRAM FUNDING

\$250 million is available for new projects under the BLER Fund. Funding will be available in impacted regions, but will be focused on supporting the areas most impacted. Regions not directly or minimally impacted by the 2019-2020 bushfires are not eligible for funding under BLER. Eligible Local Government Areas (LGAs) are listed in Appendix A.

### Grant amounts

The grant funding for individual projects is dependent on the project type.

- Infrastructure projects must seek a minimum of \$400,000 with a maximum available grant of \$20 million.
- Environmental projects including rehabilitation, remediation and resilience improvements must seek a minimum of \$200,000 with a maximum available grant of \$4 million.
- Programs, including social, business and environmental education initiatives must seek a minimum of \$200,000 with a maximum available grant of \$4 million.

Funding will be prioritised to support applications from areas most impacted by bushfires.

For organisations registered for GST and where it is payable, successful applications will be paid the approved grant amount plus 10 per cent by the Department.

Where an organisation is not registered for GST, it is not payable on grant amounts under the BLER Fund. Organisations not registered for GST must incorporate any GST paid by them to third parties into their project budget and funding request.

### Co-contributions

Applicants are strongly encouraged to make a financial co-contribution to their projects; however, this is not an eligibility requirement. Co-contributions could include leveraging community funds, in-kind support, local government funds as well as funding from other sources including other NSW or Australian Government programs. Evidence of secured co-contributions will be required as part of an application where relevant. The delivery or viability of projects should not be dependent on co-contributions that have not been secured.

# ELIGIBILITY CRITERIA

Projects will need to meet the program eligibility and assessment criteria to receive funding. All applications will be assessed for eligibility and only eligible applications will be considered for funding.

## Applicants

Applicants must hold an Australian Business Number (ABN), Australian Company Number (ACN) or be registered with NSW Fair Trading under the Associations Incorporation Act 2009 or other Act.

An applicant must be one of the following entities:

- Councils
- Joint Organisation of Councils
- not-for-profit organisations, including business chambers, industry associations and charities
- research or academic organisations
- State Government corporations
- Local Aboriginal Land Councils.

For-profit organisations and state government agencies may be considered eligible applicants only where projects will deliver a clear public benefit.

A public/private partnership may only seek funding where the lead applicant is an eligible entity.

Section 355 committees of council are eligible to apply for funding, but the council will be required to execute the funding deed should the project be successful.

Applicants must have or be able and willing to purchase at least \$20 million in public liability insurance.



## Ineligible applicants

Ineligible applicants include:

- an individual or group of individuals (including sole traders and partnerships)
- an unincorporated association (including trusts) that is not a registered not-for-profit organisation
- discretionary investment trusts that are not a registered not-for-profit organisation.

## Project location

Projects seeking funding must be delivered in an eligible LGA as listed in Appendix A.

Applicants are permitted to submit more than one application. Applications can be submitted for projects that will be delivered and provide benefit across multiple LGAs.

Where the applicant is not the owner of the land where the project will be delivered, landowner's consent will be required as part of the application.

## Project type

To be eligible projects must:

- support the recovery of the local community's economy, social well-being, environment or improve resilience to future natural disasters
- be able to commence within six months of the funding deed being executed by the Department and be completed by 30 June 2023
- align with one of the following categories:
  - enabling infrastructure
  - industry and business development
  - social development
  - natural environment and resource development
  - built environment adaption.

The specific scope of works and key milestones of the project must be defined in the application.

CATEGORY	DESCRIPTION	PROJECT EXAMPLES
<b>Enabling infrastructure</b>	New infrastructure and functionality enhancements or upgrades to existing infrastructure, including improvements.	<ul style="list-style-type: none"> <li>• Shared pathway, bike paths and pedestrian access</li> <li>• Restoration of bushfire impacted roads</li> <li>• Development of roads to support increased industrial development</li> <li>• Art galleries and other facilities to support social community development and economic recovery</li> <li>• Improved community road access and vehicle capacity</li> </ul>
<b>Industry and business development</b>	Initiatives supporting entrepreneurship and innovation, business retention, development of regional specialisations, economic diversification, expansion and attraction, capacity building, workforce participation, skills development, small business development, and local and regional industry networks.	<ul style="list-style-type: none"> <li>• Tourism campaigns (including digital product development)</li> <li>• Regional events</li> <li>• Workforce adaptation and work ready training programs</li> <li>• Remote working facilities and campaigns to boost regional economies</li> </ul>
<b>Social development</b>	Community development and wellbeing, social support or social development initiatives.	<ul style="list-style-type: none"> <li>• Resilience programs</li> <li>• Pools and other amenities</li> <li>• Community groups</li> <li>• Community hall upgrades and other critical social infrastructure</li> <li>• Community mental health programs</li> </ul>
<b>Natural environment and resource development</b>	Natural environment restoration, environmental improvement initiatives and research into improved fire management.	<ul style="list-style-type: none"> <li>• Regeneration activities</li> <li>• Breakwater and other coastal protection</li> <li>• Walking and mountain bike trail development</li> <li>• Restoration and improvement of parkland and other natural resources</li> </ul>
<b>Built environment adaption</b>	Disaster risk reduction through adapting the built environment to future climate change and natural hazard conditions, including through the development of emerging technologies.	<ul style="list-style-type: none"> <li>• Community refuge centres</li> <li>• Fire resistant infrastructure</li> <li>• Energy security infrastructure, such as solar power for community buildings</li> <li>• Commercialisation of new fire detection technology</li> <li>• Fire-resistant streetscaping</li> <li>• Upgrades to mobile communication security</li> </ul>

## Ineligible projects and project costs

### Infrastructure and programs are not eligible for funding if they:

- are for the day to day delivery of essential or core local government services
- have exclusive private benefits or provide direct commercial and/or exclusive private benefit to an individual or business.

### Ineligible project costs include:

- costs related to buying or upgrading non-fixed equipment or supplies unless it is a small component of a larger fixed project
- financing, including debt financing, or insurance
- rental costs for infrastructure projects and environmental projects
- for community programs, rental costs not directly associated with the program
- costs relating to depreciation of plant and equipment beyond the life of the project
- prizes
- non-project related staff training and development costs
- operational expenditure, including but not limited to regular repairs and maintenance
- ongoing / recurrent funding that is required beyond the stated timeframe of the project
- for infrastructure projects, funding for any ongoing staff or operational costs
- for non-infrastructure projects, funding for ongoing staff or operational costs beyond the scope and timeframe of the funded project
- retrospective funding to cover any project component that is already complete before a funding deed is executed by the Department.

Any project management or administration cost over 20 per cent of the total funding request is ineligible to be claimed under BLER funding. Administration and project management costs may include accommodation, transport, contingency and on-costs for eligible wages.

## ASSESSMENT CRITERIA

All applications meeting the eligibility criteria must also meet the assessment criteria to receive funding, including:

1. Alignment with regional objectives
2. Local support and participation
3. Need for project
4. Feasibility
5. Enduring benefit.

### 1. Alignment with regional objectives

#### Applications must demonstrate that the project will support:

- the economic or social recovery of the LGA or region
- the strengthening of community resilience.

#### Evidence must be provided showing how the project aligns with one or more of the following:

- [National Disaster Risk Reduction Framework](#)
- [National Strategy for Disaster Resilience](#)
- [State Recovery Plan](#)
- [Regional Economic Development Strategy](#)
- Regional Recovery Plan
- Relevant local government strategies.

### 2. Local support and participation

Applications must provide evidence the community supports the project.

#### Evidence could include:

- letters of support
- minutes or reports from community meetings
- community led funding proposals.

The application must also demonstrate the project will optimise local and or indigenous employment and procurement opportunities. This could include work for local trades, services or other input businesses as well as potential for direct community employment on the project.



### 3. Evidence base

Applications must demonstrate the community has a need for the proposed project and its outcomes. This need can either be demonstrated through data analysis or through community driven interest in the project and its outcome.

#### Evidence could be demonstrated through:

- community surveys
- gap analysis
- local media
- evidence of degraded services or facilities
- local strategic plans.

### 4. Feasibility

Applications must provide evidence the project has been adequately planned, costed and appropriate mitigation strategies are in place for identified risks.

#### Applicants must provide:

- a detailed and realistic project management plan
- evidence that the project can be delivered by 30 June 2023
- confirmation that no serious planning, construction, zoning or other impediments exist for the delivery of the project
- evidence the applicant has the necessary expertise to deliver the project or can access experienced and qualified personnel to support the project delivery
- confirmation that all construction work delivered through the project would be delivered by builders accredited under the Australian Government Construction WHS Accreditation Scheme.

### 5. Enduring benefit

Applications must demonstrate the project output will deliver an ongoing, sustainable benefit for the community.

#### Applicants must demonstrate the project's outcome will either:

- improve community resilience to future natural disasters
- reduce future disaster risks
- provide ongoing facilities for community use
- provide community services
- provide economic benefit for the area
- sustained employment opportunities.

## APPLICATION PROCESS

The BLER Fund is a single-stage application process.

Staff from the Department will be available to provide advice to applicants in preparing their applications.

It is strongly recommended applicants seek input from the Department prior to applying to ensure applications are consistent with BLER Fund's key objectives, are well-developed and the project is ready to commence within six months.

Applicants must submit the following documents as part of their application through the online portal:

PROJECT CATEGORY	APPLICATION DOCUMENTS REQUIRED
<b>Category 1:</b> \$200,000 to \$1 million funding requested	<ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> </ul>
<b>Category 2:</b> Over \$1 million funding requested	<ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed business case in BLER template (with evidence of estimated costs)</li> </ul>

### Assessment process

Departmental staff assess projects against the eligibility requirements and then facilitate the assessment of projects against the assessment criteria.

Through the assessment process, the Department may request additional information from the applicant or from any other source. The Department may also seek advice from other NSW Government agencies or other third parties (such as probity advisors) to assist with the assessment of projects.

The Bushfire Local Economic Recovery Assessment Panel (the Assessment Panel) will review project eligibility and assessment outcomes and form a list of projects that are deemed suitable/not suitable for funding. The Assessment Panel will consist of representatives from the Department, Resilience NSW and an independent member.

Where there is uncertainty or unintended outcomes arising from the BLER Fund eligibility requirements a practical approach will be taken to resolve issues. Final eligibility determinations will be made at the discretion of the Assessment Panel, with advice and recommendations from the Department.

The Assessment Panel will consider the individual merits of each project against the assessment criteria and how the project fits with the package of projects to support overall regional recovery. Broader factors that may be considered when assessing the overall package of projects suitable for funding include:

- variety of project size, scale, type, and domain
- amount of funding available
- importance of a project to the local and regional economies
- importance of a project to the economic and industry recovery of a local and regional area
- ability for a project to diversify an economy
- geographical spread of projects across bushfire impacted regions
- project benefits relative to the impact from the bushfires in a local and regional area
- broader recovery context and outlook
- alignment with existing NSW Government policies and strategies
- whether a project is most suited for funding under the BLER or another funding source
- market failure, market barriers and the role of government.

The Assessment Panel may recommend part-funding of projects if there is insufficient funding available for the whole project or only a component of the project is considered suitable/eligible for funding.

The NSW Government may refer projects to other funding programs for consideration.

The NSW Government and Australian Government will review all suitable projects for co-funding. Other factors may be taken into consideration when determining final projects to receive co-funding.

Projects are considered by the NSW Cabinet Committee on Expenditure Review for the final funding decision.

## If the project is successful

Successful applicants will receive written notification of the grant outcome. Once notified, successful applicants will be required to:

- contact the Regional NSW Grant Management Office to enter into a funding deed with the NSW Government
- submit project progress reports to the NSW Government on a quarterly basis or, as outlined in the funding deed. Grants will be paid via milestone payments set out in the funding deed
- pay back unspent funds or those funds which have not been spent in accordance with the funding deed or receive a reduced final payment
- participate in a program evaluation after the project has commenced to determine the extent to which their projects have contributed to the objectives of the fund
- acknowledge the joint Australian and NSW Governments support for the project as per the NSW Government Funding Acknowledgment Guidelines available at [nsw.gov.au/nsw-government-communications/branding](https://nsw.gov.au/nsw-government-communications/branding)
- note the NSW Government and Australian Government reserve the right to undertake an audit of grant funding within a period seven years from the signing of the funding deed.

Requests for variations or changes to the project will only be considered by the Department in limited circumstances.

The evaluation of the Program will require applicants to provide evidence of how projects have resulted in a measurable benefit to the community that is consistent with the objectives of the fund.

The NSW Government or Australian Government may use any information submitted by an applicant for promotional material.

## If the project is unsuccessful

The NSW Government will notify applicants in writing the outcome of each application and will offer feedback session to unsuccessful applicants.

## FIND OUT MORE

To help applicants prepare their application, additional information and resources will be placed on the Bushfire Local Economic Recovery web page, including relevant application templates.

A webinar will be held during the application open period.

[nsw.gov.au/blerfund](http://nsw.gov.au/blerfund)

The Department can assist applicants to develop strong applications. Please contact [regionalnsw.business@dpc.nsw.gov.au](mailto:regionalnsw.business@dpc.nsw.gov.au) or call 1300 679 673 for a referral.

## Complaints

Any concerns about the program or individual applications should be submitted in writing to [regionalnsw.business@dpc.nsw.gov.au](mailto:regionalnsw.business@dpc.nsw.gov.au). If you do not agree with the way the Department handled the issue, you may wish to contact the NSW Ombudsman via [ombo.nsw.gov.au](http://ombo.nsw.gov.au)

## Government Information (Public Access) Act

Applicants should be aware that information submitted in applications and all related correspondence, attachments and other documents may be made publicly available under the *Government Information (Public Access) Act 2009 (NSW)*. Information that is deemed to be commercially sensitive will be withheld.

The *Government Information (Public Access) Act 2009 (NSW)* makes government information accessible to the public by:

- requiring government agencies to make certain sorts of information freely available
- encouraging government agencies to release as much other information as possible
- giving the public an enforceable right to make access applications for government information
- restricting access to information only when there is an overriding public interest against disclosure.

## Communication

If successful, the NSW and Australian Governments reserve the right to use applicant and project information in media regarding the BLER Fund. Information may be used in the form of press releases, case studies, promotional material and in response to media enquires relevant to the BLER Fund.



# APPENDIX A

- Armidale Regional Council
- Ballina Shire Council
- Bega Valley Shire Council
- Bellingen Shire Council
- Blue Mountains City Council
- Byron Shire Council
- Central Coast Council
- Cessnock City Council
- Clarence Valley Council
- Coffs Harbour City Council
- Cootamundra-Gundagai Regional Council
- Dungog Shire Council
- Eurobodalla Shire Council
- Glen Innes Severn Council
- Goulburn Mulwaree Council
- Greater Hume Shire Council
- Gwydir Shire Council
- Hawkesbury City Council
- Inverell Shire Council
- Kempsey Shire Council
- Kyogle Council
- Lake Macquarie City Council
- Lismore City Council
- City of Lithgow Council
- MidCoast Council
- Mid-Western Regional Council
- Muswellbrook Shire Council
- Nambucca Shire Council
- Narrabri Shire Council
- Oberon Council
- Port Macquarie-Hastings Council
- Queanbeyan-Palerang Regional Council
- Richmond Valley Council
- Shoalhaven City Council
- Singleton Council
- Snowy Monaro Regional Council
- Snowy Valleys Council
- Tamworth Regional Council
- Tenterfield Shire Council
- Tweed Shire Council
- Upper Hunter Shire Council
- Upper Lachlan Shire Council
- Uralla Shire Council
- Wagga Wagga City Council
- Walcha Council
- Wingecarribee Shire Council
- Wollondilly Shire Council





## MORE INFORMATION

Phone: **1300 679 673**

Email: [regionalnsw.business@dpc.nsw.gov.au](mailto:regionalnsw.business@dpc.nsw.gov.au)

Website: [nsw.gov.au/blerfund](http://nsw.gov.au/blerfund)

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<b>BUSHFIRE LOCAL ECONOMIC RECOVERY FUND (BLERF) – Stream 2 SUMMARY OF CVC APPLICATIONS</b>								
<b>CATEGORY</b>	<b>DESCRIPTION</b>	<b>PROJECT EXAMPLES</b>	<b>PROJECT</b>	<b>LEAD</b>				
Social Development (Cat2)	To redevelop the Grafton pool. Council adopted the concept masterplan (15.099/18) and allocated \$600K in 2020/21 capital works program to progress the detailed design. This is currently in progress with Complete Urban engaged and will be completed, shovel ready in June 2021.	<b>Plan/Strategic Alignment</b> Masterplan adopted. Seeking tenders for detailed design shortly. Detailed design complete by 30 June 2021. The project aligns with CVC Aquatic Facilities Strategy; Aligns with the goals and objectives of the Office of Sport Strategic Plan 2018-2022; Aligns with the outcomes in the NSW Government North Coast Sport & Active Recreation Plan 2018 – 2023 Note - Business Case largely gathered and can be finalised with Complete Urban ready for grant submission	<b>Grafton Pool Redevelopment</b>  Total Project Cost - \$19,600,000 Council allocation \$600,000 <b>Grant allocation sought - \$19,000,000</b>	Peter Birch/Rachelle Passmore to prepare for submission.  <hr/> <b>Category 2:</b> Over \$1 million funding requested <ul style="list-style-type: none"><li>• Completed application form</li><li>• Completed business case in BLER template (with evidence of estimated costs)</li></ul> <hr/>				
Enabling Infrastructure (Cat1)	A project to enable better access of freight vehicles into and out of the Townsend Industrial Estate. We have already received 50% funding through the HVSP program.	The project will address existing asset maintenance issues, as well as upgrade assets that are inadequate for heavy vehicles.  These inadequate assets are already failing and will need replacement in the near future should this project not proceed.	<b>Townsend Industrial Estate Upgrade</b>  Total Project Cost - \$1,961,080 \$980,540 has already been funded from other grants <b>Grant allocation sought \$980,540</b>	Alex Dalrymple to prepare for submission.  <table border="1"><thead><tr><th><b>PROJECT CATEGORY</b></th><th><b>APPLICATION DOCUMENTS REQUIRED</b></th></tr></thead><tbody><tr><td><b>Category 1:</b> \$200,000 to \$1 million funding requested</td><td><ul style="list-style-type: none"><li>• Completed application form</li><li>• Completed project plan template</li><li>• Completed budget template (with evidence of estimated costs)</li></ul></td></tr></tbody></table> <hr/>	<b>PROJECT CATEGORY</b>	<b>APPLICATION DOCUMENTS REQUIRED</b>	<b>Category 1:</b> \$200,000 to \$1 million funding requested	<ul style="list-style-type: none"><li>• Completed application form</li><li>• Completed project plan template</li><li>• Completed budget template (with evidence of estimated costs)</li></ul>
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	Council resolved to seek further grants to cofund the HVSP projects. Resolution 6c.20.159							
Enabling Infrastructure (Cat1)	<p>A project to enable better access and safety of freight vehicles on Armidale Road.</p> <p>We have already received 75% funding through the HVSP program and the Safer Roads Program.</p> <p>Council resolved to seek further grants to cofund the HVSP projects. Resolution 6c.20.159</p>	<p>The project will address existing asset maintenance issues, as well as upgrade assets that are inadequate for heavy vehicles.</p> <p>These inadequate assets are already failing and will need replacement in the near future should this project not proceed.</p>	<p><b>Armidale Road Heavy Vehicle Safety and Access Improvements</b></p> <p>Total Project - \$2,560,000 \$1,920,000 has already been funded <b>Grant Allocation sought - \$640,000</b></p>	<p>Alex Dalrymple to prepare for submission.</p> <table border="1"> <thead> <tr> <th>PROJECT CATEGORY</th> <th>APPLICATION DOCUMENTS REQUIRED</th> </tr> </thead> <tbody> <tr> <td><b>Category 1:</b> \$200,000 to \$1 million funding requested</td> <td> <ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> <li>• Completed budget template (with evidence of estimated costs)</li> </ul> </td> </tr> </tbody> </table>	PROJECT CATEGORY	APPLICATION DOCUMENTS REQUIRED	<b>Category 1:</b> \$200,000 to \$1 million funding requested	<ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> <li>• Completed budget template (with evidence of estimated costs)</li> </ul>
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Enabling Infrastructure and Built Environment Adaptation (Cat 1)	Penstock installations – Alamy Creek and Bakers Swamp Drain. These are the only two major drain outlets in North Grafton without 'back-up' penstocks to close and stop floods entering Grafton should the flap gate fail.	Council also adopted this levee project as a high floodplain priority.	<b>Flood Levee Infrastructure Improvements</b>  \$1m (estimate based on similar projects - detailed cost estimate can be obtained prior to grant deadline if required). Council funds \$75,000 <b>Grant allocation sought - \$925,000</b>	Kieran McAndrew to prepare for submission.  <table border="1" data-bbox="1464 242 2069 580"> <thead> <tr> <th data-bbox="1464 242 1644 331">PROJECT CATEGORY</th> <th data-bbox="1644 242 2069 331">APPLICATION DOCUMENTS REQUIRED</th> </tr> </thead> <tbody> <tr> <td data-bbox="1464 331 1644 580"> <b>Category 1:</b>            \$200,000 to \$1 million funding requested         </td> <td data-bbox="1644 331 2069 580"> <ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> <li>• Completed budget template (with evidence of estimated costs)</li> </ul> </td> </tr> </tbody> </table>	PROJECT CATEGORY	APPLICATION DOCUMENTS REQUIRED	<b>Category 1:</b> \$200,000 to \$1 million funding requested	<ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> <li>• Completed budget template (with evidence of estimated costs)</li> </ul>
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Enabling Infrastructure and Built Environment Adaptation (Cat 1)	Fire Cameras, rain gauges, erosion control works within inner catchment to improve raw water quality management	Water Cycle had a report prepared looking at the Inner Catchment and a report titled "Erosion and sediment management strategy - Nymboida river weir pool" was prepared.	<b>Catchment Fire and Land Management</b>  \$1,500,000 (estimate based on similar erosion control works and recently installed flood cameras) Council funds \$500,000 <b>Grant allocation sought - \$1,000,000</b>	Greg Wilkinson to reduce grant allocation <\$1M and prepare submission.  <table border="1" data-bbox="1464 778 2069 1117"> <thead> <tr> <th data-bbox="1464 778 1644 868">PROJECT CATEGORY</th> <th data-bbox="1644 778 2069 868">APPLICATION DOCUMENTS REQUIRED</th> </tr> </thead> <tbody> <tr> <td data-bbox="1464 868 1644 1117"> <b>Category 1:</b>            \$200,000 to \$1 million funding requested         </td> <td data-bbox="1644 868 2069 1117"> <ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> <li>• Completed budget template (with evidence of estimated costs)</li> </ul> </td> </tr> </tbody> </table>	PROJECT CATEGORY	APPLICATION DOCUMENTS REQUIRED	<b>Category 1:</b> \$200,000 to \$1 million funding requested	<ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> <li>• Completed budget template (with evidence of estimated costs)</li> </ul>
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Enabling infrastructure and Natural environment and resource development (Cat 1)	Council adopted the concept masterplan (15.192/18) for Corcoran Park. The project includes some site remediation works, levelling,	Adopted Masterplan	<b>Corcoran Park Improvements</b>  \$950,000 based on QS <b>Grant allocation sought - \$950,000</b>	Rachelle Passmore to prepare submission.				

	planting and construction of a fenced dog park, access road and car spaces at the top end of Corcoran Park.			<table border="1"> <thead> <tr> <th>PROJECT CATEGORY</th> <th>APPLICATION DOCUMENTS REQUIRED</th> </tr> </thead> <tbody> <tr> <td> <b>Category 1:</b>            \$200,000 to \$1 million funding requested         </td> <td> <ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> <li>• Completed budget template (with evidence of estimated costs)</li> </ul> </td> </tr> </tbody> </table>	PROJECT CATEGORY	APPLICATION DOCUMENTS REQUIRED	<b>Category 1:</b> \$200,000 to \$1 million funding requested	<ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> <li>• Completed budget template (with evidence of estimated costs)</li> </ul>
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Enabling infrastructure	Junction Hill Industrial Development Enabler		Junction Hill Industrial Development Enabler Project brief: Cost \$8.5M Contribution \$2.5M <b>Grant allocation sought - \$6M</b>	Des Schroder to prepare submission <hr/> <b>Category 2:</b> Over \$1 million funding requested <hr/> <ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed business case in BLER template (with evidence of estimated costs)</li> </ul>				
Enabling infrastructure (Cat 1)	<b>Yamba Coastal Walk</b> Project brief: Improved safety and recreation access by enhancing coastal walk from Pippi Beach to Main Beach (?).		\$500,000 spend using the plan prepared by Phil Noakes. <b>Grant allocation sought - \$500,000</b>	Alex Dalrymple to prepare submission. <table border="1"> <thead> <tr> <th>PROJECT CATEGORY</th> <th>APPLICATION DOCUMENTS REQUIRED</th> </tr> </thead> <tbody> <tr> <td> <b>Category 1:</b>            \$200,000 to \$1 million funding requested         </td> <td> <ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> <li>• Completed budget template (with evidence of estimated costs)</li> </ul> </td> </tr> </tbody> </table>	PROJECT CATEGORY	APPLICATION DOCUMENTS REQUIRED	<b>Category 1:</b> \$200,000 to \$1 million funding requested	<ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> <li>• Completed budget template (with evidence of estimated costs)</li> </ul>
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Social development	Maclean Civic Hall Upgrade	Maclean Community Precinct Plan	Estimated project cost \$5.5M <b>Grant allocation sought - \$4.5M</b>	Des Schroder & Dan Griffin to prepare submission				

(Cat 2)	River Street Maclean			<hr/> <b>Category 2:</b> <ul style="list-style-type: none"> <li>• Completed application form Over \$1 million in funding requested</li> <li>• Completed business case in BLER template (with evidence of estimated costs)</li> </ul> <hr/>				
Social development (Cat 2)	Community Centre upgrade to include Library Treelands Drive Yamba	Concept Plan adopted by Council	Estimated project cost \$11M <b>Grant allocation sought - \$11M</b>	Des Schroder & Dan Griffin to prepare submission <hr/> <b>Category 2:</b> <ul style="list-style-type: none"> <li>• Completed application form Over \$1 million in funding requested</li> <li>• Completed business case in BLER template (with evidence of estimated costs)</li> </ul> <hr/>				
Social Development (Cat 1)			<b>Community Support Communications</b> <b>\$160K Mobile Satellite Systems &amp; Emergency Satellite Handset Packages Specifically for Community Emergency Support</b> \$30K = 14 x Satellite Phone Extreme 9575 Grab’N’ Go Safety Edition 10 x Halls 3 x CVC Office/Depot 1 x LEMO \$20K = Airtime Service Plan 14 x 3yr/Accessory \$110K = 2 x Mobile Civil & Corporate Satellite Internet Trailer System: Fully Integrated Ruggedised Trailer with VSAT / Modem / Wi-Fi Trailer includes iSky Corporate	Tim Howarth & LEMO & Narelle Wilson look at combining this with the two below to get to \$600,000.  <table border="1"> <thead> <tr> <th>PROJECT CATEGORY</th> <th>APPLICATION DOCUMENTS REQUIRED</th> </tr> </thead> <tbody> <tr> <td> <b>Category 1:</b>  \$200,000 to \$1 million in funding requested </td> <td> <ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> <li>• Completed budget template (with evidence of estimated costs)</li> </ul> </td> </tr> </tbody> </table> <hr/>	PROJECT CATEGORY	APPLICATION DOCUMENTS REQUIRED	<b>Category 1:</b> \$200,000 to \$1 million in funding requested	<ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> <li>• Completed budget template (with evidence of estimated costs)</li> </ul>
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			VSAT, Powerful Transmitter, Dual Band Wi-Fi with Long Range Wi-Fi Antennas, Dust/Weatherproof Equipment Housing, Optional Solar System, Single and Dual Battery Arrangement (depending if Solar option chosen), Optional Mine Spec'd Fit-Out (contact us for details), no 240V wiring – all DC powered, GPS Tracking Standard (reports back LAT/LONG of the Vehicle for Internal OPS and as Anti-theft Device), Battery Backup (standard), Australian Business					
Built Environment Adaptation (Cat1)	Flood monitoring on Esk River and Sandy Crossing - important flooded roads essential for evacuations for Iluka and Wooli residents respectively.	Council adopted the Esk River monitoring as its 2nd highest tangible floodplain priority (Resolution 6c.20.130 at the 25 August 2020 Council meeting)	<b>Flood Monitoring (Safety cameras, signage and level monitoring)</b>  \$225k (estimate based on similar project completed at Bluff Bridge for Glenreagh residents) Council funds \$25,000 <b>Grant allocation sought - \$200,000</b>	Kieran McAndrew  <table border="1"> <thead> <tr> <th>PROJECT CATEGORY</th> <th>APPLICATION DOCUMENTS REQUIRED</th> </tr> </thead> <tbody> <tr> <td><b>Category 1:</b> \$200,000 to \$1 million funding requested</td> <td> <ul style="list-style-type: none"> <li>Completed application form</li> <li>Completed project plan template</li> <li>Completed budget template (with evidence of estimated costs)</li> </ul> </td> </tr> </tbody> </table>	PROJECT CATEGORY	APPLICATION DOCUMENTS REQUIRED	<b>Category 1:</b> \$200,000 to \$1 million funding requested	<ul style="list-style-type: none"> <li>Completed application form</li> <li>Completed project plan template</li> <li>Completed budget template (with evidence of estimated costs)</li> </ul>
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Natural environment and resource development (Cat 1)	Natural environment restoration, environmental improvement initiatives and research into improved fire	<ul style="list-style-type: none"> <li>Regeneration activities</li> <li>Breakwater and other coastal protection</li> <li>Walking and mountain bike trail development</li> <li>Restoration and</li> </ul>	<b>Drones – Heavy Duty/Industrial &amp; Training &amp; Accessories &amp; Maintenance – Incorporating and integrated system into new mapping system Nearmap - Mapping impacts of Bushfire, immediate surveillance of</b>	Reece Luxton & Greg Wilkinson (Drones) Stephen Timms (Mapping)				

	management.	improvement of parkland and other natural resources	<p><b>bushfire impact on infrastructure and communities</b></p> <p>Cost \$250K Weeds Control industrial Drone Spray/Surveillance Camera for detection and mapping/Critical Infrastructure Structure Assessments Nearmap works on three major principles:</p> <ul style="list-style-type: none"> <li>• Current – Imagery that is updated annually</li> <li>• Clear – 7.5cm of capture</li> <li>• Change - you can see the past captures across the nation from October 2009</li> <li>•</li> </ul> <p>Nearmap inclusions:</p> <ol style="list-style-type: none"> <li>1. Digital measurement tools which are accurate to +-15cm</li> <li>2. Elevation profile tool</li> <li>3. Imagery integration with your GIS or CAD systems</li> <li>4. High resolution imagery with Geo-referencing to use within reports</li> <li>5. Ability to track changes &amp; environmental impact over time with access to all of our historical captures</li> <li>6. Multi-View Panorama – allow you to see the maps from</li> </ol>	<table border="1"> <thead> <tr> <th data-bbox="1464 209 1637 288">PROJECT CATEGORY</th> <th data-bbox="1675 209 2040 288">APPLICATION DOCUMENTS REQUIRED</th> </tr> </thead> <tbody> <tr> <td data-bbox="1464 304 1637 480"> <p><b>Category 1:</b> \$200,000 to \$1 million funding requested</p> </td> <td data-bbox="1675 304 2040 528"> <ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> <li>• Completed budget template (with evidence of estimated costs)</li> </ul> </td> </tr> </tbody> </table>	PROJECT CATEGORY	APPLICATION DOCUMENTS REQUIRED	<p><b>Category 1:</b> \$200,000 to \$1 million funding requested</p>	<ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed project plan template</li> <li>• Completed budget template (with evidence of estimated costs)</li> </ul>
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			North, South, East and West at 45 degree angle 7. Terrain View 8. Cadastral Boundaries	
Built environment adaptation	Disaster risk reduction through adapting the built environment to future climate change and natural hazard conditions, including through the development of emerging technologies.	<ul style="list-style-type: none"> <li>• Community refuge centres</li> <li>• Fire resistant infrastructure</li> <li>• Energy security infrastructure, such as solar power for community buildings</li> <li>• Commercialisation of new fire detection technology</li> <li>• Fire-resistant streetscaping</li> <li>• Upgrades to mobile communication security</li> </ul> <p><b>Micro Power Grids – Solar Panels Power Storage – see link supplied Clarence Valley Council Greenhouse Gas Emissions reduction and Renewable Energy targets</b></p>	<p>Micro Grid-Solar Panels: <b>\$5M</b></p> <p>Clarence Valley Council Greenhouse Gas Emissions reduction and Renewable Energy targets</p> <p><a href="#">P:\Business Paper Docs - Council &amp; Committee Meetings\2018\10. November\CG&amp;W Attachments\15.195.18 To be tabled.pdf</a></p>	<p>Greg Mashiah and Kieran McAndrews and Ken Wilson to discuss this and one below being combined.</p> <hr/> <p><b>Category 2:</b></p> <p>Over \$1 million requested</p> <ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed business case in BLER template (with evidence of estimated costs)</li> </ul> <hr/>
			<p><b>Solar infrastructure to critical infrastructure</b></p> <p>Project: Additional 100kW solar system with 200kWh battery storage for the RRWD Works depot.</p> <p>Public building that is utilised during disasters, the battery storage would make the building more resilient if power is off.</p> <p><b>Grant allocation sought - \$250-300k</b></p>	Ken Wilson

		Prevent water contamination from bushfire, drought and flood impacts on surrounding catchment area	<p><b>Floating Silt Curtains</b></p> <p>\$12,000 plus stabilising anchors Price for the floating curtains for the bushfire response is about \$60/m and at a minimum require 200m onsite so about \$12000 worth</p>	Greg Wilkinson and Greg Mashiah – to be funded from existing Resilience Funds.
		A high priority action from the Brooms Head Beach and Lake Cokora CZMP, was the extension of the foreshore reserve revetment at north end of Brooms Head Reserve, to ensure the protection of public assets. Caravan park campsites are currently under immediate threat and Brooms Head road, bridge and a number of houses are a longer term threat from extreme storm events and erosion.	<p><b>Brooms Head Revetment Wall Extension</b></p> <p>\$1.5 M estimated A geotechnical study has been completed along with a detailed design and environmental assessment for the wall extension. The design has allowed for public foreshore access and stormwater management. An initial cost estimate indicates a budget of \$1.5M (a detailed estimate will be available by the end of November). The wall will be on Council Managed Crown Land and an extension of the existing revetment wall. Kylee is checking for me whether a licence from Crown Lands exists or is required.</p>	<p>Greg Mashiah &amp; Peter Wilson to prepare submission</p> <hr/> <p><b>Category 2:</b> Over \$1 million funding requested</p> <ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Completed business case in BLER template (with evidence of estimated costs)</li> </ul> <hr/>



### Maclean High School P&C Association

1 December 2020

**Ashley Lindsay, General Manager Clarence Valley Council**

Dear Ashley

Thank you so much for your attendance at the meeting at Maclean High School yesterday, requested by the P & C Committee. We were appreciative of Jim Simmonds and Dan Griffin also making time to attend.

**I would like to formally request that you make this letter available to all Councillors and that it be tabled at your next meeting.**

As you will be aware from our previous correspondence and discussion, the P & C wishes to raise with you the possibility of the Clarence Valley Council supporting the proposal that joint efforts between the Council, the Department of Education and the P & C be made to secure a multipurpose centre based on the school grounds, with the aim of such a facility being shared between the school and local Lower Clarence community.

In broad terms, our concept is to create a facility which would be utilised by the community and the school, which would have the capacity to host cultural, performance, educational and social events. It is our view that the whole area would benefit from such a centre and that a partnership between Council, school and community would give increased opportunities for participation and engagement.

The Council's plans to rebuild the current Civic Hall at great expense would not create the capacity to host larger events or gatherings and would not benefit the school community. There is a current proposal to make some improvements to the school gymnasium, but this would not give us a centre which could host a stage, provide seating or appropriate facilities for the community; at best it would give the school a slightly better gymnasium.

I hope that you will be kind enough to read the following paragraphs.

#### **Introductory statements**

Maclean High school (MHS) is a large regional high school with a broad catchment area in the Lower Clarence Valley of NSW. The Lower Clarence is a low socio-economic area; the school delivers education to a range of students including local Yaegl and Bundjalung families.

Maclean High School, staff, students and Parents and Citizens Association (P & C) are proudly part of the Clarence Valley community and welcome all opportunities to engage with the wider community. A new and custom-designed multipurpose centre would allow us to create a space which could be shared with the community. The centre could be used by the wider community for many things, from theatre, musicals, dance concerts, arts and crafts, making Maclean High School a larger and integral part of the Lower Clarence Community. There have been proposals as to how the site of the current Maclean Civic Hall and adjacent buildings may be repurposed and rebuilt, however Maclean High School is better placed to

accommodate a new multipurpose centre, with its facility of space and extensive parking. There is existing land on the school grounds which would easily accommodate such a centre.

The P & C is aware that Maclean High School has poor facilities compared to other public schools in our region. We would draw your attention to the facilities available at South Grafton High School, Evans River High School, Casino High School, Grafton High School, Orara High School, Coffs Harbour Senior College, Coffs Harbour High School, Woolgoolga High School and Ballina Coast High School, to name but a few.

In considering how to make this proposal, we have familiarised ourselves with the New South Wales Department of Education School Infrastructure programs (SINSW) and note the recent trend to support Department of Education/ local government partnerships to create investment in schools for our children's futures, with a focus upon facilities being shared by schools and communities. We believe this to be the most appropriate direction for MHS and the Lower Clarence, as we will detail below.

We are aware that some monies were invested to improve the front of the school last year and we know that there are of course limitations on SINSW funding opportunities, however when considering investment in other schools in our area we believe our school has been disadvantaged and that partnerships with Council/ local Government would appear to be indicated.

We are aware that the Clarence Valley Council and New South Wales government has been making considerable investment in our region, with monies directed at improving sporting and community facilities (Yamba sports grounds, Rushforth Park Clubhouse, Grafton PCYC). We are encouraged by these developments, but would direct your attention towards the very good reasons for our local high school and the Lower Clarence community also being deserving of investment for the future.

### **Showcasing the school and its students**

MHS provides quality educational and extracurricular activities for its students, with excellent sporting and arts programs as well as fine educational outcomes. MHS has built a reputation for creating and producing excellent musical and dramatic productions, with a committed staff body and enthusiastic student participation. HSC studies in Music and Drama produce excellent results each year. Indigenous students, elders, staff and community members have produced a number of collaborative projects, including dance and video productions with the Desert Pea production company and the annual River of Learning cultural festival draws attention far and wide.

### **Increasing community/family involvement at school**

The school's buildings are of a typical 1960's construction, with no indoor communal space that can accommodate whole-school gatherings or allow community attendance at special events. Maclean High School does not have a hall that can accommodate all students; the current school 'hall' can only accommodate 200 people, is not air-conditioned and is poorly ventilated.

The school does not have a space to present Music and Drama nights for HSC students, in order for their work to be enjoyed by family and the community. When drama or music productions and other events are planned, students and staff have to manage with currently inadequate stage, rehearsal, lighting and sound facilities. Any such events must naturally be on a small scale and wider community participation is not possible.



We believe that our students and young people are the future of our community. We believe that their place of education and growth should be a place that can welcome in their families, community leaders, elders and the broader community. Engagement of a school within the community enables parents' involvement and sense of ownership. Now, parents can go from Year 7 to Year 12 without having set foot in the High School where they send their children every day, with no adequate gathering space on school grounds.

The only option currently for the school community to showcase its work or to gather for larger events or celebrations is the Maclean Civic Hall, for which the school must pay rent to the Clarence Valley Council. Similarly, the Lower Clarence community is reliant upon this performance space, as will be detailed below.

### **HSC examinations**

Maclean High School does not have a facility which enables Year 12 students to sit their HSC exams on school grounds.

In the past, the Pavilion at the Showground has been used for larger candidature exams (such as English), but the Council has charged fees for this facility, creating a cost to the school of approximately \$7000 per year. The Seventh-day Adventist Church provides their own venue as a goodwill to the school for smaller exams. Neither of these two venues is air-conditioned and the school is required to provide all materials required for students, including chairs, desks, fans et cetera.

The existing school hall (considered by the Department of education to be a performance space, rather than a school hall) is too small, too hot and too noisy to satisfactorily accommodate these exams. The school gymnasium has been used for the past several years, but the following make this an unsatisfactory and inappropriate venue:

- the school gymnasium is situated in the flying fox colony in the summer. The flying foxes roost in the trees over and surrounding the gymnasium; they are noisy and smelly.
- It is very hot as it does not have fans or air conditioning. It does not have linings on the walls higher up and is not insulated. It has a corrugated iron roof and upper section of the walls. It doesn't have flow ventilation, windows, etc. at the ground level. Higher up there are ineffective louvres. During examination periods, portable pedestal fans are situated at various locations throughout the gymnasium to attempt to make conditions for students slightly more comfortable. At times it is not appropriate to leave doors open during exam periods for reasons of smell of the flying fox colony, noise, security, etc.
- This space is a regularly used learning space and if it is to be used otherwise, does produce significant operational changes/disruptions to the normal running of the school.

### **Celebrating student achievements**

Celebrating student achievements is an essential and positive part of the school year, notably the Presentation Night and School Formal. Both of these events have to be held in Yamba in a paid venue. This venue is a licenced venue with public bars and gaming facilities. It is always an organisational issue to ensure students are kept away from these areas of the venue. Access to toilets, etc. needs to be monitored.

All school assemblies are currently held outdoors under the covered hanger, requiring students to sit on the concrete and creating massive challenges for addressing the assembly due to poor sound quality. There is no

indoor and air-conditioned venue where students, families and community members can gather.

### **Shared facilities between the school and the community**

MHS would love to further develop its interaction with the local community. We note the Department of Education's advice on community access to school facilities on their website, where community and local Government partnerships are encouraged. There is precedent in our region for shared funding projects between local Government and the Department of Education. We would like to suggest such a partnership for the Lower Clarence.

The following are examples of ways in which the school community and local community could benefit from sharing a multipurpose centre based at the school:

- cultural and community events for the local Yaegl community
- River of Learning
- theatrical society performances
- musical performances
- youth Theatre rehearsals and performances
- dance Eisteddfod's and concerts
- presentation evenings for students and families
- elective information nights
- parent teacher evenings
- local arts exhibitions
- sporting presentations
- New South Wales government meetings and events
- educational forums and meetings

The P & C Committee of MHS is aware that there are further planned Government grants which may be applicable and appropriate for this proposal. We are a small group of parent volunteers, who see great benefit in collaborating with Council and with the Department of Education to secure something better for our students and for our community. We are encouraged by the very great endorsement for the concept received from Chris Gulaptis, Member for Clarence and do hope that the Councillors will be similarly interested.

We would be only too happy to discuss this with you further. I very much look forward to hearing from you to start to talk about this and ways that it can be achieved for our community.

Warm regards

Sarah Armstrong  
 President  
 Maclean High School P & C Committee  
 0416 162 800



## Ashley Lindsay

---

**From:** Jim Simmons  
**Sent:** Monday, 16 November 2020 10:38 AM  
**To:** Ashley Lindsay  
**Cc:** Des Schroder; Debbie McGilvray; \_Councillors  
**Subject:** FW: Woombah RFS BLER Funding

Ashley,

Email from Thomas Kerr on behalf of Woombah RFS forwarded for attention.

Replacement of the current Station is the first request.

The second request is for a Local Refuge Centre/Community Hall within Woombah.

Applications close 2 pm Friday 11th December .

Please advise Councillors by way of a formal report to the Council meeting, or otherwise, of the issues involved and lodgement of a funding application.

Thanks,  
Jim

Jim Simmons  
Mayor  
**Clarence Valley Council**  
Locked Bag 23 GRAFTON NSW 2460  
P: (02) 6643 0200  
M: 0436 413 120  
[www.clarence.nsw.gov.au](http://www.clarence.nsw.gov.au)

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**From:** Thomas Kerr [<mailto:Tk3343@hotmail.com>]  
**Sent:** Friday, November 13, 2020 12:29 PM  
**To:** [kevin.hogan.mp@aph.gov.au](mailto:kevin.hogan.mp@aph.gov.au); [david.smith@aph.gov.au](mailto:david.smith@aph.gov.au); [electorateoffice.clarence@parliament.nsw.gov.au](mailto:electorateoffice.clarence@parliament.nsw.gov.au); [clarence@parliament.nsw.gov.au](mailto:clarence@parliament.nsw.gov.au); Jim Simmons <[Jim.Simmons@clarence.nsw.gov.au](mailto:Jim.Simmons@clarence.nsw.gov.au)>; [emailittoneil@gmail.com](mailto:emailittoneil@gmail.com); [webmaster@rfs.nsw.gov.au](mailto:webmaster@rfs.nsw.gov.au); [ndrp@mpes.nsw.gov.au](mailto:ndrp@mpes.nsw.gov.au); Woombah Rfs <[woombahrfs@gmail.com](mailto:woombahrfs@gmail.com)>; [ws.campbell1@bigpond.com.au](mailto:ws.campbell1@bigpond.com.au); [bruceandjudith@tpg.com.au](mailto:bruceandjudith@tpg.com.au); [greg.dezman@rfsa.org.au](mailto:greg.dezman@rfsa.org.au)  
**Subject:** Woombah RFS BLER Funding

Good afternoon,

I am writing this email to you with the attached links for the Bushfire Local Economic Recovery Fund (BLER Fund).



This application was passed through to me through our RFS executive email chain after receiving a email from Kevin Hogan mentioning there was a possibility to take advantage of this funding.

On behalf of Woombah RFS we are putting this application to you for assistance to be passed to the necessary authorities for the possible funding to replace our currently degrading and undersized Station as it is becoming a Work Health and Safety Risk.

We would also be applying for a local Refuge Centre / Community Hall within Woombah with the possible interest of a local business offering property for the Refuge Centre.

Following the recent Myall Creek fires we learnt the closest place of refuge was Maclean Show Ground which was inadequate and unfeasible during the time of a S44.

Bellow is a cut out of the email sent by Kevin Hogan.

"Dear NSW Rural Fire Services - Woombah Brigade,

You may be a part of a community group that could take advantage of the following.

**Grants of between \$20,000 and \$20 million are available for local projects, such as community and cultural infrastructure upgrades, regional events, work ready training programs, and tourism infrastructure.**

Councils, business chambers, joint groups, businesses, charities and local Aboriginal Land Councils can apply.

This funding is through the \$250 million Bushfire Local Economic Recovery Fund. Applications open on 27 October 2020.

It is focused on creating jobs, increasing preparedness for future natural disasters and enhancing the natural environment."

All information about the fund can be found on the following links.

To access the BLER Funding website, visit this link: <https://www.nsw.gov.au/regional-nsw/bushfire-local-economic-recovery-fund>

For the BLER Program Guidelines, visit this link: <https://www.nsw.gov.au/sites/default/files/2020-10/Bushfire%20Local%20Economic%20Recovery%20Fund%20Program%20Guidelines.%C2%A0.pdf>

Please Note, This is a time sensitive grant with the application closing 2pm (AEDT) on Friday, 11 December 2020.

Thank you for your time and effort you've brought to this issue it is greatly appreciated within the Woombah RFS and the local community.

For and further information and queries please do not hesitate to contact me by email or call me on 0422345214.

Kind regards,

Thomas Kerr

### EXISTING SITE PLAN

LEGEND & NOTES:-

STAGE I - LONG TERM SITES	23
STAGE I - SHORT TERM SITES	33
STAGE I - CAMPING SITES	6
TOTAL NUMBER OF EXISTING SITES	62

NB. ALL MEASUREMENTS & AREAS ARE SUBJECT TO FINAL FIELD SURVEYS & MAY DEPEND UPON THE NATURAL & BUILT FEATURES OF THE LAND.

SITE 59 & 60 - DUPLEX SITE  
SITE 82 - TRIPLE CABIN SITE



50 DP746017	110 DPII21323	28 DPII95140	103 DP626999	28 DPII95140
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O'DONOHUE HANNA & ASSOCIATES PTY LTD  
 ABN 67 634 043 388  
 LAND & ENGINEERING SURVEYORS  
 DEVELOPMENT CONSULTANTS  
 PO BOX 1034,  
 LEVEL 1, 23 PRINCE STREET, PHONE: (02) 6642 3287  
 GRAFTON N.S.W. 2460 MOB.: 0418 761 165  
 email: admin@ohassociates.com.au

EXISTING SITE PLAN  
 LOT 61 IN DP802939  
 54 ILUKA ROAD, WOOMBAH  
 'WOOMBAH WOODS CARAVAN PARK'

LOCALITY: WOOMBAH  
 LGA: CLARENCE VALLEY  
 PARISH: WOOMBAH  
 COUNTY: CLARENCE  
 DATUM: N/A  
 SCALE: 1:500 @ A1  
 DRAWING NO: 12740-02  
 CLIENT: WILLIAM HU

7	ROAD RENAMING	12/08/2020
6	LOT RECONFIGURATION	13/06/2020
5	UPDATED SITE NUMBER TABLE	01/06/2020
4	ADDITIONAL NOTES	29/05/2020
3	REVISED LAYOUT	25/05/2020
2	REVISED LAYOUT	22/05/2020
ISSUE	DETAILS	DATE



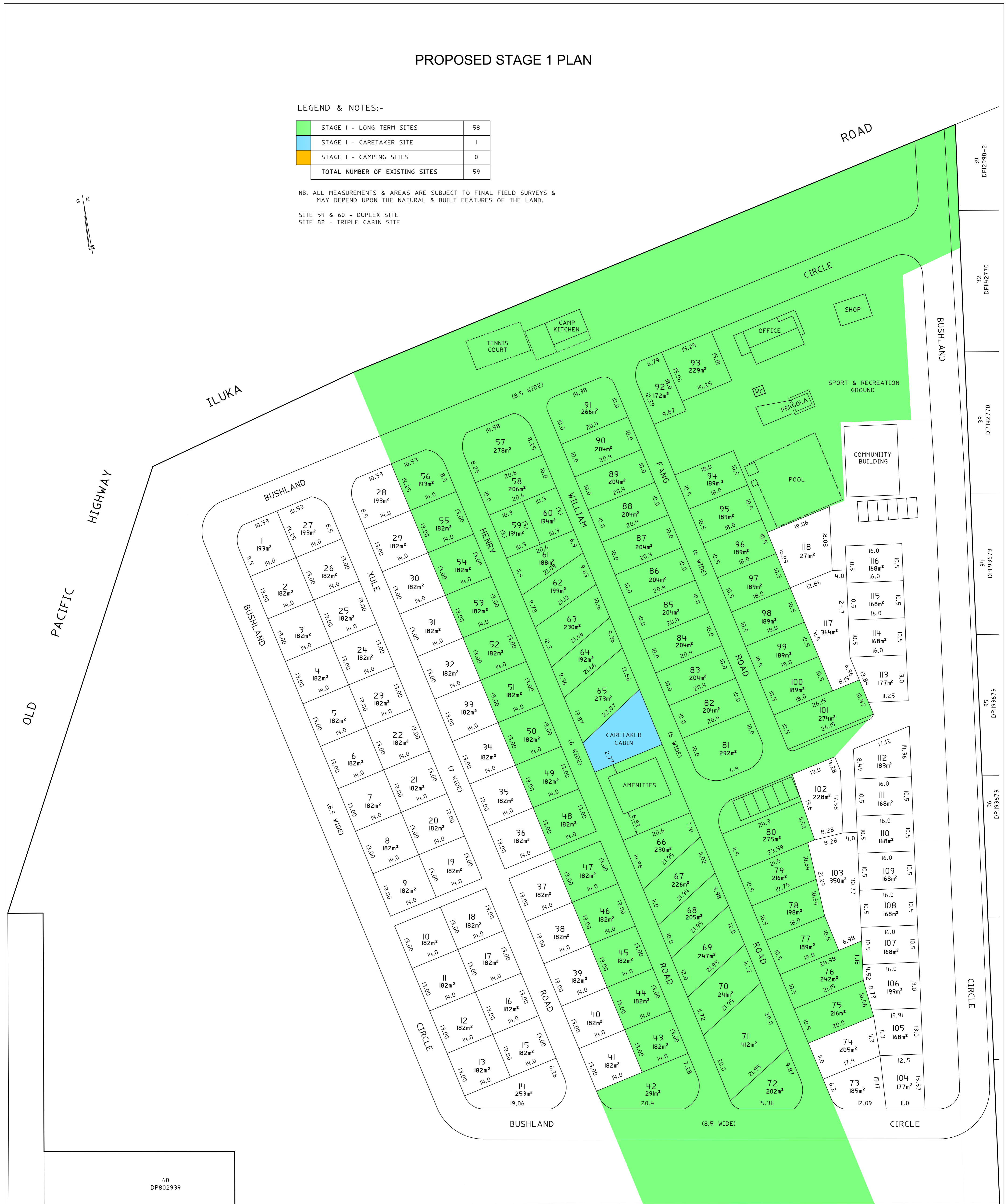
## PROPOSED STAGE 1 PLAN

**LEGEND & NOTES:-**

	STAGE I - LONG TERM SITES	58
	STAGE I - CARETAKER SITE	1
	STAGE I - CAMPING SITES	0
	TOTAL NUMBER OF EXISTING SITES	59

NB. ALL MEASUREMENTS & AREAS ARE SUBJECT TO FINAL FIELD SURVEYS & MAY DEPEND UPON THE NATURAL & BUILT FEATURES OF THE LAND.

SITE 59 & 60 - DUPLEX SITE  
 SITE 82 - TRIPLE CABIN SITE



50 DP746017	60 DP802939	110 DPI121323	28 DPI195140	103 DP626999	28 DPI195140
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**O'DONOHUE HANNA & ASSOCIATES PTY LTD**  
 ABN 67 634 043 388  
 LAND & ENGINEERING SURVEYORS  
 DEVELOPMENT CONSULTANTS  
 PO BOX 1034,  
 LEVEL 1, 23 PRINCE STREET, GRAFTON N.S.W. 2460  
 PHONE: (02) 6642 3287  
 MOB.: 0418 761 165  
 email: admin@ohassociates.com.au

**PROPOSED STAGE 1 PLAN**  
**LOT 61 IN DP802939**  
**54 ILUKA ROAD, WOOMBAH**  
**'WOOMBAH WOODS CARAVAN PARK'**

LOCALITY: WOOMBAH  
 LGA: CLARENCE VALLEY  
 PARISH: WOOMBAH  
 COUNTY: CLARENCE  
 DATUM: N/A  
 SCALE: 1:500 @ A1  
 DRAWING NO: 12740-03  
 CLIENT: WILLIAM HU

7	ROAD RENAMING	12/08/2020
6	LOT RECONFIGURATION	13/06/2020
5	UPDATED SITE NUMBER TABLE	01/06/2020
4	ADDITIONAL NOTES	29/05/2020
3	REVISED LAYOUT	25/05/2020
2	REVISED LAYOUT	22/05/2020
ISSUE	DETAILS	DATE



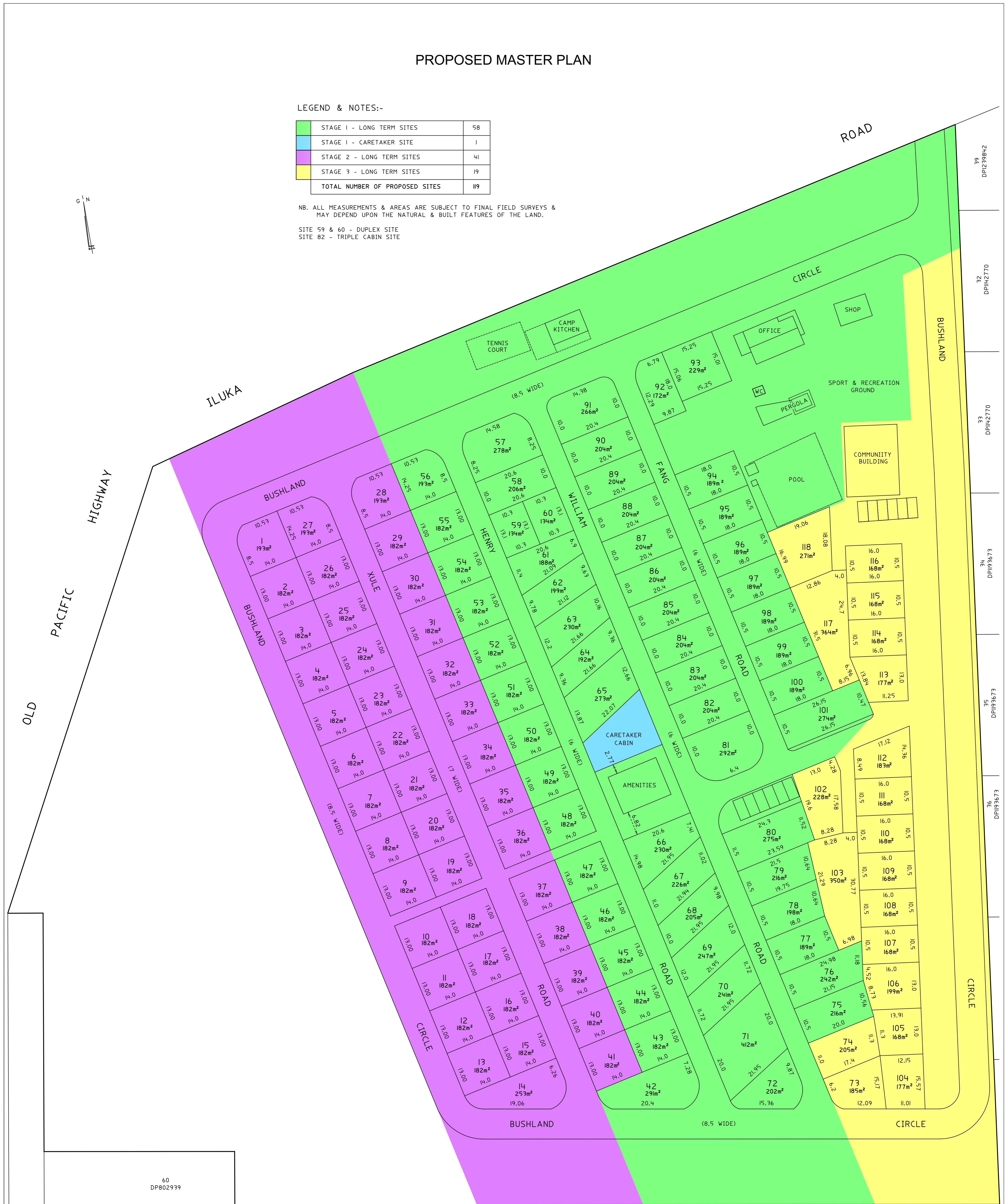
# PROPOSED MASTER PLAN

## LEGEND & NOTES:-

STAGE 1 - LONG TERM SITES	58
STAGE 1 - CARETAKER SITE	1
STAGE 2 - LONG TERM SITES	41
STAGE 3 - LONG TERM SITES	19
TOTAL NUMBER OF PROPOSED SITES	119

NB. ALL MEASUREMENTS & AREAS ARE SUBJECT TO FINAL FIELD SURVEYS & MAY DEPEND UPON THE NATURAL & BUILT FEATURES OF THE LAND.

SITE 59 & 60 - DUPLEX SITE  
SITE 82 - TRIPLE CABIN SITE



50 DP746017	60 DP802939	110 DPI121323	28 DPI195140	103 DP626999	28 DPI195140
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**O'DONOHUE HANNA & ASSOCIATES PTY LTD**  
 ABN 67 634 043 388  
 LAND & ENGINEERING SURVEYORS  
 DEVELOPMENT CONSULTANTS  
 PO BOX 1034,  
 LEVEL 1, 23 PRINCE STREET, PHONE: (02) 6642 3287  
 GRAFTON N.S.W. 2460 MOB.: 0418 761 165  
 email: admin@ohassociates.com.au

**PROPOSED MASTER PLAN**  
**LOT 61 IN DP802939**  
**54 ILUKA ROAD, WOOMBAH**  
**'WOOMBAH WOODS CARAVAN PARK'**

LOCALITY: WOOMBAH  
 LGA: CLARENCE VALLEY  
 PARISH: WOOMBAH  
 COUNTY: CLARENCE  
 DATUM: N/A  
 SCALE: 1:500 @ A1  
 DRAWING NO: 12740-01  
 CLIENT: WILLIAM HU

7	ROAD RENAMING	12/08/2020
6	LOT RECONFIGURATION	13/06/2020
5	UPDATED SITE NUMBER TABLE	01/06/2020
4	ADDITIONAL NOTES	29/05/2020
3	REVISED LAYOUT	25/05/2020
2	REVISED LAYOUT	22/05/2020
ISSUE	DETAILS	DATE



**From:** Cate Field  
**Sent:** Wed, 2 Sep 2020 09:17:52 +1000  
**To:** Council Email  
**Subject:** Woombah Woods

Hi. Just wanting to express my approval for the Woombah Woods DA 2020/0474.

smiles,  
Cate Field Woombah Resident

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**From:** Clarence Valley Council  
**Sent:** Wed, 9 Sep 2020 21:29:03 +1000  
**To:**  
**Subject:** DA Submission - DA2020/0474 - 54 Iluka Road Woombah - Brenda Marsh

Hi,

Thank you for your submission on DA2020/0474 - 54 Iluka Road Woombah via our online Development Application Submission form. Please find below the details of your submission for future reference:

**Your Reference : S-2020-00068**

**Timestamp** : Wednesday, September 09 2020 at 9:29:03 PM

**Submission Details:**

**Item on public exhibition :**

DA2020/0474 - 54 Iluka Road Woombah

**Comments:**

I would like to see this development be an over 55's village/ resort. This is going to be quite a large development when all the stages have been completed, but even 58 manufactured cabins is quite a few.

This has all the potential to become the equivalent of a housing commission estate if any age group can buy in. When small houses are built in close proximity and too many differing ages and cultures are forced together the outcomes are never good. A person buying a cabin with 2 or 3 children could potentially be sited next to a retired couple in their sixties. Cabins are not well known for their great soundproofing.

These large lot cabin villages only work when everyone has the same requirements and over 55's would be a much better choice, not only for future residents, but the whole of Woombah.

Woombah doesn't have enough on offer for families with growing children. Children and teenagers in small areas become a problem in themselves. They bring their disagreements from school home with them and they now all live on top of each other. As these children become teenagers, what becomes of the village of Woombah? Vandalism? Crime?

The police have already been in attendance at Woombah Woods numerous times for crime & assaults under the current owners management. He has already been through 3 different managers. I believe his history of bad choices is enough to question whether his choices and desires to make money should be put before the people who call the small, quiet VILLAGE of

Woombah their home. I believe that William Hu, being a property developer, will get this passed the DA stage and then it will be on the market again for a quick turnover of dollars. Then what of Woombah?

**You have indicated you have not made a political donation or gift to a Clarence Valley Council employee or councillor in the last 2 years.**

**Contact details:**

**Name:** Brenda Marsh

**Email:**

**Contact number:**

**Address:**

**Additional supporting documents:**

**From:** Clarence Valley Council  
**Sent:** Sat, 12 Sep 2020 16:02:05 +1000  
**To:**  
**Subject:** DA Submission - DA2020/0474 - 54 Iluka Road Woombah - Indya Mealing

Hi,

Thank you for your submission on DA2020/0474 - 54 Iluka Road Woombah via our online Development Application Submission form. Please find below the details of your submission for future reference:

**Your Reference : S-2020-00071**

**Timestamp** : Saturday, September 12 2020 at 4:02:04 PM

**Submission Details:**

**Item on public exhibition :**

DA2020/0474 - 54 Iluka Road Woombah

**Comments:**

This DA must be refused.

The community and environment have already been negatively impacted by the actions of the applicant.

This application will FOREVER change the face/community/ lifestyle of Woombah - How can this be allowed - residents have chosen to live in a quiet country village surrounded by rainforest - this application is completely t odds with the values of Woombah.

This increased level of population density, the huge increase in built materials and lack of nature corridors, Koala food trees, and increase in urbanisation of very sensitive ecological area make this DA inappropriate and not fit for purpose.

This area is one of the last sanctuaries for wildlife in our valley, it connects vulnerable populations and is NOT an area suited to large scale development and urbanising.

Surly the council's own climate crisis and biodiversity plans would be seriously compromised if this outrageous DA is approved.



**You have indicated you have not made a political donation or gift to a Clarence Valley Council employee or councillor in the last 2 years.**

**Contact details:**

**Name:** Indya Mealing

**Email:**

**Contact number:**

**Address:**

**Additional supporting documents:**

**From:** Clarence Valley Council  
**Sent:** Fri, 11 Sep 2020 14:25:51 +1000  
**To:** dane.webb  
**Subject:** DA Submission - DA2020/0474 - 54 Iluka Road Woombah - daen webb

Hi,

Thank you for your submission on DA2020/0474 - 54 Iluka Road Woombah via our online Development Application Submission form. Please find below the details of your submission for future reference:

**Your Reference : S-2020-00070**

**Timestamp** : Friday, September 11 2020 at 2:25:50 PM

**Submission Details:**

**Item on public exhibition :**

DA2020/0474 - 54 Iluka Road Woombah

**Comments:**

I formally request and extension to the Submission period for 2 weeks past the 4pm 14th September 2020 deadline.

Existing inquires with the department of planning, Services NSW REF:

13596595 have not yet been addressed and associated legal advice not yet received to complete the submission by the current due date.

**1. Location unsuitable to approve DA2020/0474**

**Manufactured Home Estates are not limited by the developer to the original purpose for which they might state. Consideration must be made to the long term viability of the original stated/advertised/marketed purpose of the development site to ensure that the development poses little risk of social, economic or safety issues in the future. Even if sold.**

**a) the location of the proposed development at 54 Iluka Rd Woombah is an isolated, undesirable, under developed location**

**b) road traffic noise from the Pacific Highway and the Iluka Rd (the only entry/exit road to the Pacific Highway for all traffic from Iluka and Woombah)**

**c) sewerage system and required expansion of that on-site (no design for stage 2 prepared) in further stages on the western flank of the development site**

**d) no footpaths to the nearest Convenience Store (located at Bimbimi Caravan Park) almost 3km away**

**e) medical practices located at Maclean & Yamba and nearest Chemist at Iluka 18Km away**

**f) uncertainty of Manufactured Home Design in DA2020\_0474\_Indicative\_Home\_designs are listed as PRELIMINARY DRAWINGS - NOT FOR CONSTRUCTION**

**g) lack of amenities outside the development as would be desired/needed for healthy MHE such as Oyster Cove and other MHE in the Clarence Valley**

**h) Police located a significant distance away to service an MFE needs of this magnitude.**

**i) "Under SEPP 36, the council must be satisfied of the following matters before granting consent for development for a MHE: adequacy of provision of reticulated water and sewerage, drainage and electricity"**

**The villages of Woombah and Iluka regularly experience prolonged electrical blackouts. A potential hazard to 250 people eventually permanently at the head-end of Woombah may cause not only an increase these but distress and safety issues for the residents themselves. Using legal interpretation of the SEPP it may include consideration of "broadband, cellular networks" that would also be strained as fibre optic broadband and copper telephony services from NBN Co or Telstra have been declined to be supplied (even under Universal Service Obligation and subsequent provisions for guaranteed supply) for the development.**

**Suggests the 'advertised' use for the estate as an 'over 55's MHE' is implausible resulting declining sales prices, resident turnover health and safety concerns and eventual failure of the MFE to contribute to the community positively and that costs associated with the isolated location may result in abandonment of assurances and that leases/rentals will be unvetted for suitability to the original 'purpose' of the MHE that people originally purchased into as described by the developer.**

## **2. Additional cost to develop site & cost recovery reason to reject DA2020/0474**

**a) Significant costs incurred not usually associated with an MFE located in the Clarence Valley LGA will need to be sourced and expended under DA2020/0474 to meet the requirements for approval especially at Stage 2 and Stage 3. However per the "DA2020\_0474\_Application\_Form" a requirement to supply a "cost summary report prepared by a suitably qualified person" if between 1 million dollars and 3 million dollars. Such a confirmation by a suitably qualified person cannot be located in the application documents published to confirm \$1,711,522.00 estimate.**

**Informal inquiries I have made question this valuation as being well below market valuation for such a development, costs – and certainly exclude unsubstantiated public promises by the developer for the provision of privately owned and operated services such as commuter vans and drivers.**

## **3. Development Proposal: Convert caravan park to manufactured home estate existing DA provides for greater community protection as a caravan park rather than a MFE and why DA2020/0474 should be rejected**

**a) The current status of the Woombah Woods Caravan Park as a Clarence Valley asset for tourist accommodation and permanent residents and income generation for the valley from tourists.**

**b) Regular renewal after lapses provides the owner, permanent residents and surrounding communities to contribute over time to the on-going activities of the park and highlight issues for rectification as conditions of renewal are a vital safety net for the council and stakeholders. Such safety nets are lost under DA2020/0474 and so should be rejected in it's current form.**

**"Approval to operate a caravan park or camping ground: An approval from the local council under s.68 of the Local Government Act 1993 (LG Act) is required to operate a caravan park or camping ground. An approval lapses after 5 years (or such shorter or longer time as the council may set) and therefore, the approval requires periodic renewal or extension if the caravan park or camping ground is to continue operating. "**



**c) An argument exists to reject DA2020/0474 on the grounds that the range of social, economic and environmental matters in deciding whether to grant consent for development for a caravan park or camping ground when first approved by council has not substantially changed and those factors contribute positively to the Clarence Valley economy, residents & local community.**

**“SEPP 21 requires a council to consider a range of social, economic and environmental matters in deciding whether to grant consent for development for a caravan park or camping ground. If the relevant LEP permits sites for long-term residence in a caravan park, then under the SEPP, the council must determine the number of sites (if any) that are suitable for long-term residence and the number of sites that are suitable for short-term residence (eg. for tourists).”**

**d) Support exists for the expansion of the Woombah Woods Caravan Park to the size outlined in DA2020/0474 but as specified in SEPP 21 can remain operating as a Caravan Park with an increase permanent resident quota which the council can determine:**

**“the council must determine the number of sites (if any) that are suitable for long-term residence” and urge council to increase that number of permanent sites substantially for the developer at the time of Approval to Operate the Caravan Park.**

**e) Development for the purposes of MHEs is regulated by State Environmental Planning Policy No 36 – Manufactured Home Estates (SEPP 36), and applicable LEPs – with the exception of the developers interests, little to no benefit can be ascertained by approval of DA2020/0474 under SEPP 36 but significant long term benefits to all stakeholders exist for the retention of the SEPP 21 at 54 Iluka Rd Woombah.**

**f) \*approval-and-operation-of-caravan-parks-camping-grounds-and-manufactured-home-estates-2010-07.pdf**

#### **4) In conclusion**

**Section 79C of the Environmental Planning and Assessment Act 1979 (the Act), requires consent authorities to take into consideration, when relevant, the 'likely impacts' including the 'social and economic impacts in the locality' of a proposed development, when making their determinations.**

**Document not supplied for Public Review make it impossible to assess the DA2020/0474 in its entirety, completeness or accuracy for objections to be completely analysed at this stage and an extension and provision of additional supporting documentation/certifications, designs and inconsistencies (Statement\_of\_Environmental\_Effects.pdf Stage 1) states**

**Stage 1: Construction of 5 single and 2 twin bed units Residence Pool and children's play area Shop but the PROPOSED STAGE 1 PLAN in (DA2020\_0474\_Plans) indicate an additional 58 structures additionally.**

**etc...is requested in order to do so.**

**It is also noted the applicant "Rob Donges" has signed the DA Application obo of the developer and also the declaration "Disclosure of Political Donations and Gifts" and this declaration should be signed by the developer also.**

**You have indicated you have not made a political donation or gift to a Clarence Valley Council employee or councillor in the last 2 years.**

**Contact details:**

**Name: daen webb**

**Email: dane.webb**

**Contact number:**

**Address:**

**Additional supporting documents:**

# **SUBMISSION RE PROPOSED CONVERSION OF WOOMBAH WOODS CARAVAN PARK TO A MANUFACTURED HOME ESTATE DA 2020/0474**

## **Attention Carmel Landers**

Further to our telephone conversation last Monday in which you granted me an extension to lodge a submission in relation to this development application to Monday 21 September, 2020, I set out below my objections to this proposal:-

### **1. Proposed DA incompatible with the historical approval given for a Caravan Park**

Looking at the approvals given by Maclean Shire Council and Clarence Valley Council in the past, only through perusal of Mr Donges' report, one can see an original approval 1983/463 which Mr Donges says is for 7 long term and 48 tourist which seems to amount to Stage 1 and 2 of the original development. It is unclear whether those 7 cabins are short or long term but he deems them long term. I am not so sure and feel that for the time these would be short term cabins for tourists.

That 3 staged development (DA 1983/464) approval allows 7 permanent cabins, 108 caravan sites and 14 tent sites in a stages development, clearly a Holiday

Park holiday destination. The word “permanent” seems to refer to the fact that it is a permanent structure and not a permanent tenancy. Over time approval for more permanent sites is given until 2017 and 35 short term, 23 long term and 6 camping sites exist, still clearly a Holiday Park and casual night stop over point for travelers.

The point I am trying to make is that this property was clearly historically approved predominantly as a Holiday Park for tourists and as a convenient highway stop off point for travelers, then some permanent long terms accommodation crept in over time, which no one would object to if low key and in an appropriate R5 environment.

When Mr Wu bought the property he made no secret of the fact he was here to make a lot of money and to squeeze every ounce of development available to him. He promptly began removing trees (he actually said he wanted to remove all the trees – so much for the name Woombah Woods) and claimed existing use right which it appears he was entitled to do. He even graciously allowed some trees to remain until later in his staged development.

Mr Wu is advertising this new estate and indeed even the short term cabins currently available as “Over 55’s” – so much easier to deal with the elderly, but stops short of putting his MHE Estate under SEPP 32 (too onerous on him)

Rather he is claiming existing use under SEPP 36 and therefore this DA should be allowed because of that provision in this SEPP that caravan parks should automatically be allowed to convert to MHEs **subject to a raft of considerations**. Please remember that. I believe Holiday Park should be top of that list given the situation of this DA at the entrance to a beautiful, treed, R5 village.

SEPP 36 states clearly that MHE's must be allowed under the local LEP which it is not and where the developer has chosen to do this conversion, on cheaper land with little infrastructure, this reliance is highly debatable and is in all probability a legal minefield. One legal opinion by the developer cannot suffice and doubtless court cases will be fought trying to ascertain just how many MHEs are too many and how appropriate are they in coastal areas with little infrastructure. If that single clause of SEPP 36 re caravan park conversions to MHE's is taken as stand alone or given more importance than everything else, ultimately there will be very little holiday accommodation available and our holiday villages will be struggling under the weight of increased population with no infrastructure.

This is where the historical use and the reasons for the initial approval becomes all important where the local zoning no longer allows even caravan parks.  
**You cannot cherry pick the minefield of**



**provisions in the various SEPPs, LGA acts, LEPs etc to suit your (financial mainly) needs.**

Mr Wu relies on existing DA's to remove all those beautiful trees which, let's face it, were the main charm of the place, advertises it as an over 55's estate but won't commit to the onerous conditions put on the developer by SEPP 32 then puts in a DA to remove all aspects of a Holiday Park which was the main focus of the original approval, by relying on certain provisions of SEPP 36 re caravan parks being converted to MHE's and little else.

My point is that to approve this development and others of their ilk, most it seems being situated in areas where there is little or no infrastructure (ie cheaper to acquire) is to ignore the fact that despite some provisions of SEPP 36 they are not allowed nor desirable if their purpose is to replace the dominant ethos of the area ie. tourist and traveler accommodation. Our LEP is there to protect us from onslaughts like this.

We are a tourist destination and these MHEs are better and more appropriately serviced by being situated in places that are more built up with more infrastructure and services. Places like Ballina and Coffs Harbour come to mind, where those needs are more ably met.

With the rate these MHE's are being bulldozed through by the greedy, the rationale being the more the merrier, who cares what happens in the future. In all likelihood most will develop the early, less onerous stage then take the money and run with a sell off to who knows who and **of course we all know what happens to those permanent cabin owners whose cabins do not make the grade – goodbye Charlie!** And these people are usually the most financially disadvantaged and can ill afford the eviction.

It is noted that approval for a plethora of these MHE Estates are being sought and a lot of the Councils have the good sense to knock them on the head before the local infrastructure collapses. If ever there was a cart before the horse, MHE over-development is it.

## **2. Woombah Woods Caravan Park gateway to the tourist region of Woombah, Woody Head and Iluka – “Visit Iluka ... naturally”**

When you come off the Highway the first thing you see is the Woombah Woods Caravan Park. Up until recently it has been an entirely fitting introduction to our area. Low key, well treed and laid back. It gave the impression that you were entering a less developed neck of the woods that our tourists crave.

Already with the new owner's lust for tree removal you choke on the words “Woombah Woods”, for it

certainly is not that any longer. Very sad for the loss of bird and koala habitat that greed engendered.

It must be kept in mind that this Caravan Park is a gateway development that sets the tone for the northern side of the Clarence. I cannot imagine a less fitting development than a crowded MHE, largely devoid of trees in stark contrast to the rest of Woombah which is largely R5's in a natural setting.

If this development went ahead we would have a battery hen style development equivalent to a multi storey at the gateway to the northern side of the Clarence. So much for "Visit Iluka...naturally".

### **3. Total lack of infrastructure to support a development of this scale**

The gulf between a MHE and caravan park is vast and up and down the coast greedy developers are cashing in on the State Government turning a blind eye to the conversion of these parks on a mass scale (more money to be made, less responsibility, less work, more control) thus allowing the death knell to affordable family holidays which is what our side of the Clarence offers to all.

Thankfully a lot of Councils are waking up to the heavy responsibility of approving an MHE when communities already have barely the infrastructure to cope as it is, let alone a vast increase in population being foisted on them.

We have one Doctor in Iluka, one shop in Woombah, very little public transport and already a local Hospital that is heavily utilised by the current population, let alone the demand created by these MHE's being plonked inappropriately wherever without any consideration for the infrastructure or visual impact of such an over-development in an R5 laid back area.

#### **4. Caravan purchase is on the increase - caravans are here to stay**

With Covid 19 restricting overseas travel for the foreseeable future it is hard at the moment to purchase a caravan and it seems that everyone wants to get away to some holiday destination with their van.

The developer would have been well advised to upgrade his infrastructure and persist with a well balanced caravan/camping, temporary and permanent cabin park to cater to this need. It would appear from reviews on the Park that the infrastructure is in need of an upgrade. More bookings would undoubtedly ensue if this were done and as caravan parks become a thing of the past with the mad clamour to make a quick buck via MHEs, a good mixed amenity park would become very desirable.

Our local residents do not want the amenity of short-term caravan sites to be converted into permanent

residences. There exists in Woombah Woods (particularly before excessive tree removal) the capability of turning Woombah Woods into a really good mixed use Caravan Park for the benefit of tourists and over 55's alike and for those permanents with a dwelling that reflects their simple needs lifestyles and the peace of mind to know they won't be turfed out in the future.

Finally I would say that inappropriate development is IRREVERSIBLE and Council is standing on a slippery slope if these MHEs get a foothold in our beautiful, low key tourist area. The best thing about our area is it is like stepping back in time a little, when things were more simple and laid back. I hear tourists to our area say that all the time.

Please don't allow this area to be turned into a suburb of the Gold Coast. We need to protect our natural charm!

Yours faithfully

Michelle Argent



**From:** Lucinda Ayling  
**Sent:** Wed, 16 Sep 2020 11:25:33 +1000  
**To:** Council Email  
**Cc:** journalistyamba@cvreview.com.au  
**Subject:** Woombah Woods Caravan Park DA2020/0474

Dear Carmen,

I refer to the above development application which has recently been brought to my attention.

As a land owner in Woombah, I am concerned about the repercussions of this application.

I note the following:-

1. Although the Developer has advised the local residents that this development will be for over 55's living, there is nothing in the Development Application to support this.
2. The Development Application relates to a three stage development of a total of 118 manufactured houses. This has the possibility to increase the population of Woombah by one quarter, with no additional facilities available.
3. The traffic pulling out of the caravan park onto Iluka Road could permanently increase by 200 cars.
4. An increase of low income housing of this size has the potential to alter the sociodemographics of the community. We could see an increase in crime with such a large cluster of low income housing.
5. There are no services close by and if the manufactured home estate cares for over 55's or low income earners, there will be an increased need for medical facilities that are not available.

Kind regards,

Cindy Ayling Licensed Conveyancer  
Tel

Due to increased reports of emails between clients and conveyancers being compromised, we request that you DO NOT act on any communication asking you to transfer or deposit money without first contacting us by telephone on 0421 773 502 to confirm the authenticity of the request.

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**From:** emma read  
**Sent:** Mon, 14 Sep 2020 06:07:41 +1000  
**To:** Council Email  
**Subject:** Da2020/0474

To who it may concern.

We have received a copy of the above mentioned DA 2020/0474 to alter the use of a caravan park to a manufactured home development including stage 1 58 homes. Upon reading this development plan we have a few concerns for ourselves and community/residents. I will start with our personal effect then I shall list the greater concerns.

#1 Privacy/amenity to a peaceful place to live. We will no longer have a bush neighbour we will have 24/7 lights on, cabins clearly in view.traffic moving in & out just to name a few. Our lives will be changed forever! We bought our house as it was surrounded by quiet bushland, the caravan park was there but in its current state didn't impact on lives as it was positioned a considerable distance from the boundary and bushland provided a buffer. As it is with the clearing the Rd noise,park noise lights have increased and as these sites creep closer our privacy and lifestyle especially outdoors will have to change. Not what we bought here to do! If I wanted to live with people watching over the fence I would have bought in a town !!

#2 value of our property adversely affected due to a cabin city on our front door step!

#3 Da is open to owners choice who can buy/rent these homes. No security to the type of residents we will share a boundary with... Da is not supporting what his opinions are stating. ( Over 55's)

#4 storm run off now flows at a rate of Knotts through our property. Add in new rooftops,roadways collecting rain we will be adversely affected by even more run off! Heavy rain it flows right through our block including under our house as it is!

#5 our entertaing area is just Meters away from the proposed development. We will have zero privacy into the future.

Larger concerns.

#1 storm water!!! Iluka Rd is a lake due to the run off the park generates now it WILL not cope with the added catchment from rooftop and roadways! It will cause a accident/death in adverse weather.

#2 sewerage it doesn't effectively work now! It stinks most days. . Add in more than double the existing permanent resident and it will be disgusting!!! Even the residents know the sewerage is useless! Doesn't help that he ripped up km of drip lines when he cleared the block!

#3 planting was supposed to done 1 to screen our property 2 offset the koala food trees he decimated.

#4 Stage 2. & 3 we want it known now we do not support either of these stages in anyway. We had been told no more trees to go but this application states there is . Cabins jammed in on smaller sites. Etc etc I will approach these as they are applied for but let it be known now!!

#5 Traffic at that intersection now we have near misses it doesn't work! Increased traffic with no changes to be made will cause deaths! The rise to the western side causes blind spots and waiting traffic to turn in are at Mercy of the traffic stopping. Not ideal if you look at an average 60 cars in and out daily!

#6 There is no regulatory body that will monitor or restrict or offer support to the residents under this DA application now and into the future. They are at the mercy of owner/developer. This is a risk that can be abated by revoking this DA and submitting an application for seniors and disability park. Of which we would feel much more at ease with long term.

#7 how is the Clarence/woombah going to support 250 new over 50's residents? Dr's you can't get an appointment with in 3 weeks, bus only passes week days & only 3 times with limited destinations. We have no footpaths only one general store located KMs away at other caravan Park. There is absolutely no supports close by. And what services are offered further afield are already stretched thin!

#8 Amenity to a bush setting.

Woombah no more woods is the gateway to Iluka naturally, and woombah itself. The very first thing visitors will see as entering one of our biggest tourist assets is a steel tent city!! Stage 3 will be visible from the off ramp . Not what our large lot residential addresses and community is about!!!

Please note stage we are aware is inside cleared footprint. But feel some issues have been brushed over in this application. We question CVC storm water ,traffice and sewerage outcomes.

Please address our concerns as a matter of urgency

Jason & Emma Mills.

Proposed Conversion of  
Woombah Woods Caravan Park to  
Manufactured Homes Estate Stage 1 - 58 Sites  
Lot 61 DP 802939  
54 Iluka Rd, Woombah

**Statement of Environmental Effects**

**Rob Donges**

**Planning Consultant**

**August 2020**



## 1. Introduction

Woombah Holdings Pty Ltd, owners of Woombah Woods Caravan Park, propose to convert and expand the existing Park to a 118 Manufactured Home Estate (MHE), plus a caretaker site and communal facilities. This will be undertaken in 3 Stages, with this application applying for the approval of Stage 1 only, but an overall concept plan is attached for which approval is not sought. The final overall plan, which will be subject of a future application, is dependent on the completion of further specialist reports including on-site wastewater management and stormwater management.

Development consent is not required to install manufactured homes (homes) in a MHE, so this application does not apply for such approval but indicative home designs are attached at Annexure A to allow assessment of certain development standards under the relevant Local Government Regulation.

The property is mapped as bushfire prone land and as such this application is classified as Integrated Development under the Rural Fires Act 1997.

## 2. Development History

Initial development consent for the Park was issued on the 13 February 1984 (Maclean Shire Council DA 83/464). It approved a 3 Stage development consisting of:

Stage 1: Construction of 5 single and 2 twin bed units

- Residence
- Pool and children's play area
- Shop

Stage 2: 47 caravan sites

Amenities block

Stage 3: 61 caravan sites

- 14 tent sites
- Amenities block

Total approved development therefore consisted of:

- 7 permanent units and residence
- 108 caravan sites
- 14 tent sites

This application included a Proposed Development Plan which established the Park's total approved footprint.

On 23 December 1985, Council issued approval to allow the occupation of 55 sites consisting of 7 permanent (long-term) and 48 tourist (short-term) in accordance with the consent to DA 1983/463.

On 29 May 1995 Council issued development consent for the establishment of 6 long-term sites within the Park (MSC DA 95/068). The Proposed Plan submitted with this development application indicated:

- 24 long-term sites, including the 6 additional
- 20 short-term sites
- 6 camp sites

For a total of 50 sites.

On 19 October 2017 Council issued consent to change the number and location of sites within the Park to reflect the actual layout (DA 2017/0038). The approved plan indicated:

- 35 short-term sites
- 23 long-term sites
- 6 camping sites
- Amenities building, office, pool, communal facilities and parking.

The current layout of the Park reflects the 2017 approval giving a total of 64 sites containing 37 cabins (including 2 cabins on site 59, a duplex on site 60 and 3 cabins on site 82). The balance of sites are short-term (caravan and camp sites).

On 18 September 2019 Council issued minutes (DMU 2019/0029) which stated:

*“The Lot is zoned R5 Large Lot Residential and although Caravan Parks are prohibited in the R5 zone it operates and is protected by existing use right provisions of the Environmental Planning and Assessment Act 1979.”*

The owner then engaged Outline Planning Consultants Pty Ltd to provide a town planning opinion on the status of the various consents issued over the property, in particular the development footprint approved in 1984, and in respect of Council’s advice of 18 September 2019. They concluded that the 1984 approved footprint as illustrated on Figure 2 of their report (reproduced at Appendix B of this report), still enjoyed valid development consent.

Acceptance of the current validity of this development footprint confers approval to remove existing vegetation within that footprint as it would be required to complete the approved development.

Following the commencement of vegetation clearing within that footprint and the subsequent issue of an Emergency Notice by Council requiring clearing to cease, both Council and the owner agreed that clearing works within the footprint were legal, and the owner proposed to clear less than was permissible within the footprint. The reduced area of clearing, and so a reduced overall footprint, is reflected in the Concept Plan accompanying this application.

Clearing within the footprint has now been completed with the exception of a section containing on-site wastewater disposal beds currently servicing the existing Park. This area will be cleared when the new wastewater system is established and the current system is no longer required.

### 3. The Site and Locality

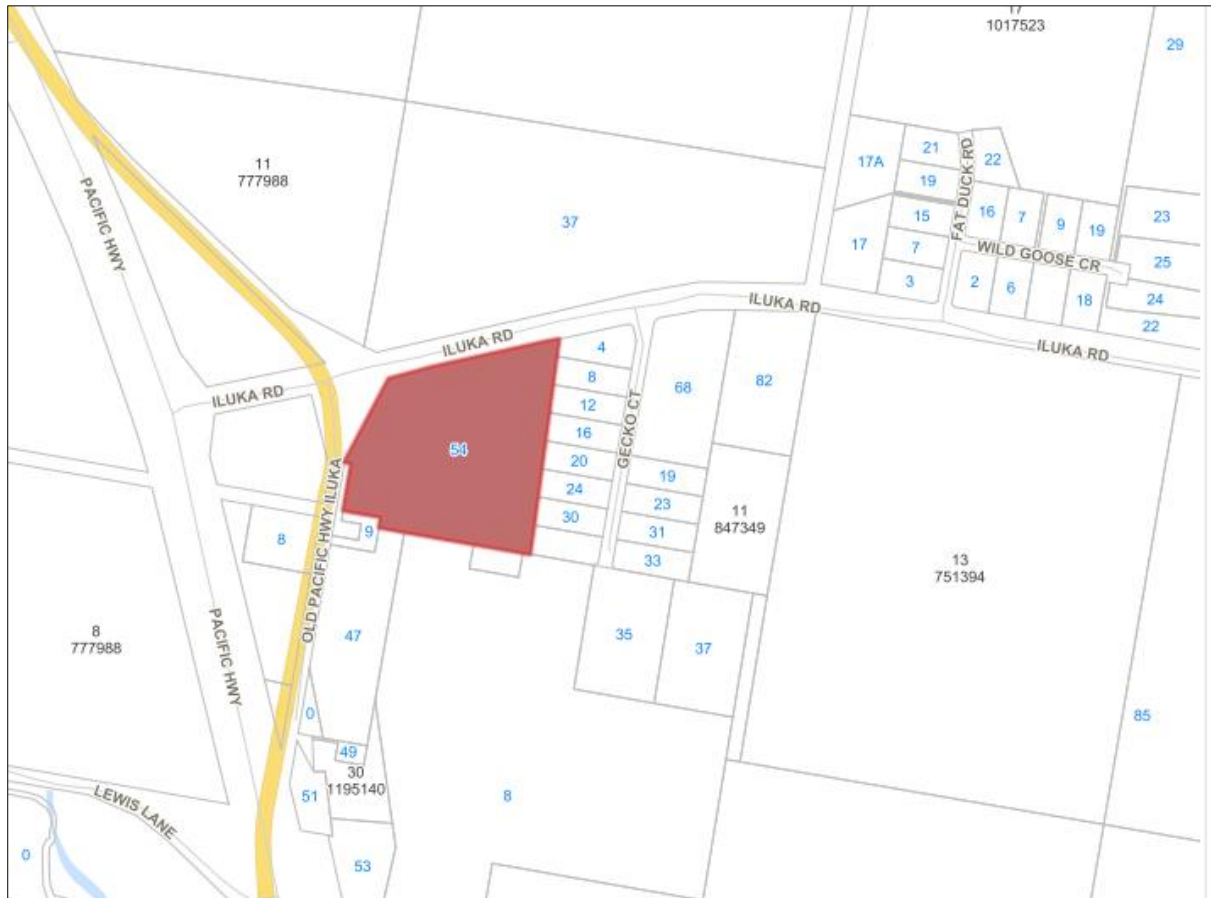


Figure 1

The Park is located on the southern side of Iluka Rd close to its intersections with both the old and new Pacific Highways. It slopes gently from its south-east corner towards the north. Approximately 2 ha of its total 6.5 ha is currently developed with the balance either recently cleared or retained vegetation.

The existing Park is located on the eastern and central sections of the property and consists of:

- 23 long-term sites each containing a single cabin
- 6 short-term sites each containing a single cabin (including duplex on 59/60)
- 1 short-term triplex site (80)
- 26 short-term powered sites (including 46/47 containing maintenance shed)
- 6 short-term camping sites
- A vacant caretakers site

Facilities include:

- Shop
- Office
- Camp kitchen
- Mini tennis court

- Pool and associated recreation space
- Amenities block
- 4 space carpark including 1 non-compliant disabled space
- Maintenance shed
- On-site wastewater management system consisting of tanks, pumps, lagoons, reed beds and irrigation fields.

Access is via an intersection with Iluka Rd at the property's north-east corner connecting to the Park's internal sealed road network. A gravel track along the eastern boundary provides legal access to properties to the south. A plan of the existing Park is included in the attached plans.

## 4 The Proposal

It is proposed to convert the Caravan Park into a Manufactured Homes Estate (MHE) under the provisions of "State Environmental Planning Policy No 36 – Manufactured Homes Estates", and subject to the relevant provisions of "Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005".

Stage 1, for which development consent is now sought, will consist of 58 home sites as follows:

Currently contain single cabins	<b>23</b> (61-65, 68-71, 75-79, 93-101)
Currently contains duplex	<b>2</b> (59, 60)
Sites created from 2 powered sites	<b>11</b> (81-91)
Sites created from 2 cabin sites	<b>4</b> (57, 58, 66, 67)
Triplex to 1 site	<b>1</b> (80)
Currently vacant	<b>17</b>
<b>Total</b>	<b>58 sites</b>

As a result, 32 existing short-term sites are converted to 19 home sites.

All camping sites are removed. The caretakers site is retained for that purpose, giving a total of 59 sites.

In addition, and not forming part of this application as development consent is not required, 9 existing cabins owned by the Park may be replaced by compliant homes over time (57, 58, 61, 66, 67, 94, 95, 96, 97). The duplex building on 59 and 60 will be retained as is permitted under the Regulation.

Private owners will be encouraged to replace cabins with compliant homes but the ultimate decision rests with those owners while they have valid leases on their sites.

All existing community facilities will be retained, though the amenities block will not be required once all short-term sites have been replaced with homes. This building will then be converted to a maintenance shed to replace the existing shed demolished to create sites 46 and 47. The camp kitchen will also not be required once full conversion has occurred and will become a community room. The existing shop will be upgraded with a commercial kitchen to expand the product range available to Estate residents.

The existing wastewater system will be retained.

No additional internal roads are required but all will be resealed and widened if necessary to meet minimum width in the regulation.

Currently there are 4 parking spaces adjacent to the office, including 1 marked as disabled. This will be increased to a total of 12 including 1 compliant disabled space at 2 locations within the estate.

The existing stormwater management system which directs water into the swale drain on Iluka Rd, has been assessed as requiring only minor augmentation to accommodate Stage 1.

No vegetation will be removed in Stage 1.

## 5. Statutory Provisions

### 5.1 Clarence Valley Local Environment Plan 2011

#### 5.1.1 Land Use Table

The site is zoned R5 Large Lot Residential, for which the Table includes:

#### **Zone R5 Large Lot Residential**

##### **1 Objectives of zone**

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To ensure development is not adversely impacted by environmental hazards.*
- *To protect areas of vegetation and waterways with conservation value and scenic amenity.*

##### **2 Permitted without consent**

*Environmental protection works; Home-based child care; Home occupations; Home occupations (sex services)*

##### **3 Permitted with consent**

*Bed and breakfast accommodation; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Exhibition villages; Extensive agriculture; Farm buildings; Flood mitigation works; Home businesses; Home industries; Horticulture; Information and education facilities; Neighbourhood shops; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Roadside stalls; Secondary dwellings; Tank-based aquaculture; Viticulture.*



#### 4 Prohibited

*Any development not specified in item 2 or 3*

Caravan sites are not listed under 2 or 3, and are therefore prohibited under 4. As discussed below, this is critical because MHE's are permissible on certain land on which caravan parks are permitted.

Council's advice that the property has existing use rights for a caravan park leads to "State Environmental Planning Policy No 36 – Manufactured Home Estates" which regulates MHE's in NSW, Clause 2 (2)(a) of the policy states:

*2. The strategies by which those aims are to be achieved are—*

*(a) by allowing, with development consent, manufactured home estates on certain land on which caravan parks are permitted if the land meets the suitable locational criteria stipulated in this Policy (which it would not do if, for example, it contains important resources, is subject to natural or man-made risks or has sensitive environmental or ecological features).*

Council requested that legal advice be obtained to determine whether the permissibility of MHE's on land on which caravan parks are permitted also extends to land where the permissibility of caravan parks is through existing use rights.

Legal advice was obtained for Pikes & Verekers Lawyers dated 16 July 2020 and attached at Annexure C. It considers:

- The whole of the site (Lot 61 DP 802939 No 54 Iluka Rd, Woombah) benefits from existing use rights.
- Clause 6 of the Policy allows MHE's on any land on which development of a caravan park is permitted, with specific exceptions.
- Clause 6 of the Policy does not require the land to be zoned to permit a caravan park in order for a MHE to be permitted on that land.

The advice concludes:

*"As the site benefits from existing use rights for the purpose of a caravan park, it is land on which development for the purposes of a caravan park may be carried out and pursuant to Clause 6 SEPP MHE, development for the purposes of a manufactured home estate may be carried out on the site with consent."*

The Clause 6 exceptions reference in the second dot point are addressed at section 5 of this report.

### 5.1.2 Clause 7.1 – Acid Sulfate Soils

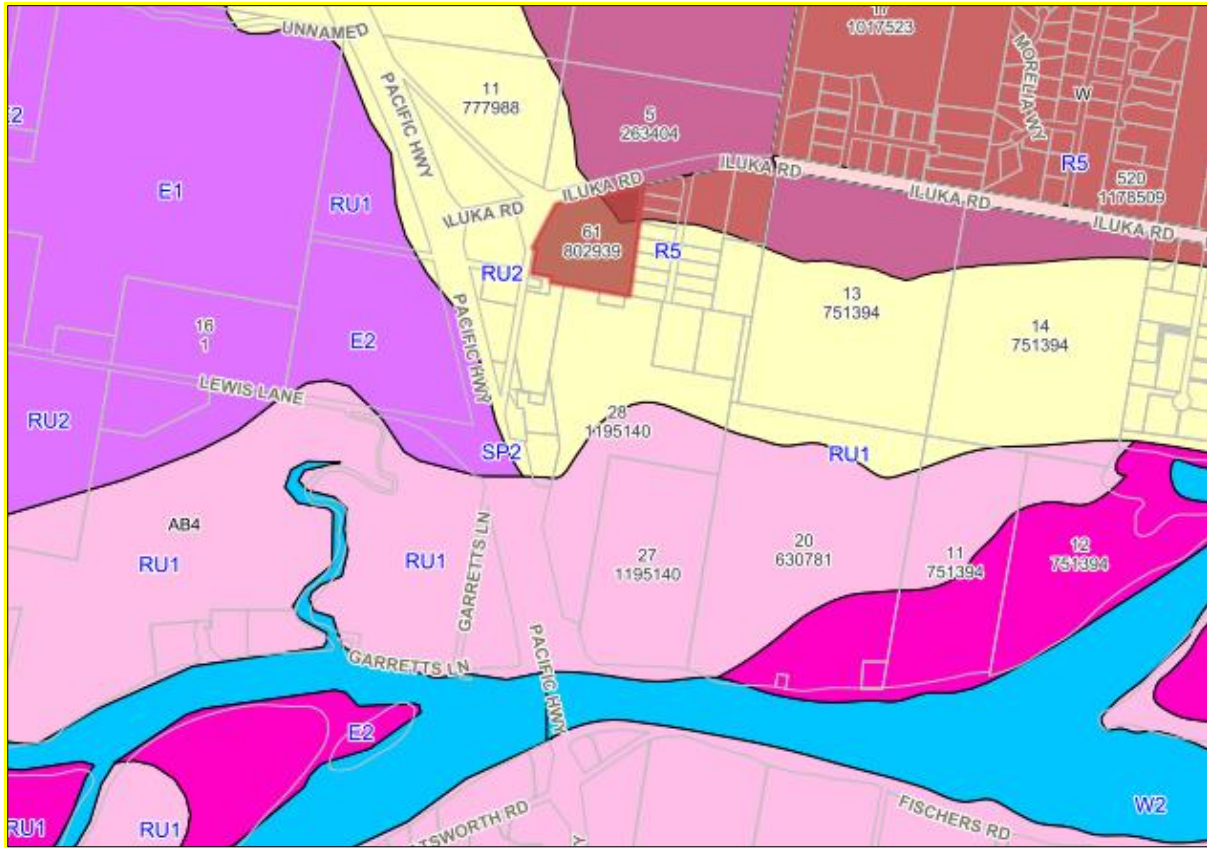


Figure 2: Acid Sulfate Soil Map

The majority of the site is indicated as Class 5 ASS and under clause 7.1 any proposal which involves the following requires an ASS management plan unless a preliminary assessment indicates it is not required.

Class of Land	Works
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

The property is approximately 300m from Class 4 Land on the western side of the Pacific Highway and so the Class 5 works are triggered. It is considered that the proposal will have no impact on the Class 4 lands for the following reasons:

- The subject property ranges from 23.2m AHD – 33.3m AHD while the Class 4 land ranges from 1m AHD – 2m AHD and so any works as the property would have no impact on the Class 4 land water table.
- Excavation works on the property will be minor, consisting of service trenches, roads, and footings which will have no impact on Class 4 water table.

Accordingly, it is considered that an ASS management plan is not required.

### **5.1.3 Clause 7.8 - Essential Services**

See 5.2.1 below.

## **5.2 Clarence Valley Residential Zones Development Control Plan**

The relevant sections are:

### **5.2.1 C24 Provision of Essential Services**

This is addressed by both the Civil Engineering Assessment (Planit Consulting Pty Ltd, August 2020) at Annexure D and the Onsite Wastewater Management Report (Melaleuca Group Pty Ltd, July 2020) at Annexure E as follows:

#### **Water**

Council water mains are located along all sides of the property, from which a 100mm PVC main provides reticulated water to the existing Park. The Civil Assessment provides calculations for the additional water demand for Stage 1.

#### **Sewer**

Reticulated sewer is not available to the property, and so onsite management is required and assessment is in the OSWM Report. The report states that the existing system, designed to treat 20Kl per day and consisting of septic tanks, lagoons, reed beds and irrigation system, is sufficiently sized to allow for Stage 1 of the development.

#### **Electricity**

Power is available in Iluka Rd and the owner will be responsible for any upgrades required.

#### **Roads**

Internal roads comply with the requirements of the Local Government Regulation, see Section 5.3 of this report. The Civil Assessment includes a Traffic Impact Assessment which concludes that compared to existing traffic generated, the peak hourly flows from Stage 1 represent a minor increase and no augmentation of the existing intersections is required.

#### **Stormwater**

Currently stormwater is collected from roofs and from pits located in the road network and piped to Councils swale drain in Iluka Rd. The Civil Assessment determines that the difference in peak discharge between pre and post development for Stage 1 is minor and that flows can be directed to the existing swale in Iluka Rd without detention.

## 5.2.2 C26 Controls for Bushfire Prone Land

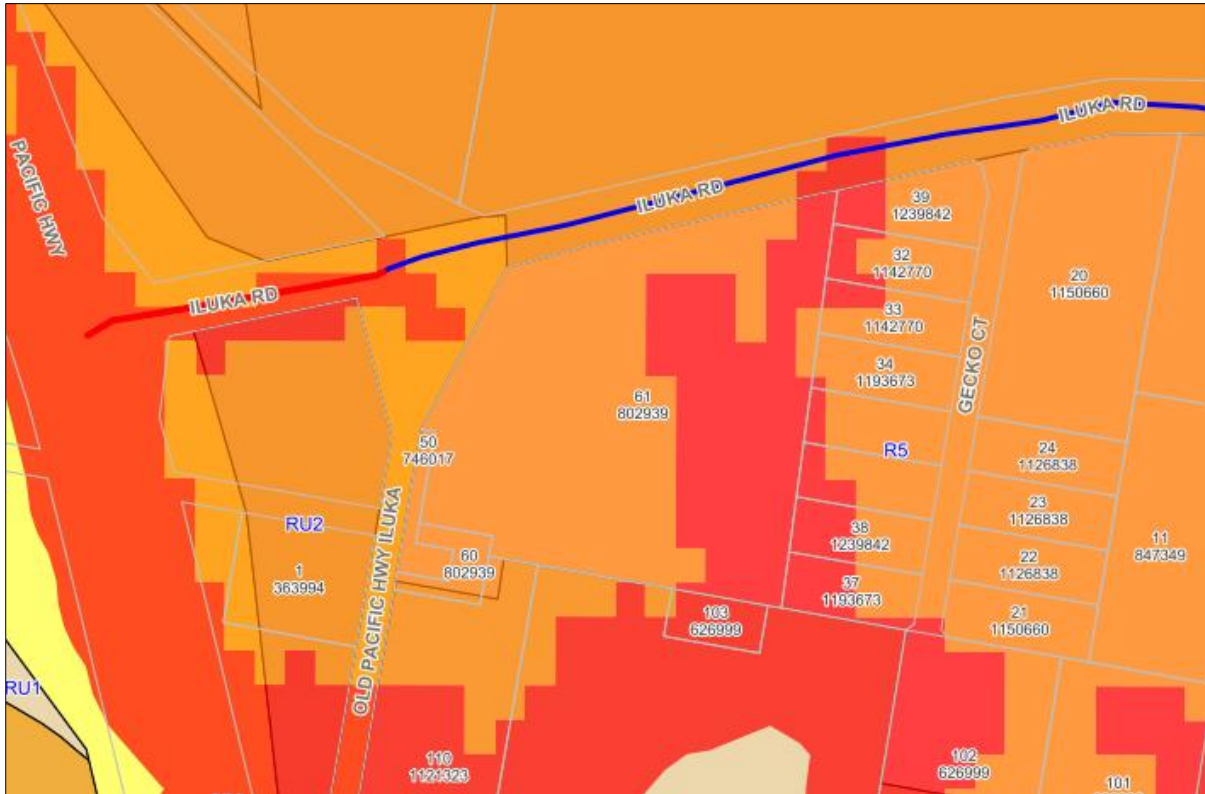


Figure 3 - Bushfire Prone Land Map

The site is classed Category 1 and buffer on the map and as a result a Bushfire Risk Management Plan (Bushfire Safe Australia Pty Ltd, August 2020) has been prepared and is attached at Annexure F. The Plan assess the entire Estate (Stages 1-3).

The Plan concludes:

- The western edge of the expanded development (ie Stages 1-3) requires a 44m Asset Protection Zone (APZ) from retained vegetation.
- The existing separation of 60m from the forest vegetation on the northern side of Iluka Rd is currently maintained as an IPA which satisfies the “Planning for Bushfire Protection 2006” (PBP) requirements.
- The APZ’s for Stage 1 exceed minimum requirements of PBP.

The Plan also specifies building standards for homes within the western extension.

## 5.2.3 C29 Waste Management

Each home will be provided with 3 bins as is the arrangement in urban areas with collection provided by either Council as part of their normal collection schedule, or if this is not possible, by private contractor. Individual owners will be responsible for placing bins out for collection. Bins will also be located in communal areas with the placing of these bins beside the internal road network for collection being the responsibility of management.

## 5.2.4 Part H - Sustainable Water Controls

Addressed in Civil Engineering Assessment at Annexure D

## 5.2.5 Part I - Erosion and Sediment Controls

Addressed Civil Engineering Assessment at Annexure D

## 5.2.6 Part Y – Controls for Biodiversity and Habitation Protection

All recent clearing has been undertaken in accordance with approval to DA 83/464 for the ongoing Caravan Park. Following an agreement with CVC, the area to be cleared under that consent is less than permitted to retain a vegetated buffer to the adjoining residence to the south-west. A small amount of agreed clearing is still to be undertaken in a section of the Park currently used for wastewater disposal beds, though this clearing is not required for Stage 1.

There is no vegetation removal required for Stage 1.

## 5.3 Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulations 2005

Clause	Comments
<b>6 Factors for consideration before approval is granted</b>	
(1) The council must not grant an approval to operate a manufactured home estate unless it is satisfied that the manufactured home estate will be designed, constructed, maintained and operated in accordance with the relevant requirements of Division 3. (2) In deciding whether or not the approval for the manufactured home estate should allow the installation of a manufactured home on flood liable land, the council must have regard to the principles contained in the Floodplain Development Manual.	(1) See relevant assessment below (2) Not applicable, not flood liable land.
<b>7 Matters to be specified in approval</b>	
In addition to any other matters it must contain, an approval to operate a manufactured home estate must specify, by reference to a plan, the number, size and location of the dwelling sites allowed by the approval.	Council will detail this information in any approval issued based on the submitted development.



Clause	Comments
<b>8 Conditions of approval</b>	
<p>An approval to operate a manufactured home estate is subject to the condition that the manufactured home estate is designed, constructed, maintained and operated in accordance with the requirements of Division 3.</p> <p><b>Note.</b> The council may also impose conditions on the grant of an approval under section 94 of the Act.</p>	Noted
<b>9 Conditional exemption</b>	
<p>(1) The prior approval of the council is not required for—</p> <p>(a) the installation of a manufactured home on land within a manufactured home estate, so long as—</p> <p>(i) it is designed, constructed and installed in accordance with the relevant requirements of Division 4, and</p> <p>(ii) it is not occupied by any person until a certificate of completion has been issued for it, or</p> <p>(b) the installation of an associated structure on land within a manufactured home estate, so long as it is designed, constructed and installed in accordance with the relevant requirements of Division 4.</p> <p>(2) An exemption provided for by this clause applies in respect of the installation of a manufactured home only if such installation is carried out by or with the consent of the holder of the approval to operate the manufactured home estate concerned.</p> <p>(3) An exemption provided for by this clause does not apply to the installation of a manufactured home on flood liable land if the council has notified in writing the holder of the approval to operate the manufactured home estate concerned, before that installation, that the land is flood liable land.</p> <p>(4) An exemption provided for by this clause does not apply to the installation of manufactured homes, or associated structures, of more than one storey in height.</p> <p><b>Note.</b> By virtue of clause 2, clause 9(4) commences on 1 March 2006.</p>	Noted. Approval to install manufactured homes is not sought as part of this application.

Clause	Comments
<b>10 Installation on flood-labile land</b>	
(1) In deciding whether to approve the installation of a manufactured home or associated structure in a manufactured home estate on flood liable land, the council must have regard to the principles contained in the Floodplain Development Manual. (2) It is a condition of an approval to install a manufactured home or an associated structure on flood liable land that the manufactured home is designed, constructed and installed in a manufactured home estate in accordance with Division 4.	Not applicable
<b>11 Installation of manufactured home or associated structure of more than one storey</b>	
In deciding whether to approve the installation in a manufactured home estate of a manufactured home or associated structure having more than one storey, the council must have regard to the likely impact on the amenity of any occupiers of any adjoining manufactured home and the amenity of any occupiers of land adjoining that manufactured home estate.	Not applicable
<b>12 Minimum size of estate</b>	
A manufactured home estate must not have an area of less than one hectare or, if a lesser area is permitted by a relevant environmental planning instrument, that lesser area.	The Park has an area of approximately 6.5 ha.
<b>13 Community amenities</b>	
(1) Of the total land area of a manufactured home estate— (a) at least 10 per cent, or (b) such lesser proportion (but not less than 6 per cent) as the approval for the manufactured home estate may allow, must be reserved for recreation or other communal activities. (2) In deciding whether to allow a lesser proportion, the council must have regard to the type and range of amenities to be provided and to such other matters as it considers relevant.	Stage 1 has an area of approximately 2.7 ha, of which approximately 6,400 m <sup>2</sup> (23.7%) is provided for recreation and other communal activities including: <ul style="list-style-type: none"> <li>• Pool and associated recreational space</li> <li>• Shop and office</li> <li>• Camp Kitchen, mini tennis court and associated recreational space</li> <li>• Amenities block</li> </ul>
<b>14 Size of dwelling sites</b>	
A dwelling site must have an area of at least 130 square metres.	All sites are greater than 130m <sup>2</sup> , the smallest being sites 59 and 60 which are both 134m <sup>2</sup> .

Clause	Comments
<b>15 Site identification</b>	
(1) A dwelling site must be numbered or identified and its site boundaries clearly delineated. (2) The site identification must be conspicuous.	All sites will be delineated and numbered in accordance with the submitted site plan.
<b>16 Dwelling sites to have road frontage</b>	
A dwelling site must have vehicular access to an access road.	All sites have frontage to the internal road network.
<b>17 Setbacks of community buildings</b>	
(1) A community building must not be located closer than 10 metres to the boundary of a manufactured home estate, or to the boundary of a dwelling site, unless the approval for the manufactured home estate so allows. (2) The approval for a manufactured home estate must not allow a lesser distance than 10 metres unless the council is satisfied that the community building has been or will be properly screened, fenced, enclosed or otherwise treated. (3) A community building must not in any case be located closer than 2 metres to the boundary of a manufactured home estate or to the boundary of a dwelling site.	(1) The existing office, shop and amenities building are located further than 10m from the Park's boundaries, while the camp kitchen is approximately 7m from the front boundary. The amenities building is located 6.3m from the site adjoining to the south and is separated from the site to the east and west by roads; to the north is the care-takers site. Approval is sought for these minor encroachments – see (2) below. (2) The camp kitchen can be screened utilising low vegetation, keeping in mind the fire risk in the vicinity. The amenities building will cease being used for this purpose once all short-term sites are removed. (3) No community buildings are within 2m of the boundaries.
<b>18 Setbacks of dwelling sites from road frontages</b>	
(1) A dwelling site must not be located closer than 10 metres to a public road or 3 metres to any other boundary of the manufactured home estate unless the approval for the manufactured home estate so allows. (2) The approval for a manufactured home estate must not allow a lesser distance than 10 metres unless the council is satisfied that the dwelling site has been or will be properly screened, fenced, enclosed or otherwise treated.	(1) All sites are further than 10m from the two public road frontages – Iluka Rd to the north and Old Pacific Highway to the west; and further than 3m from the Park Boundaries. (2) Not applicable.

Clause	Comments
<b>19 Use of buffer zones</b>	
<p>Nothing in this Part prevents land within a buffer zone arising from the setbacks required by this Subdivision from being used—</p> <p>(a) for community amenities, access roads, car parking spaces, footpaths or landscaping, or</p> <p>(b) for any similar purpose allowed by the approval for the manufactured home estate.</p>	<p>Buffer zones to the east and south contain internal roads.</p>
<b>20 Entrance and exit roads</b>	
<p>(1) A road that forms an entrance to or exit from a manufactured home estate must be at least 8 metres wide.</p> <p>(2) In the case of a divided road, the width of the sealed portion of the road on either side of the median strip must be at least 5 metres.</p> <p>(3) The arrangement for the width of an entrance or exit road to taper into or meet the width of the sealed portion of the access roads leading to the entrance or exit may be specified in the approval for the manufactured home estate.</p>	<p>(1) Entrance road from ROW is 8.5m wide.</p> <p>(2) Not applicable.</p> <p>(3) Noted.</p>
<b>21 Width of roads</b>	
<p>(1) The width of the road reserve must be—</p> <p>(a) at least 8.5 metres for a major access road, and</p> <p>(b) at least 6 metres for a minor access road.</p> <p>(2) The width of the sealed portion of an access road must be—</p> <p>(a) at least 6 metres for a major access road, and</p> <p>(b) at least 4 metres for a minor access road.</p> <p>(3) If a minor access road exceeds 80 metres in length, a passing bay or bays must be provided within the road reserve.</p> <p>(4) Passing bays must be provided at intervals of not more than 100 metres.</p> <p>(5) The width of the sealed portion of an access road at any point at which there is a passing or parking bay must be—</p> <p>(a) at least 8.5 metres for a major access road, and</p> <p>(b) at least 6 metres for a minor access road.</p>	<p>1) The main access road, notated as Bushland Circle is 8.5m wide, minor access roads are 6m wide.</p> <p>2) Bushland Circle is classified as major and will have 6m seal.</p> <p>b) Remainder of network is classified as minor and will have minimum 4m seal.</p> <p>3) Passing bays will be provided in William and Henry Sts.</p> <p>4) Noted, will comply.</p> <p>5) Noted, will comply.</p>

Clause	Comments
<b>22 Speed restrictions as part of road design</b>	
<p>Access roads must be so designed as to limit the speed at which vehicles may travel on them to—</p> <p>(a) 30 kilometres per hour for major access roads, and</p> <p>(b) 15 kilometres per hour for minor access roads.</p>	<p>Internal roads will be signposted accordingly.</p>
<b>23 Visitor parking</b>	
<p>(1) A manufactured home estate must contain no fewer visitor parking spaces than the following—</p> <p>(a) 8 spaces for a manufactured home estate containing not more than 35 sites,</p> <p>(b) 12 spaces for a manufactured home estate containing more than 35 sites but not more than 70 sites,</p> <p>(c) 16 spaces for a manufactured home estate containing more than 70 sites but not more than 105 sites,</p> <p>(d) 20 spaces for a manufactured home estate containing more than 105 sites, plus one additional space for each additional 7 sites (or part of a site) over 140.</p> <p>(2) Each parking space is to have, at minimum, dimensions of—</p> <p>(a) 5.4 metres by 2.5 metres, in the case of angle parking, and</p> <p>(b) 6.1 metres by 2.5 metres, in any other case.</p> <p>(3) Visitor parking spaces must be clearly identified as such.</p>	<p>(1) Complies, 12 spaces are provided in Stage 1.</p> <p>(2) Complies.</p>
<b>24 Visitor parking for people with disabilities</b>	
<p>(1) A manufactured home estate must contain at least one visitor parking space for people with disabilities.</p> <p>(2) A manufactured home estate that contains more than 100 sites must contain at least one visitor parking space for people with disabilities for each 100 sites or fraction of 100 sites.</p> <p>(3) Such parking is to be provided in accordance with AS/NZS 2890.1:2004, <i>Parking facilities—Off street parking</i>.</p> <p>(4) Visitor parking spaces for people with disabilities must be clearly identified as such.</p> <p>(5) Visitor parking spaces provided under this clause may be counted for the purposes of clause 23.</p>	<p>Complies, a single compliant space provided in front carpark.</p>

Clause	Comments
<b>25 Road surfaces</b>	
All access roads, including all passing and parking bays, must have an all-weather sealed or other surface finish specified in the approval for the manufactured home estate, and must be adapted to the topography to allow for adequate drainage and to eliminate excessive grades.	Existing roads to be resealed as part of construction phase.
<b>26 Lighting</b>	
All access roads must be adequately lit between sunset and sunrise.	Lighting will be provided to all access roads.
<b>27 Water supply</b>	
<p>(1) A manufactured home estate—</p> <p>(a) must be connected to a mains water supply, or</p> <p>(b) must be provided with an alternative water supply service as specified in the approval for the manufactured home estate.</p> <p>(2) A dwelling site—</p> <p>(a) must be connected to the water supply service for the manufactured home estate, and</p> <p>(b) must be provided with a separate water meter and a separate water service isolating valve.</p> <p>(3) The water supply service must comply with—</p> <p>(a) the <a href="#">Plumbing and Drainage Act 2011</a> and any regulations under that Act, and</p> <p>(b) the requirements of any relevant statutory body.</p> <p>(4) The water supplied for human consumption or domestic purposes must comply with the <i>Australian Drinking Water Guidelines</i> published in 2004 by the National Health and Medical Research Council.</p>	Reticulated water will be provided as discussed in Civil Assessment Report, details to be submitted with Civil Construction Certificate.
<b>28 Sewerage</b>	
<p>(1) A manufactured home estate—</p> <p>(a) must be connected to a main sewer, or</p> <p>(b) must be provided with an alternative sewage disposal system as specified in the approval for the manufactured home estate.</p> <p>(2) A dwelling site must be connected to the sewage disposal system for the manufactured home estate.</p>	Existing on-site waste water management system will be utilised for Stage 1 as recommended by the On-site Wastewater Management Report.



Clause	Comments
<p>(3) The sewage disposal system must comply with—</p> <p>(a) the <a href="#">Plumbing and Drainage Act 2011</a> and any regulations under that Act, and</p> <p>(b) the requirements of any relevant statutory body.</p>	
<b>29 Drainage</b>	
<p>(1) A manufactured home estate must be provided with a stormwater drainage system as specified in the approval for the manufactured home estate.</p> <p>(2) A dwelling site—</p> <p>(a) must be connected with the stormwater drainage system for the manufactured home estate, or</p> <p>(b) must be provided with an on-site stormwater drainage system.</p> <p>(3) A stormwater drainage system must comply with—</p> <p>(a) the Plumbing Code of Australia, and</p> <p>(b) the requirements of any relevant statutory body.</p>	<p>Existing drainage system, extended to service currently vacant sites has been determined by the Civil Assessment Report to be suitable for Stage 1.</p>
<b>30 Electricity supply</b>	
<p>(1) A dwelling site must be supplied with electricity from a reticulated electricity service by means of an electrical circuit connected to a separate electricity meter.</p> <p>(2) Any such electrical circuit must be installed in accordance with the requirements of AS/NZS 3000:2000, <i>Electrical Installations</i> (known as the Australian/New Zealand Wiring Rules) as in force on 1 September 2005, except that the maximum capacity of the electrical circuit supplying a dwelling site need not be greater than 32 amperes if the site is provided with gas, whether by means of a reticulated gas service or by means of on-site gas containers.</p> <p>(3) If a dwelling site is provided with electricity otherwise than by way of direct connection to the local electricity supply authority's electricity main, the maximum amount that may be charged for the supply of electricity during a particular period is the amount that the standard retail electricity supplier for the relevant district would have</p>	<p>Electricity supply will be provided in accordance with the requirements.</p>

Clause	Comments
charged under a standard form customer supply contract for that supply during that period.	
<b>31 Telephone lines</b>	
Telephone services, if available, must be provided in such a manner that a telephone connection is available to each dwelling site within the manufactured home estate.	Noted, details to be submitted with Civil Construction Certificate.
<b>32 Common trenches</b>	
A common trench may be used for the installation of services in accordance with guidelines provided in AMCORD.	Noted
<b>33 Garbage removal</b>	
Arrangements specified in the approval for the manufactured home estate must be instituted and maintained for the removal of garbage and for the maintenance of garbage receptacles in a clean and sanitary condition.	Each home will be provided with the standard 3 bin array with collection by either Council's contractor or a private contractor.
<b>34 Fire hydrants</b>	
(1) No part of a dwelling site or community building within a manufactured home estate may be situated more than 90 metres from a fire hydrant. (2) Any fire hydrant located within a manufactured home estate must— (a) be a double-headed pillar-type fire hydrant, and (b) be maintained to the standard specified in the approval for the manufactured home estate.	(1) 6 current hydrants are located so as to cover all of Stage 1 within the 90m required (2) Existing single -head hydrants will be replaced with double-headed during civil construction.
<b>35 Buildings</b>	
(1) A building must not be erected on a manufactured home estate unless the approval for the manufactured home estate so allows. (2) The approval for the manufactured home estate is to allow only the following kinds of buildings to be erected on a manufactured home estate— (a) community buildings, (b) brick or masonry walls in the form of separating walls between adjoining manufactured	No additional community buildings provided in Stage 1.

Clause	Comments
<p>homes or in the form of external facades to manufactured homes.</p> <p>(3) The approval for a manufactured home estate is to allow the erection of a brick or masonry wall in the form of an external facade to a manufactured home only—</p> <p>(a) if the dwelling site on which the manufactured home is situated is a neighbourhood lot within the meaning of the <a href="#">Community Land Development Act 1989</a>, and</p> <p>(b) the owner of the manufactured home is also the proprietor of the neighbourhood lot.</p> <p><b>Note.</b> The erection of a building (including a community building or brick or masonry wall) may require development consent under the <a href="#">Environmental Planning and Assessment Act 1979</a>.</p>	
<b>36 Use of manufactured home estates</b>	
<p>(1) A manufactured home estate must not be used—</p> <p>(a) for any commercial purpose other than a manufactured home estate or an associated purpose, or</p> <p>(b) for the manufacture, construction or reconstruction of moveable dwellings.</p> <p>(2) Nothing in this clause prevents a manufactured home from being used for exhibition purposes.</p> <p>(3) This clause does not prevent the carrying out of work on a manufactured home that is installed in a manufactured home estate for the purpose of its renovation, maintenance or repair (such as painting, replacement of wall cladding or roof sheeting and the like).</p>	<p>(1) The estate will not be used for any of these purposes. The existing shop will be upgraded to include cooking facilities servicing the MHE.</p> <p>(2) Noted</p> <p>(3) Noted</p>
<b>37 Community map</b>	
<p>The person who holds the approval to operate a manufactured home estate must provide the council with a copy of the current community map—</p> <p>(a) as soon as practicable after any amendment is made to the map, and</p> <p>(b) at such other times as the council may reasonably require.</p>	Noted.

Clause	Comments
<b>38 Access to approval and community map</b>	
<p>The holder of an approval to operate a manufactured home estate must ensure that copies of the following documents must be readily available for inspection without cost by any person in a location in the manufactured home estate specified in the approval for the manufactured home estate—</p> <p>(a) the approval for the manufactured home estate,</p> <p>(b) the current community map,</p> <p>(c) this Regulation.</p>	Noted.
<b>39 Specifications for design, construction, installation, modification and extension of manufactured homes and associated structures</b>	
<p>(1) The Minister may, by order published in the Gazette, establish specifications (not inconsistent with this Division) for the design, construction, installation, modification and extension of manufactured homes and associated structures.</p> <p>(2) The specifications may adopt, with or without modification, the provisions of any rule, standard or code of practice.</p> <p>(3) Subject to this Division, a manufactured home or associated structure must be designed, constructed, installed, modified and extended in accordance with any specifications in force under this clause.</p>	Noted.
<b>40 Installation allowed only on dwelling sites</b>	
<p>(1) A manufactured home must not be installed in a manufactured home estate otherwise than on a dwelling site.</p> <p>(2) This clause does not apply to a manufactured home that is used solely for the purposes of a community amenity or as a manager's or caretaker's office or residence.</p>	<p>(1) Each manufactured home is located on a dwelling site.</p> <p>(2) The existing office and proposed caretakers unit are not located on dwelling sites, as is permitted.</p>
<b>41 Manufactured homes to be constructed and assembled off-site</b>	
<p>(1) A manufactured home must not be installed on a dwelling site unless each major section of the home has been constructed and assembled at, and transported to the manufactured home estate from, a place of manufacture outside the manufactured home estate.</p>	All manufactured homes will be constructed and assembled off-site in accordance with the requirements unless approval to do otherwise is granted.

Clause	Comments
(2) However, the fixing of cornices, the setting of wall lining joints, the fitting of skirting boards and architraves and the grouting of tiles may be done on the dwelling site.	
<b>42 Installation allowed only if dwelling site is properly serviced</b>	
A manufactured home must not be installed on a dwelling site unless the requirements of Division 3 have been complied with in relation to the site.	Noted.
<b>43 Density</b>	
No more than one manufactured home may be installed on a single dwelling site.	Complies.
<b>44 Setbacks for manufactured homes</b>	
A manufactured home must not be located— (a) closer than one metre to a road reserve, or (b) closer than 2 metres to the boundary of the manufactured home estate.	All manufactured homes will comply.
<b>45 Site coverage</b>	
<p>(1) A manufactured home and associated structure must not be installed on a single dwelling site if the floor plan area of the manufactured home (together with that of any associated structure or other building or structure on the site) is more than two-thirds of the area of the site.</p> <p>(2) For the purposes of this clause—</p> <p>(a) the floor plan area of a manufactured home is the area occupied by the home, excluding the area of any associated structure forming part of the home that is not roofed, and</p> <p>(b) the floor plan area of any associated structure not forming part of the manufactured home is the area occupied by the structure, excluding any area that is not roofed, and</p> <p>(c) if there is no carport or garage on the dwelling site, an area of 18 square metres must be added to the floor plan area of the manufactured home to account for the car parking space that is required by subclause (3) to be provided on the site.</p> <p>(3) If there is no carport or garage on the dwelling site, an area with minimum dimensions of 6 metres by 3 metres, accessible from an access</p>	<p>(1) The concept designs attached at Annexure A have areas of approximately 90m<sup>2</sup> including attached carports, which requires minimum site area of approximately 140m<sup>2</sup> to achieve 2/3 requirements. All lots exceed this size with the exception of 59 and 60 which are each 134m<sup>2</sup> and contain duplex units of 45m<sup>2</sup> ( 33.5 %)</p> <p>(2) (a) Noted. (b) Noted. (c) Carports provided.</p> <p>(3) Carports provided.</p>

Clause	Comments
road and useable for car parking, must be provided on the site.	
<b>46 Minimum open space requirements for dwelling sites</b>	
<p>(1) There must be at least 30 square metres of open space (that is, space on which there is no building, structure or car parking space) within each dwelling site.</p> <p>(2) The open space of each dwelling site must include at least one area having a minimum width and minimum depth of 3 metres.</p> <p>(3) For the purpose of calculating the area of open space within a dwelling site, any space having a width or length of less than 2 metres must be disregarded.</p>	<p>(1) All sites are of sufficient size to provide complying 30m<sup>2</sup> minimum. Two sites, 59 and 60 have areas of 35m<sup>2</sup> (10m x 3.5m) on their southern side.</p> <p>(2) Noted.</p> <p>(3) Noted.</p>
<b>47 Site boundary arrangements</b>	
<p>(1) A manufactured home must not be installed closer than one metre to the boundary of any adjoining dwelling site.</p> <p>(2) Subclause (1) does not prohibit the installation of a manufactured home closer than one metre to the boundary of an adjoining dwelling site if—</p> <p>(a) the installation of a manufactured home on the adjoining site is not practicable on such part of that site as is within 2 metres of the location of the proposed manufactured home, and</p> <p>(b) access at least one metre wide is available to the occupier of the manufactured home along each external wall of the home.</p> <p>(3) This clause does not prohibit the installation of semi-detached manufactured homes on adjoining dwelling sites so long as they are separated by construction conforming with the fire safety and sound insulation provisions relating to class 1 buildings contained in Section 3.7.1 and 3.8.6 of Volume Two of the <i>Building Code of Australia</i>.</p>	<p>(1) Noted, all will comply.</p> <p>(2) Noted.</p> <p>(3) Duplex on sites 59 and 60 will remain.</p>
<b>48 Garages</b>	
<p>(1) A garage may abut a site boundary, a shared double carport or shared double garage may extend over a site boundary and adjacent garages may abut each other along a shared site boundary.</p> <p>(2) If a manufactured home and garage are situated on the same dwelling site such that the garage is situated closer than 900 millimetres to</p>	<p>No garages or carports will be shared or constructed over boundaries.</p>



Clause	Comments
<p>the manufactured home and closer than 900 millimetres to the site boundary of an adjoining dwelling site—</p> <p>(a) the external walls of the manufactured home that face the garage must comply with the provisions relating to class 1 buildings contained in Section 3 of Volume Two of the <i>Building Code of Australia</i>, or</p> <p>(b) the external walls of the garage that face the manufactured home must comply with the provisions relating to class 10 buildings contained in Section 3 of Volume Two of the <i>Building Code of Australia</i>.</p>	
<b>49 Carports</b>	
<p>(1) The roof covering and any ceiling lining, wall cladding or gable of a carport must be non-combustible.</p> <p>(2) A carport must have at least 2 sides open and at least one-third of its perimeter open. For the purposes of this subclause, a side is considered to be open if the roof covering of the carport is at least 500 millimetres from a manufactured home, associated structure or site boundary.</p> <p>(3) A carport must not provide direct vertical support to any part of a manufactured home.</p> <p>(4) If a carport has a common roof structure with a manufactured home and the carport does not have a ceiling, the opening between the top of the wall of the manufactured home and the underside of the roof covering of the carport must be infilled with—</p> <p>(a) a non-combustible material, or</p> <p>(b) construction clad with non-combustible material on the carport side.</p>	All carports will comply.
<b>50 Associated structures not to contain habitable rooms</b>	
An associated structure must not be designed or modified so as to be useable as a habitable room.	Noted.

## 5.4 State Environmental Planning Policy No 36 – Manufactured Home Estates

Development of manufactured home estates is regulated by this policy, which includes the following relevant clauses:

Clause	Comments
<b>Aims and Strategies</b>	
<b>1 The aims of this Policy are—</b>	
<p>(a) to facilitate the establishment of manufactured home estates as a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements, and</p> <p>(b) to provide immediate development opportunities for manufactured home estates on the commencement of this Policy, and</p> <p>(c) to encourage the provision of affordable housing in well designed estates, and</p> <p>(d) to ensure that manufactured home estates are situated only in suitable locations and not on land having important resources or having landscape, scenic or ecological qualities that should be preserved, and</p> <p>(e) to ensure that manufactured home estates are adequately serviced and have access to essential community facilities and services, and</p> <p>(f) to protect the environment surrounding manufactured home estates, and</p> <p>(g) to provide measures which will facilitate security of tenure for residents of manufactured home estates.</p>	<p>(a) The conversion of the existing caravan park to a MHE and its eventual expansion will provide the form of housing envisaged.</p> <p>(b) Noted.</p> <p>(c) The proposal will achieve this outcome.</p> <p>(d) The subject site has no values, characteristics, or locational issues which render it unsuitable for a MHE.</p> <p>(e) All necessary services are provided, including on-site community facilities and access to off-site essential services in nearby urban centres.</p> <p>(f) There will be no off-site environmental impacts due to the installation of facilities such as on-site wastewater treatment and stormwater management.</p> <p>(g) Tenure for residents will be secured through legally binding leases.</p>
<b>2 The strategies by which those aims are to be achieved are—</b>	
<p>(a) by allowing, with development consent, manufactured home estates on certain land on which caravan parks are permitted if the land meets the suitable locational criteria stipulated in this Policy (which it would not do if, for example, it contains important resources, is subject to natural or man-made risks or has sensitive environmental or ecological features), and</p> <p>(b) by applying this Policy to areas where there is likely to be a demand and suitable opportunities for the development of manufactured home estates, and</p> <p>(c) by allowing manufactured home estates to be subdivided with development consent either by way of leases for terms of up to 20 years or under the <a href="#">Community Land Development Act 1989</a>, and</p> <p>(d) by enabling the Minister for Planning to exclude from this Policy any land that is subject to a local environmental plan prepared in</p>	<p>(a) Permissibility is addressed at 5.1.1 of this report and locational criteria are addressed at Clause 6 below.</p> <p>(b) There is demand for this form of housing in the Valley as evidenced by the number of similar developments approved, none of which are located north of the river as Woombah is.</p> <p>(c) Noted, owner will determine operating model.</p> <p>(d) Not applicable.</p>

Clause	Comments
accordance with the principles of a direction issued in conjunction with this Policy under section 117 of the Act.	
<b>6 Where development for the purposes of a manufactured home estate may be carried out</b>	
Development for the purposes of a manufactured home estate may be carried out pursuant to this Policy on any land on which development for the purposes of a caravan park may be carried out, except— (a) land within one or more of the categories described in Schedule 2, or (b) land dedicated or reserved under the <a href="#">National Parks and Wildlife Act 1974</a> , or (c) land within a Crown reserve.	(a) See <b>Schedule 2</b> assessment below. (b) Land is not dedicated or reserved. (c) Land is not in Crown reserve.
<b>Schedule 2 Categories of excluded land</b>	
<b>1</b> Land which the council, after taking into account the principles set out in the Coastline Management Manual published by the New South Wales Government in September 1990, considers is unsuitable for residential development because of coastal erosion, tidal inundation, slip, dunal movement or any other risk of a similar nature.	Land is not within the coastal zone or affected by any of the identified risks.
<b>2</b> Land which the council, after taking into account the principles set out in the Floodplain Development Manual published by the New South Wales Government in December 1986, considers is unsuitable for residential development because of flooding.	Land is not flood affected.
<b>3</b> Land which is within a water catchment area identified by a water supply authority.	Land is not identified as in a water catchment area on Council's maps.
<b>4</b> Land which, in the opinion of the council, is affected to an unacceptable level by an offensive or hazardous industry or any form of pollution.	No offensive or hazardous industry or source of pollution within the vicinity.
<b>5</b> Land which is identified in an environmental planning instrument, or in any planning strategy of the Department or the council approved for the time being by the Director, by words which are cognate with or a description consistent with any one or more of the following— <ul style="list-style-type: none"> <li>• extractive resources,</li> <li>• services corridors,</li> <li>• airport/industry buffer area,</li> <li>• habitat corridor,</li> <li>• containing significant remnant vegetation,</li> <li>• littoral rainforest,</li> <li>• water catchment,</li> <li>• wetlands.</li> </ul>	Land not identified by any of these descriptions.

Clause	Comments																						
<p><b>6</b> Land which under any environmental planning instrument is within an area or zone identified in that instrument by the description—</p> <ul style="list-style-type: none"> <li>• open space, other than open space (private recreation)</li> <li>• environmental protection</li> <li>• scenic protection</li> <li>• rural (where the land is not adjacent to or adjoining land zoned for urban use).</li> </ul>	Land not within any of the identified zones.																						
<p><b>7</b> Land that is within the following coastal local government areas, being land that is not zoned or reserved under an environmental planning instrument for urban use and is not identified as suitable for urban development under the Coastal Urban Planning Strategies or Residential Strategies approved for the time being by the Director—</p> <table border="0"> <tr> <td>Ballina</td> <td>Lake Macquarie</td> </tr> <tr> <td>Bega Valley</td> <td>Macleay</td> </tr> <tr> <td>Bellingen</td> <td>Nambucca</td> </tr> <tr> <td>Byron</td> <td>Newcastle</td> </tr> <tr> <td>Coffs Harbour</td> <td>Port Stephens</td> </tr> <tr> <td>Eurobodalla</td> <td>Richmond River</td> </tr> <tr> <td>Great Lakes</td> <td>Shellharbour</td> </tr> <tr> <td>Greater Taree</td> <td>Shoalhaven</td> </tr> <tr> <td>Hastings</td> <td>Tweed</td> </tr> <tr> <td>Kempsey</td> <td>Ulmarra</td> </tr> <tr> <td>Kiama</td> <td>Wollongong</td> </tr> </table>	Ballina	Lake Macquarie	Bega Valley	Macleay	Bellingen	Nambucca	Byron	Newcastle	Coffs Harbour	Port Stephens	Eurobodalla	Richmond River	Great Lakes	Shellharbour	Greater Taree	Shoalhaven	Hastings	Tweed	Kempsey	Ulmarra	Kiama	Wollongong	Land not within any of the identified LGA's.
Ballina	Lake Macquarie																						
Bega Valley	Macleay																						
Bellingen	Nambucca																						
Byron	Newcastle																						
Coffs Harbour	Port Stephens																						
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<p><b>8</b> Land that is within any of the following local government areas, being land that is not zoned or reserved under an environmental planning instrument for urban use and is not identified as suitable for urban development under any urban development strategy for the ACT and sub-region approved for the time being by the Director—</p> <table border="0"> <tr> <td>Cooma-Monaro</td> <td>Yarrowlumla</td> </tr> <tr> <td>Gunning</td> <td>Yass</td> </tr> <tr> <td>Queanbeyan</td> <td></td> </tr> </table>	Cooma-Monaro	Yarrowlumla	Gunning	Yass	Queanbeyan		Land not within any of the identified LGA's.																
Cooma-Monaro	Yarrowlumla																						
Gunning	Yass																						
Queanbeyan																							
<p><b>9</b> Flood liable land as defined in <a href="#">Murray Regional Environmental Plan No 2—Riverine Land</a>.</p>	Not applicable.																						
<p><b>10</b> Land comprising the Williams River catchment upstream of the Seaham Weir. In this item, <b>Williams River catchment</b> means the land shown on the map marked “Williams River Catchment Regional Environmental Plan 1997” (kept in the Newcastle office of the Department of Urban Affairs and Planning, and copies of which are kept in the offices of Dungog Shire Council</p>	Not applicable.																						

Clause	Comments
and Port Stephens Council) being the land from which surface water run-off resulting from rainfall flows directly or indirectly into the Williams River.	

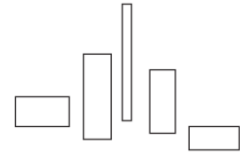
## 6. Social and Economic Impacts

The conversion of the Caravan Park to a MHE will provide affordable long-term housing with facilities and management to create a quality lifestyle. Stage 1, as applied for in this application, is the commencement of that process.

The loss of short-term visitor sites can be accommodated by the nearby Bimbimbi Riverside Caravan Park and Browns Rocks Caravan Park, plus the 3 Parks in Iluka.

The construction and operational phases of the estate will generate economic activity.

Level 2 Postal address: **T** 02 9262 6188 **E** info@pvlaw.com.au  
50 King Street GPO Box 164 **F** 02 9262 6175 **W** www.pvlaw.com.au  
Sydney 2000 Sydney 2001 **DX** 521 Sydney **ABN** 77 357 538 421



PIKES & VEREKERS  
LAWYERS

16 July 2020

Mr W Hu  
Woombah Holding Pty Ltd  
54 Iluka Road  
WOOMBAH NSW 2469

**BY EMAIL** [william.hu@seqproperty.com.au](mailto:william.hu@seqproperty.com.au)

Dear Sir

**ADVICE - STATE ENVIRONMENTAL PLANNING POLICY 36**  
**54 ILUKA ROAD, WOOMBAH**  
**Our ref RMC:200451**  
**Your ref**

We have been asked to advise in relation to the permissibility of development for the purposes of a manufactured home estate (MHE) on the land known as Lot 61 DP 802939 54 Iluka Road, Woombah (the site).

### **Background**

On 13 February 1984 the Council of the Shire of Maclean granted development consent No. 83/464 to construct a caravan park in 3 stages (the 1984 consent) on Lot 4 DP 263404, Iluka Road, Mororo.

The 1984 consent was commenced in about 1985 and a caravan park has operated at the site ever since.

Subsequent development consents relevant to the caravan park were granted as follows:

- DA95/068 granted on 29 May 1995 to permit 6 long term caravan sites
- DA2004/0124 granted on 2 March 2004 for the erection of a machinery shed
- DA2015/0239 granted on 15 June 2015 for dwelling alterations and additions
- DA2015/0038 granted on 19 October 2017 for change in the number and location of sites (caravan park).

*Clarence Valley Local Environmental Plan 2011 (CLEP)* commenced on 23 December 2011. Under that instrument the land was zoned R5 Large Lot Residential and caravan parks were a prohibited form of development. The Council, no doubt, relied on the existing use rights provisions of the *Environmental Planning and Assessment Act 1979* to grant development consent DA2015/0038.



16 July 2020  
Mr W Hu  
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On 1 June 1990 DP 802939 was registered which had the effect of excising a small portion of the site which then became Lot 61 DP 802393.

### **Existing Use Rights**

The whole of the site benefits from existing use rights. Those rights are defined primarily by the 1984 consent and by the subsequent developments consents referred to above.

### **Manufactured Home Estate**

*State Environmental Planning Policy No 36—Manufactured Home Estates (SEPP MHE)* applies to the site. It is expressed, in clause 4(1), to prevail over any other environmental planning instrument to the extent of any inconsistency.

Clause 6 SEPP MHE permits development for the purposes of a manufactured home estate on any land on which development for the purposes of a caravan park may be carried out, with specified exceptions.

The exceptions are:

- (a) land within one or more of the categories described in Schedule 2, or
- (b) land dedicated or reserved under the *National Parks and Wildlife Act 1974*,  
or
- (c) land within a Crown reserve.

The site is not dedicated or reserved land.

The exceptions in Schedule 2 SEPP MHE relate to land which is unsuitable for urban or residential development, within a water catchment area, affected by offensive or hazardous industry or pollution, within a zone or otherwise identified in certain terms relating to environmental sensitivity or resource or infrastructure protection, or at specified locations. None of those exceptions is applicable to the site which is zoned to permit residential development.

Clause 6 SEPP MHE does not require the land to be zoned to permit a caravan park in order for a MFE to be permitted on that land. It requires only that the land be land on which development for the purposes of a caravan park may be carried out.

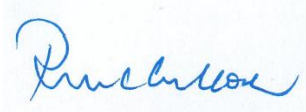
As the site benefits from existing use rights for the purposes of a caravan park, it is land on which development for the purposes of a caravan park may be carried out and, pursuant to Clause 6 SEPP MHE, development for the purposes of a

16 July 2020  
Mr W Hu  
Page 3

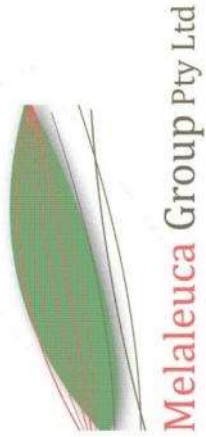
manufactured home estate may be carried out on the site, with consent.

We so advise.

Yours faithfully



Roslyn McCulloch  
Partner  
Accredited Specialist Local Government and Planning Law



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118 Beacon Rd  
Teven NSW 2478  
Mob: 0427 628 847  
Email: [melissa.vanzwieten@exemail.com.au](mailto:melissa.vanzwieten@exemail.com.au)

Date: 24<sup>th</sup> September 2020

The General Manager  
Clarence Valley Council  
Locked Bag 23  
Grafton NSW 2460

Attention: Scott Moore

Dear Scott,

**Re: On-site Wastewater Management for Stage 1 of proposed redevelopment of Woombah Woods Caravan Park (Lot 61 DP802939, 54 Iluka Rd, Woombah, NSW 24769)**

Melaleuca Group Pty Ltd has been engaged by Mr W Hu to undertake a review of the existing On-site Wastewater Management (OSWM) System in regard to its capacity to meet requirements for Stage 1 of a proposed redevelopment of the Caravan Park.

That is, it is understood the Caravan Park will be redeveloped into a Manufactured Home Estate (with Council approval) with the proposed development to proceed over three (3) stages.

As such, Melaleuca Group completed a review of the existing system with the following steps:

- A review of Australian Wetland Consulting (AWC) Pty Ltd (2016) Woombah Woods Caravan Park On-Site Sewage Management Strategy;
- Completion of a site inspection; and
- Completion of modelling based on projected occupancy for Stage 1 (including discussions with yourself, S. Moore, Environmental Officer, Clarence Valley Council).

These outcomes of these tasks are summarised below.

*AWC (2016) report review*

This assessment was initiated due to concerns raised by Council. That is, the existing system was considered to be inadequate for the wastewater loads for the Caravan Park. The report details that while data was available indicating a daily generation of 10KL, Council requested the system be upgraded to cater for 20KL. It is understood this was due to the occupational capacity of the park at peak periods through the year and thereby the design of a system that would be able to handle maximum loads when they occurred.

The AWC (2016) report is considered comprehensive. The assessment investigated the condition of the existing system (at that time) and recommended rectification measures. This, in essence, included the retention of the existing system with additions including the construction of 200m<sup>2</sup> of reedbeds to provide secondary treatment and the design of a Subsurface Irrigation System (6,700m<sup>2</sup>).

It is understood, this system approved by Council as was subsequently installed (i.e. 2020 existing system).

#### *Site Inspection*

A site inspection was conducted on 2<sup>nd</sup> July 2020. The visit consisted of an inspection of the entire system. That is, the completion of an external inspection of each of the septic tanks, a review of the lagoons, reed beds and irrigation system. Each component appeared to be in good working order. Mr Hu also advised that no apparent breakdown or faults had occurred. He further advised regular inspections of the system is completed by a qualified plumber as recommendations by AWC (2018; Appendix B). The occupancy rate at the Park was considered relatively low in comparison of the capacity of the wastewater system. This was partially due to the time of year along with recent vegetation clearing works being completed. That is the camping area is currently not available for this use. Mr Hu advised that no camping would occur as he is resolute in moving towards the proposed Manufactured Home Estate and does not wish for this activity of the park to recommence.

#### *Site occupancy and projected occupancy*

The current occupancy of the park allows for:

- 36 Long term sites (with 33 being 1 bedroom, and 3 being 2 bedrooms);
- 2 Short term sites (both 2 bedrooms); and
- 22 caravan sites

Camping sites are no longer available. Data has been kept for the site since June 2019 to March 2020 in regard to occupancy rates and water use. Occupancy rates for this entire period has been as follows:

- Long term sites – 1.4 EP per site;
- Short term sites – 3 EP per site; and
- Caravan sites – 0.76 EP per site.

Of note, the camping sites (prior to closure of this portion of the park), had an average occupancy rate of 0.46 EP per site. Since COVID-19 and the closure of the camping section, occupancy rates have stayed the same for the Long and Short-term site, however occupancy of caravan sites has decreased to approximately 0.5 EP per site. While data is not available since March, Melaleuca Group was advised that occupancy rates are similar to that recorded in March 2020.

Water use (i.e. measured at the meter to the part and includes all water used including for gardening and the like) is recorded throughout the entire period at 169L per person per day. Utilising available information (<https://www.sydneywater.com.au/SW/education/drinking-water/Water-use-conservation/index.htm>) in regard to the proportion of water use and wastewater generated, a wastewater production rate of 130L per person per day has been determined.

Utilising available, data (i.e. water use during February and March 2020 which is considered predominantly representative of a Manufactured Home estate as predominantly only Long-term residents are present), the water use rate per person has increased slightly to 173L per person per day, which indicates 133L of wastewater per person per day is generated.

Based on current occupancy (average 72 EP), the average wastewater generation is anticipated to be 9,576L per day. If 100% occupancy is achieved (i.e. 65 bedrooms or 97.5 EP), wastewater generation would increase to between 12,675 to 12,668L per day (i.e. 130 to 133 L per person per day). This wastewater generation

rate is in keeping with that under the Australian Standard (AS NZS 1547-2012) for individuals within a fully serviced camping ground with town water supply.

Based on projected occupancy for Stage 1 of the Manufactured home, the following is provided:

Stage 1 will consist of:

- 18 1-bedroom homes;
- 40 2-bedroom homes; and
- 1 caretakers cottage (2 bedrooms).

Thereby, a total of 100 bedrooms. To determine projected occupancy rates the following has been considered:

- i) Council has previously applied a rate of 0.5 ET (equivalent tenement; equates to 1.2EP) for a 1-bedroom manufactured home estate (MHE) and 0.75 ET (equates to 1.8EP) for 2-bedroom manufactured home (e.g. Mavid 200 MHE, Carrs Dr, Yamba and MHE Golding St, Yamba. It is understood Council have adopted an ET is equivalent to 2.4EP.
- ii) Further, it is understood investigations conducted by GHD (West Yamba Urban Release Area Road Infrastructure Developer Contributions, final report dated August 2020) for Council have indicated an average of 1.5 persons per manufactured home.
- iii) The proponent has recently undertaken completed investigations into projected occupancy rates due to a requirement to understand both the likely numbers of individuals wanting to reside at the estate but also the demographic range of individuals. Based on these investigations which included discussions with managers of local MHEs, a range of between 50:50 1:2 person per home (irrespective of number of bedrooms) with up to 80% being 2 persons per home. As such, looking at the proposal with 59 homes within Stage 1, with the 50:50 ratio, an anticipated permanent residency level would be 89 (i.e. 1.5EP on average) and with a 20:80 (1:2 person per home), an anticipated residency of 106 would be expected (equates to 1.8EP on average).
- iv) In addition, notwithstanding the above, the Australian Standards also does allow for an approach whereby water use/wastewater generation is actually measured and this data used in any design. As indicated above, the total number of bedrooms for Stage 1 is 100 bedrooms. Utilising various methodologies, occupancy rates could range from 88.5EP (59 homes x 1.5EP) to 151 (59 homes at 1.8EP). Noting 100 bedrooms equates to 150EP (at 1.5 EP/bedroom). As such, wastewater generation has been estimated as ranging between 11,505 L per day (i.e. 88.5 EP x 130 L/EP/day) to a maximum of 20,083L per day (i.e. 151 EP x 133 L/EP/day).

### *Modelling*

As indicated above, the current (2020) system is designed for the treatment of 20KL per day. This was considered equivalent to 133 individuals residing on the property permanently generating 150L/person/day (AWC (2016) in accordance with 1547:2012, Table H1, Appendix H, reticulated water supply).

As the existing system is designed for 20kL, it is considered the treatment system (i.e. septic tanks, lagoon and reed beds) is currently considered adequate. As such, no change to the system is proposed. However, modelling has been completed to confirm previous analysis and has also identified how the field may be modified moving into the future plans of the site.

The modelling indicates that the size of the irrigation may be reduced (i.e. from 6,700m<sup>2</sup>). That is, the DLR utilised by AWC (2016) was 3 mm. As secondary treatment is being achieved (reed beds), it is considered the



DLR may be increased to up to 4.3mm. That is, the design by AWC is considered further conservative by the use of a lower DLR. If a high DLR is applied, the irrigation area required would reduce to 4,750m<sup>2</sup>.

It is surmised that AWC (2016) completed a conservative approve as the lagoon and reed beds would receive rainfall. As such, irrigation rates are likely to be higher to the irrigation field to accommodate the additional water into the system.

*Upgrading of treatment system*

The proponent proposes to upgrade the current treatment system by way of replacing the lagoon and reed beds with Aerated Wastewater Treatment Systems. This would improve amenity at the site and reduce rainfall into the system. It is proposed that the upgrading of the treatment system will occur during the conversion of the park to a Manufactured Home Estate. That is, it is proposed that the progress of the park will govern the improvements when finances become available. It is envisaged, upgrading could commence during the second half of the Stage 1 development.

During the development of Stage 1, the proponent also proposes to record occupancy rates, water use and wastewater discharge rates. It is proposed that by implementing these processes, an accurate measure of expected wastewater that would be generated by Stages 2 and 3 can be determined. This, in turn, will guide the future sizing of an on-site wastewater management system for the site.

*Summary*

Based on the investigations completed, it is considered the existing On-site wastewater management system at the Woombah Woods Caravan Park is considered sufficiently sized to allow for Stage 1 of the proposed redevelopment of the site into a Manufactured Homes Estate. That is, wastewater from 58 Manufactured Homes and a single Caretakers Cottage.

The proponent will investigate the upgrading of the treatment system at the site (i.e. replacing lagoon and reed beds with AWTs). In addition, during the development of Stage 1, monitoring of occupancy rates, water use and wastewater generation will occur.

If you require any additional details, please do not hesitate to contact the undersigned.

Yours faithfully,

**Melaleuca Group**



.....


Dr. Melissa Van Zwieten  
Senior Environmental Scientist  
Attachments: A. Modelling Data

**Attachment A. Modelling Data**

## Current System - designed by AWC (2016)

		CVC On-site Wastewater Model (Single Rural Households)		Default	User-defined
<b>1 Client</b>					
<b>2 Address</b>		Woombah Woods Caravan Park			
<b>3 User info</b>		<input type="radio"/> Simplified (casual user) <input checked="" type="radio"/> Advanced (consultants)			
<b>4 Site</b>	Block size (m2)				65000
	Buffer (m) from land application area to	River (permanent)	>100		
	Water (L/p.d) from	Reticulated + std. water saving devices	145		150
	Bedrooms				88
<b>5 Wastewater components</b>	Toilet	<input checked="" type="checkbox"/>			
	Bathroom	<input checked="" type="checkbox"/>			
	Laundry	<input checked="" type="checkbox"/>			
	Kitchen	<input checked="" type="checkbox"/>			
	Total wastewater flow (L/d) [needs caution if user-defined]		19800		20000
<b>6 Soil info</b>		ne; usual; Clay; Walloon Coal Measures...Woombah,Gulmarrad,Ashby			
<b>Likely dispersive soil</b>	Phosphorus sorption (kg/ha.m) calc. from Morand 2001 data		10090		
	Depth to water table (m) reference Morand 2001		2.0		
	Depth to bedrock (m) reference Morand 2001		1.0		
	Light clays - strongly structured		DIR (mm/d) 4.3		3.0
			Please read note ==>		
<b>7 Treatment system</b>		Secondary: Reed bed			
	Nitrogen removal % (default gives BOD 20mg/L treatment)		64%		
	Wetted depth of reed bed (m)		0.5		
	Maximum N allowed to percolate down from system (kg/yr)		15		
<b>8 Land application system</b>		Subsurface drip irrigation (SDI)			
	Depth of root zone (mm)		300		
<b>9 Land Application Area required</b>	Hydraulic area (m2)* (or enter SSI industry estimate)		6611.3		
	Nitrogen area (m2) [allowing export of 15.00 kg/yr]		7233.7		
	Phosphorus area (m2)		3570.8		
	<b>Required land application area (LAA) (m2)</b>		<b>7233.7</b>		
	Reed bed area (m2)		587.8		
	Reed bed hydraulic retention time (days)		5.9		

## Proposed Stage 1 (with conversion to AWTS)

					
		CVC On-site Wastewater Model (Single Rural Households)		Default	User-defined
<b>1 Client</b>					
<b>2 Address</b>		Woombah Woods Caravan Park			
<b>3 User info</b>		<input type="radio"/> Simplified (casual user) <input checked="" type="radio"/> Advanced (consultants)			
<b>4 Site</b>		Block size (m2)			65000
		Buffer (m) from land application area to	River (permanent) ▼	>100	
		Water (L/p.d) from	Roof water harvest +std. water sav.devices ▼	115	133
		Bedrooms			98
<b>5 Wastewater components</b>		Toilet	<input checked="" type="checkbox"/>		
		Bathroom	<input checked="" type="checkbox"/>		
		Laundry	<input checked="" type="checkbox"/>		
		Kitchen	<input checked="" type="checkbox"/>		
		Total wastewater flow (L/d) [needs caution if user-defined]		19551	20000
<b>6 Soil info</b>		ne; usual; Clay; Walloon Coal Measures...Woombah,Gulmarrad,Ashby ▼			
	Likely dispersive soil	Phosphorus sorption (kg/ha.m) calc. from Morand 2001 data		10090	
		Depth to water table (m) reference Morand 2001		2.0	
		Depth to bedrock (m) reference Morand 2001		1.0	
		Light clays - strongly structured ▼	DIR (mm/d)	4.3	4.3
		Please read note ==>			
<b>7 Treatment system</b>		Secondary: AWTS ▼			
		Nitrogen removal % (default gives BOD 20mg/L treatment)		20%	80%
		Maximum N allowed to percolate down from system (kg/yr)		15	
<b>8 Land application system</b>		Subsurface drip irrigation (SDI) ▼			
		Depth of root zone (mm)		300	
<b>9 Land Application Area required</b>		Hydraulic area (m2)* (or enter SSI industry estimate)		4746.1	
		Nitrogen area (m2) [allowing export of 15.00 kg/yr]		4189.2	
		Phosphorus area (m2)		3976.6	
		<b>Required land application area (LAA) (m2)</b>		<b>4746.1</b>	



## NSW RURAL FIRE SERVICE

Clarence Valley Council  
Locked Bag 23  
GRAFTON NSW 2460

Your reference: (CNR-11689) DA2020/0474  
Our reference: DA20200905003231-Original-1

**ATTENTION:** Carmen Landers  
**ATTENTION:**

Date: Monday 16 November 2020

Dear Sir/Madam,

**Integrated Development Application**  
**s100B – SFPP – Manufactured Home Estate**  
**54 Iluka Road Woombah NSW 2469, 61//DP802939, 61//DP802939**

I refer to your correspondence dated 31/08/2020 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

### General Conditions

1. The development proposal is to comply with the layout identified on the drawing prepared by O'Donohue Hanna & Associates Pty Ltd titled 'Proposed Stage 1 Plan' (Ref: 12740-03, Issue 7), dated 12 August 2020.

### Asset Protection Zones

***The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:***

2. At the commencement of the development, and in perpetuity to ensure ongoing protection from the impact of bush fires, the site around Stage 1 must be managed for the following distances as an inner protection area (IPA), in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019.

- north, east and south to the property boundary; and
- west for a minimum distance of 57 metres.

When establishing and maintaining an IPA the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;

#### Postal address

NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

#### Street address

NSW Rural Fire Service  
4 Murray Rose Ave  
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555  
F (02) 8741 5550  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)



- lower limbs should be removed up to a height of 2 metres above the ground
- tree canopies should be separated by 2 to 5 metres;
- preference should be given to smooth barked and evergreen trees;
- large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover;
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
- grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed.

### **Construction Standards**

***The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:***

3. Construction of any new or replacement manufactured homes within Stage 1 must comply with Sections 3 and 5 (BAL 12.5) of Australian Standard AS3959-2018 'Construction of buildings in bush fire-prone areas' or the relevant BAL 12.5 requirements of the 'NASH Standard - Steel Framed Construction in Bushfire Areas' (incorporating Amendment A - 2015). Construction of any new or replacement manufactured homes must also comply with the construction requirements for BAL 12.5 in Section 7.5 of 'Planning for Bush Fire Protection 2019'.

4. Any existing short-term accommodation building(s) being retained as a dwelling in Stage 1 that are not already constructed to a BAL in accordance with AS 3959 must be upgraded to improve ember protection by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any sub floor areas, openable windows, vents, weepholes and eaves. External doors are to be fitted with draft excluders.

5. Fences and gates must comply with Section 7.6 of Planning for Bush Fire Protection 2019.

### **Access - Internal Roads**

***The intent of measures is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:***

6. Internal access roads must comply with following requirements of Table 6.8b of Planning for Bush Fire Protection 2019:

- internal roads are two-wheel drive, all-weather roads;
- access is provided to all structures;
- traffic management devices are constructed to not prohibit access by emergency services vehicles;
- one way only access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression;
- the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes);
- bridges/causeways are to clearly indicate load rating;
- hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;
- hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005;
- perimeter roads have a minimum 8 metre carriageway width kerb to kerb;
- non-perimeter roads have a minimum 5.5 metre carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- curves of roads have a minimum inner radius of 6 metres;
- maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees;

- the road crossfall does not exceed 3 degrees;
- a minimum vertical clearance of 4 metres to any overhanging obstructions, including tree branches, is provided; and
- where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road.

### **Water and Utility Services**

***The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:***

7. The provision of water, electricity and gas must comply with Table 6.8c of Planning for Bush Fire Protection 2019.

### **Emergency and Evacuation Planning Assessment**

***The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:***

8. A Bush Fire Emergency Management and Evacuation Plan must be prepared for the development and be consistent with the NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan. The Bush Fire Emergency Management and Evacuation Plan should include planning for the early relocation of occupants. A copy of the Bush Fire Emergency Management and Evacuation Plan must be provided to the occupant(s) of each dwelling and the Local Emergency Management Committee for its information prior to occupation of the development.

### **General Advice - Consent Authority to Note**

- The NSW RFS encourages any existing long-term dwellings that are being retained in Stage 1 to be upgraded to improve ember protection by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any sub floor areas, openable windows, vents, weepholes and eaves. External doors are to be fitted with draft excluders.
- This approval only relates to Stage 1 of the proposed manufactured home estate.

For any queries regarding this correspondence, please contact Paul Creenaune on 1300 NSW RFS.

Yours sincerely,

Alan Bawden  
**Team Leader, Dev. Assessment & Planning**  
**Planning and Environment Services**



**NSW RURAL FIRE SERVICE**

# **BUSH FIRE SAFETY AUTHORITY**

SFPP – Manufactured Home Estate  
54 Iluka Road Woombah NSW 2469, 61//DP802939, 61//DP802939  
RFS Reference: DA20200905003231-Original-1  
Your Reference: (CNR-11689) DA2020/0474

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.

**Alan Bawden**

**Team Leader, Dev. Assessment & Planning  
Planning and Environment Services**

Monday 16 November 2020

**SECTION 4.15 EVALUATION FOR DA2020/0474**  
**- Lot 61 DP 802939- 54 Iluka Road WOOMBAH NSW 2469**

**Proposal: Convert caravan park to manufactured homes estate**

**(1) Matters for consideration – General**

**In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:**

**(a) the provisions of:**

**(i) any environmental planning instrument, and**

State Environmental Planning Policy No. 36 – Manufactured Homes Estates

Clause 6 of the *State Environmental Planning Policy No. 36 – Manufactured Homes Estates* (SEPP 36) permits development for the purposes of manufactured home estates (MHE) on any land where caravan parks are permitted. The subject land is zoned R5 Large Lot Residential which ordinarily prohibits caravan parks and in turn prohibits MHE's. The permissibility of this development relies on existing use right provisions set out under the *Environmental Planning and Assessment Regulation 2000*.

The existing caravan park was approved under DA83/464 by the former Maclean Shire Council on 13 February 1984. As such, the land enjoys the benefit of existing use rights under the provisions of Clause 4.65 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Clause 41(1)(d) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), states that an existing use may be changed to another use, but only if that other use is a use that may be carried out with or without development consent under the Act.

*'41 Certain development allowed (cf clause 39 of EP&A Regulation 1994)*

*(1) An existing use may, subject to this Division:*

- (a) be enlarged, expanded or intensified, or*
- (b) be altered or extended, or*
- (c) be rebuilt, or*
- (d) be changed to another use, but only if that other use is a use that may be carried out with or without development consent under the Act, or*
- (e) if it is a commercial use—be changed to another commercial use (including a commercial use that would otherwise be prohibited under the Act), or*
- (f) if it is a light industrial use—be changed to another light industrial use or a commercial use (including a light industrial use or commercial use that would otherwise be prohibited under the Act).*

Legal advice provided with the application states that Clause 6 of the SEPP 36 does not require the land to be zoned to permit a caravan park in order for a MFE to be permitted on the land. It requires that the land be land on which development for the purposes of a caravan park may be carried out.

As the site benefits from existing use rights for the purposes of a caravan park, it is land on which development for the purposes of a caravan park may be carried out and, pursuant to Clause 6 of SEPP 36, development for the purposes of a MHE may be carried out. Council staff concur with the interpretation of the existing use right provisions in this instance.

Overall, the proposed development is considered to be generally consistent with the following aims of the SEPP:

- (a) to facilitate the establishment of manufactured home estates as a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements, and*
- (b) to provide immediate development opportunities for manufactured home estates on the commencement of this Policy, and*
- (c) to encourage the provision of affordable housing in well designed estates, and*
- (d) to ensure that manufactured home estates are situated only in suitable locations and not on land having important resources or having landscape, scenic or ecological qualities that should be preserved, and*
- (e) to ensure that manufactured home estates are adequately serviced and have access to essential community facilities and services, and*
- (f) to protect the environment surrounding manufactured home estates, and*
- (g) to provide measures which will facilitate security of tenure for residents of manufactured home estates.*

In determining an application for a manufactured homes estate under the SEPP, Council must be satisfied to the following matters contained in Clause 9(1) and (2):

- (a) that each of the sites on which a manufactured home is or will be installed within the manufactured home estate is or will be adequately provided with reticulated water, a reticulated sewerage system, drainage and electricity, and*

Comment

The site is already serviced by reticulated water and electricity and is serviced by an existing onsite waste water system for effluent disposal. Adequate drainage is available, however a stormwater management plan is required to be submitted to ensure that the existing Council stormwater system has the capacity to receive the runoff from the proposed development. The stormwater management plan must also demonstrate how stormwater quality targets in the DCP will be achieved (discussed in detail under Item 6 below).

- (b) that the manufactured home estate is or will be provided with adequate transport services, and*

Comment

Public transport services provided by Busways are available direct from the site to Maclean and Iluka at the following frequencies

- four (4) times/day Monday to Friday during the school term
- two (2) times/day Monday to Friday during school holidays
- two (2) times/day Saturdays and Public holidays

This is considered to be adequate transport for the purposes of the MHE.

- (c) *that sufficient community facilities and services, whether situated within or outside the estate, are or will be available and reasonably accessible to the residents of the manufactured home estate, and*

Comment

The following community facilities will be available internal of the site to service the residents of the MHE:

Existing facilities on the site include:

- Shop and Office
- Camp kitchen
- Mini Tennis Court
- Pool and associated recreation space
- Amenities block

As part of the development, it is proposed to retain all existing community facilities except the amenities block which will not be required once all short-term sites have been replaced with homes. The amenities block will then be converted to a maintenance shed to replace the existing shed demolished to create sites 46 and 47. The camp kitchen is also proposed to be converted to a community room. It is also proposed to upgrade the existing shop with a commercial kitchen to expand the product range available to Estate residents.

- (d) *that the development will not have an adverse effect on any:*

- *conservation area*
- *heritage item*
- *waterway or land having special landscape, scenic or ecological qualities, which is identified in an environmental planning instrument applicable to the land concerned.*

Comment

Woombah is identified as a Koala Habitat Area in Council's Draft Koala Plan of Management. As there is no clearing proposed as part of this application and the development footprint generally occurs within the existing disturbed areas, it is unlikely that there will be any impact to the environment or conservation areas.

The development site is not identified as containing any heritage item.

- (2) (a) *the cumulative impact of the proposed development and other manufactured home estates in the locality,*  
 (b) *any relevant guidelines issued by the Director,*  
 (c) *the provisions of the Local Government (Manufactured Home Estates) Transitional Regulation 1993.*

Comment



There is unlikely to be a cumulative impact of the proposed development as there are no other MHE's in the Woombah/Iluka area. No guidelines have been issued by the Director with respect to MHE's.

The provisions of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 1995* have been considered with respect to the development which is considered to be consistent with the requirements of the Regulations. A full assessment has been undertaken as part of the Section 4.15 assessment contained in the attachments.

Further, if the development is approved, a condition will be imposed to ensure that MHE is designed, *constructed, maintained and operated in accordance with the requirements of Part 2, Division 3 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) regulation 2005.*

#### State Environmental Planning Policy No. 55 - Remediation of Land

Clause 7 of the SEPP states that a consent authority must not consent to the carrying out of any development in land unless:

- (a) *it has considered whether the land is contaminated, and*
- (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The land has been used for caravan park purposes since 1984. Therefore it is considered that the subject land is unlikely to be contaminated and suitable for the use as a manufactured homes estate.

#### Clarence Valley Local Environmental Plan 2011

The subject land is zoned R5 Large Lot Residential under the provisions of the Clarence Valley Local Environmental Plan 2011. As stated under the SEPP 36 considerations, this development application relies on existing use right provisions as caravan parks are ordinarily prohibited within the R5 zone. However, as the existing caravan park was approved under DA83/464 by the former Maclean Shire Council on 13 February 1984, the development has existing use rights under the provisions of Clause 4.65 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Clause 41(1)(d) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), states that an existing use may be changed to another use, but only if that other use is a use that may be carried out with or without development consent under the Act.

'41 *Certain development allowed (cf clause 39 of EP&A Regulation 1994)*

- (1) *An existing use may, subject to this Division:*
  - (a) *be enlarged, expanded or intensified, or*
  - (b) *be altered or extended, or*

- (c) *be rebuilt, or*
- (d) *be changed to another use, but only if that other use is a use that may be carried out with or without development consent under the Act, or*
- (e) *if it is a commercial use—be changed to another commercial use (including a commercial use that would otherwise be prohibited under the Act), or*
- (f) *if it is a light industrial use—be changed to another light industrial use or a commercial use (including a light industrial use or commercial use that would otherwise be prohibited under the Act).*

The applicant sought legal advice regarding the matter of permissibility as directed by staff in pre-lodgement advice (copy of legal advice in attachments). In summary of that advice, it is taken that for the purposes of this application, the proposed development is permissible with consent using Clause 6 of SEPP 36 which permits development for the purposes of manufactured home estates on any land where caravan parks are permitted. Given the land benefits from existing use rights for the purpose of a caravan park, it is taken that the change of use to a MHE is permitted.

#### Clause 4.3 Height of Buildings

A maximum 9m height limit applies to any future buildings on the site.

#### Clause 7.1 Acid Sulfate Soils

The subject land is identified as containing Class 5 Acid Sulfate Soils (ASS) on the Acid Sulfate Soils Map and is therefore subject to the provisions of Clause 7.1 of the LEP.

This clause only requires an ASS Management Plan to be prepared for works within 500m of adjacent Class 1, 2, 3 and 4 land that is below 5 metres Australian Height Datum (AHD) and by which the water table is likely to be lowered below 1 metre AHD on adjacent Class 1, 2, 3 and 4 land. An ASS Management is not required for the propose development.

#### Clause 7.8 Essential Services

The site is already serviced by reticulated water and electricity and is serviced by an existing onsite waste water system. Adequate drainage is available, however a stormwater management plan is required to be submitted to ensure that the existing stormwater system has adequate capacity to cope with the increase runoff from the site. If it is determined that it is not, the system will be required to be upgraded accordingly.

- (ii) **any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved), and**

n/a

- (iii) **any development control plan, and**

The proposed development is subject to the provisions of the Residential Zones DCP and in particular Part C General Controls, Part H Sustainable Water Controls,

Part I Erosion and Sedimentation Controls and Part J Subdivision and Engineering Controls.

Part C General Development Controls for Residential Zones

The proposed development is generally consistent with the matters set out in Part C of the DCP. Essential services will be provided to service the development in accordance with Clause C24 and any extensions or upgrade to existing infrastructure will be the responsibility of the developer.

Part H Sustainable Water Controls

The principles of water sensitive design are to be incorporated in the Stormwater Management Plan to be provided and the development is required to meet Council's Sustainable Water controls and current water quality pollution targets in line with Part H of the DCP.

Part I Erosion and Sediment Control

A detailed Erosion and Sedimentation Control Plan for each stage is required to be submitted and approved by Council prior to a Civil Construction Certificate being issued in accordance with the provisions of Part I of the DCP. This plan will be compatible with the Stormwater Management Plan (SWMP) and will include procedures for clean-up and restoration of public and/or private property.

- (iia) **any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and**

No planning agreement has been offered or entered into as part of the application.

- (iv) **the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,**

Environmental Planning and Assessment Regulation 2000

As stated under the LEP consideration of this assessment, the permissibility of the development relies on existing use right provisions set out under the Regulation as provided in the legal advice provided by the applicant. .

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

The proposal generally complies with the requirements set out in Part 2 Division 3 of the Regulations, however to ensure future compliance the following conditions have been placed upon the approval:

2. An Approval to Operate under Section 68 of the *Local Government Act 1993* must be issued prior to use of the site as a manufactured homes estate. This will require an inspection of the completed development by Council Environmental Health Officer prior to issue of the Approval to Operate.
4. The manufactured home estate must be designed, constructed, maintained and operated in

accordance with the requirements of Part 2, Division 3 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) regulation 2005*. This must be demonstrated prior to issue of the Approval to Operate under Section 68 of the Local Government Act 1993.

**(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.**

Social impacts

The proposed development will provide 59 manufactured homes to the area which is consistent with Council's adopted Affordable Housing Policy. As part of that Policy it is recognised that there is a need to diversify housing stock and tenure options to meet the changing needs of its community, including the aging of the population, decreasing average household size and socio economic profile. It is committed to encouraging the development of smaller, more manageable, well-located dwellings that allow for positive 'aging in place', as well as continuing to provide for the needs of younger people, families and lower income households through its land release strategies. Further, the policy provides a commitment to protect and increase the supply of housing stock that can be affordably rented or purchased by very low, low, and moderate income households, including target groups identified as having particular housing needs in Clarence Valley. The change of use to a manufactured homes estate will provide additional long term and permanent housing to an area that this has a demonstrated need to provide additional housing choices to its community.

Economic

Economically, the proposed development will have a positive outcome for the area through increased employment opportunities during construction works and once the development is completed offer an affordable housing type to the market.

Environment

There will be some impact to the built environment through the installation of manufactured homes on the site. All homes are required to be compliant with the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005* which will ensure that any potential

The area of the MHE is located generally within the same footprint as the existing caravan park. No additional clearing is proposed or permitted as part of this application so it is unlikely that the change of use will have any environmental impacts.

**(c) the suitability of the site for the development,**

The site is suitable for the proposed development as approved subject to suitable conditions to ensure compliance with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

**(d) any submissions made in accordance with this Act or the regulations,**

The proposed development was advertised and notified in accordance with the Community Participation Plan and 8 submissions were received during the submission period. Issues raised during the assessment of the application and within the submissions include; permissibility of development, suitability of site and lack of connection to infrastructure and services, traffic impacts, stormwater issues and potential devaluation of adjoining properties.

## 1. Existing Use Rights and Permissibility of Manufactured Homes Estate

Manufactured home estates and caravan parks are ordinarily prohibited within the R5 zone. However, as the existing caravan park was approved under DA83/464 by the former Maclean Shire Council on 13 February 1984, the development has existing use rights under the provisions of Clause 4.65 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Clause 41(1)(d) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), states that an existing use may be changed to another use, but only if that other use is a use that may be carried out with or without development consent under the Act.

*'41 Certain development allowed (cf clause 39 of EP&A Regulation 1994)*

*(1) An existing use may, subject to this Division:*

- (a) be enlarged, expanded or intensified, or*
- (b) be altered or extended, or*
- (c) be rebuilt, or*
- (d) be changed to another use, but only if that other use is a use that may be carried out with or without development consent under the Act, or*
- (e) if it is a commercial use—be changed to another commercial use (including a commercial use that would otherwise be prohibited under the Act), or*
- (f) if it is a light industrial use—be changed to another light industrial use or a commercial use (including a light industrial use or commercial use that would otherwise be prohibited under the Act).*

The applicant sought legal advice regarding the matter of permissibility as directed by staff in pre-lodgement advice (copy of legal advice in attachments). In summary of that advice, it is taken that for the purposes of this application, the proposed development is permissible with consent using Clause 6 of SEPP 36 which permits development for the purposes of manufactured home estates on any land where caravan parks are permitted. Given the land benefits from existing use rights for the purpose of a caravan park, it is taken that the change of use to a MHE is permitted.

## 2. Preference for an over 55's resort

The original Onsite Waste Water Report submitted with the application and marketing of the proposed development by the developer identifies the MHE as an over 55's estate. Some of submissions also state that they would feel more comfortable and be more supportive of the proposal if it was for an over 55's home estate where everyone has the "same requirements".

### Comment

The application was not lodged under the *State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004*, therefore, the application is only being considered under the provisions of SEPP 36 – Manufactured Homes and not an over 55's estate. The developer may wish to market the estate as an over 55's home estate, however Council has no control over who may reside in each of the homes. The ongoing operation and maintenance of the site will be required to comply with the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*, a draft condition to this effect will be imposed if the development is approved.

### 3. Impacts from increase of traffic and suitability of existing access

Concerns were raised within the submissions regarding the potential impacts from an increase in traffic and the suitability of the existing access to service the development.

#### Comment

Access to the site is via an existing sealed crossover generally consistent with the Austroads Rural Road Access standard. The vehicular crossover is 8.5m wide at the intersection with the seal and tapers back to a width of 5.5m as reported by the Civil Engineering Assessment prepared by Planit. This is considered to be suitable access by Council's assessing Development Engineer for the purposes of the development.

The traffic impact report submitted with the application assumed a post development peak hour traffic flow of 35.72 trips per hour with a total of 58 permanent sites and 1 caretaker's dwelling. However, at the assumed rate of 0.65veh/h for the permanent sites this equates to;  $58 \times 0.65 = 37.7$  veh/h, plus 0.78 for the caretakers dwelling, bringing the total trip generation of the proposed re-development to 38.48 trips per hour.

A base rate of 0.78 veh/h was assumed based on NSW Transport Technical Direction (TDT) 2013/04a for all proposed permanent sites (including caretaker's dwelling) which brings the total peak hour P.M. trips to 46.02. This was used to undertake an assessment of the suitability of the existing intersection treatment providing access to the site off Iluka Road. Using local traffic data recorded by Council as part of the assessment, the existing access and intersection are deemed suitable for the proposed development.

Any future development application to increase the number of sites will require a traffic impact assessment and likely upgrading of the intersection and access.

### 4. Suitability of site

Concerns were raised within some of submissions regarding the lack of suitability of the site due to it being within an isolated location, noise impacts from the highway, inadequate onsite wastewater system, lack of amenities and footpaths to nearest convenience store.

#### Comment

In determining whether a site is suitable for a MHE, Council must consider and be satisfied with the matters contained in Clause 9(1) of the SEPP 36.

- 1(a) *that each of the sites on which a manufactured home is or will be installed within the manufactured home estate is or will be adequately provided with reticulated water, a reticulated sewerage system, drainage and electricity, and*

#### Comment

The site is already serviced by reticulated water and electricity and is serviced by an existing onsite waste water system which serves as a reticulated sewerage system. Adequate drainage is available, however a stormwater management plan is required to be submitted (discussed in detail under Item 6 below).

- (b) *that the manufactured home estate is or will be provided with adequate transport services, and*



Comment

Public transport services provided by Busways are available direct from the site to Maclean and Iluka at the following frequencies

- four (4) times/day Monday to Friday during the school term
- two (2) times/day Monday to Friday during school holidays
- two (2) times/day Saturdays and Public holidays

This is considered to be adequate transport for the purposes of the MHE.

*(c) that sufficient community facilities and services, whether situated within or outside the estate, are or will be available and reasonably accessible to the residents of the manufactured home estate, and*

Comment

The following community facilities will be available internal of the site to service the residents of the MHE:

Existing facilities on the site include:

- Shop and Office
- Camp kitchen
- Mini Tennis Court
- Pool and associated recreation space
- Amenities block

As part of the development, it is proposed to retain all existing community facilities except the amenities block which will not be required once all short-term sites have been replaced with homes. The amenities block will then be converted to a maintenance shed to replace the existing shed demolished to create sites 46 and 47. The camp kitchen is also proposed to be converted to a community room. It is also proposed to upgrade the existing shop with a commercial kitchen to expand the product range available to Estate residents.

*(d) that the development will not have an adverse effect on any—*

- *conservation area*
- *heritage item*
- *waterway or land having special landscape, scenic or ecological qualities,*
- *which is identified in an environmental planning instrument applicable to the land concerned.*

Comment

Woombah is identified as a Koala Habitat Area in Council's Draft Koala Plan of Management. As there is no clearing proposed as part of this application and the development footprint generally occurs within the existing disturbed areas, it is unlikely that there will be any impact to the environment or conservation areas.

The development site is not identified as containing any heritage item.

*(2) A council may grant a development consent pursuant to this Policy allowing development for the purposes of a manufactured home estate only after it has considered the following—*

- (a) *the cumulative impact of the proposed development and other manufactured home estates in the locality,*
- (b) *any relevant guidelines issued by the Director,*
- (c) *the provisions of the Local Government (Manufactured Home Estates) Transitional Regulation 1993.*

Comment

There is unlikely to be a cumulative impact of the proposed development as there are no other MHE's in the Woombah/Iluka area. No guidelines have been issued by the Director with respect to MHE's.

The provisions of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 1995* have been considered with respect to the development which is considered to be consistent with the requirements of the Regulations. A full assessment has been undertaken as part of the Section 4.15 assessment contained in the attachments.

Further, if the development is approved, a condition will be imposed to ensure that MHE is designed, *constructed, maintained and operated in accordance with the requirements of Part 2, Division 3 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) regulation 2005.*

Whilst the development site may be considered to be disconnected and somewhat isolated from other towns and villages, there is adequate public transport that services the site to enable access to services and infrastructure not available in the Woombah area.

The proposed manufactured home estate is considered to be not inconsistent with the general aims of SEPP 36 to facilitate the establishment of MHE's as a contemporary form of medium density residential development. The MHE provides an alternative to traditional housing arrangements and encourages the provision of affordable housing in well designed estates. In consideration of all of the above, the development site is determined to be suitable for the proposed MHE.

5. Devaluation of adjoining properties

Concerns were raised within the submissions that the proposed MHE will have a negative impact on the value of adjoining properties.

Comment

The impact of this development on the value of surrounding properties is difficult to quantify. Increase or loss of property value is not a matter that can be directly related to development proposals such as this because there are other factors that affect such values

6. Stormwater runoff

Concerns were raised within the submissions regarding the capacity of the existing swale to cope with the increase in runoff from the site.

Comment

The proposal will result in an increase in impervious area greater than 500m<sup>2</sup> and therefore triggers the requirements under the sustainable water controls of the DCP.

Section J10 of the DCP states that “the hydrological conditions (both quality and quantity) of stormwater runoff after development being approximately the same as predevelopment conditions, for the 20% Annual Recurrence Interval (ARI) storm event”. The modelled increase in runoff prepared by Planit shows an increase in the 5% Annual Exceedance Probability (20 ARI) of 0.02m<sup>3</sup>/s (20 l/s), 2% of the pre development flow.

It will be required that a detailed stormwater management plan (SWMP) be submitted prior to the issue of the Approval to Operate demonstrating that the post development flows do not exceed predevelopment flows. The SWMP must demonstrate, through calculation, that the existing Council stormwater system has the capacity to receive the runoff from the proposed development. The stormwater management plan must also demonstrate how stormwater quality targets in the DCP will be achieved.

#### 7. Onsite waste water (OSM)

Concerns were raised within the submissions that the OSM report prepared by Melaleuca Group Pty Ltd referred to the development as an over 55's MHE and did not consider the development as a MHE in its own right. It was also raised in the submissions that the existing OSM system has odour management issues and that the subsurface irrigation field was damaged due to recent clearing works and is not operating effectively.

#### Comment

In response to concerns raised within the submissions and Council's additional information request, the consultant Melaleuca Group Pty Ltd provided an addendum to the original OSM report (copy in attachments). The report determined that the existing OSM system is suitable to cater for the 59 home sites.

However, upon inspection by Council's OSM Technical Officer it was confirmed that parts of the subsurface irrigation field have been damaged and requires rectification works. An improvement notice has subsequently been issued by Council ordering the owner to repair or upgrade the existing system. This is being dealt with separately from the development application under Section 68 of the *Local Government Act 1993*. Should the applicant fail to upgrade the system under the improvement notice then further compliance action will be undertaken which could include fines.

Once the repairs are completed, Council staff are satisfied that the existing OSM will be sufficiently sized to cater for the 59 home sites in accordance with the OSM report prepared by Melaleuca Group Pty Ltd dated 24 September 2020. Draft conditions of consent related to the operation of the OSM are contained in Schedule 1.

#### 8. Loss of tourist accommodation options and income to the valley

One of the submissions raised the issue of potential loss of tourist income and accommodation options through the conversion of the caravan park to a MHE.

#### Comment

As stated earlier in the report, the existing caravan park is approved for a total of 64 sites (23 long term, 35 short term and 6 camp sites). The conversion of the caravan park to a MHE will result in a combined loss of 41 sites used for short term accommodation and camp sites. The income generated from visitors using this accommodation type is hard to quantify given there are many

factors to be considered such as occupancy rates, seasonality, accommodation preferences etc. However, according to the Tourism Research Australia the average spend per night by visitors in the Clarence Valley is \$125 (refer to [www.tra.gov.au](http://www.tra.gov.au)).

It is considered that whilst there may be a loss of tourist accommodation, the development will provide much needed long term housing solutions to the area. This loss of tourist income may be offset through the additional long term occupants spending money in the area which would in turn not be affected by seasonality or dependent upon occupancy rates.

## 9. Social Impacts

There were concerns raised in the submissions that the location of such a large cluster of low-socio economic housing in one area will create adverse social impacts such as increases in crime rates.

### Comment

Potentially adverse social impacts generated or created by low socio economic housing is difficult to quantify. The MHE will be managed and controlled by the owner/operator as opposed to low cost housing estates or subdivisions where this is no over arching body which can only rely on police for regulatory action. Each individual tenant/owner will be bound by a lease type arrangement with certain conditions related to the use and occupation of the site which will have more control than an ordinary housing estate.

Overall, the proposed development will provide 59 manufactured homes to the area which is consistent with Council's adopted Affordable Housing Policy. As part of that Policy it is recognised that there is a need to diversify housing stock and tenure options to meet the changing needs of its community, including the aging of the population, decreasing average household size and socio economic profile. It is committed to encouraging the development of smaller, more manageable, well-located dwellings that allow for positive 'aging in place', as well as continuing to provide for the needs of younger people, families and lower income households through its land release strategies. Further, the policy provides a commitment to protect and increase the supply of housing stock that can be affordably rented or purchased by very low, low, and moderate income households, including target groups identified as having particular housing needs in Clarence Valley. The change of use to a manufactured homes estate will provide additional long term and permanent housing to the Clarence Valley which is experiencing a demonstrated housing shortage.

### Summary

It is considered that approval of the proposed MHE is warranted in this instance as it provides for an additional 35 long term dwelling sites to service the community. There is a demonstrated shortage of affordable housing in the Clarence Valley, and whilst the location may be considered to be isolated/disconnected from towns with suitable services such as doctors, the site is serviced by adequate public transport and internal community facilities for recreational purposes.

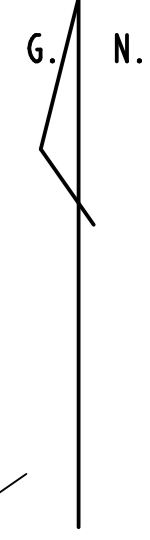
### **(e) the public interest.**

The proposed development is considered to be in the public interest by meeting the following objects of the Act:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

**Officer:** Carmen Landers, Acting Development Services Coordinator

**Date:** 9 December 2020



CAUTION:

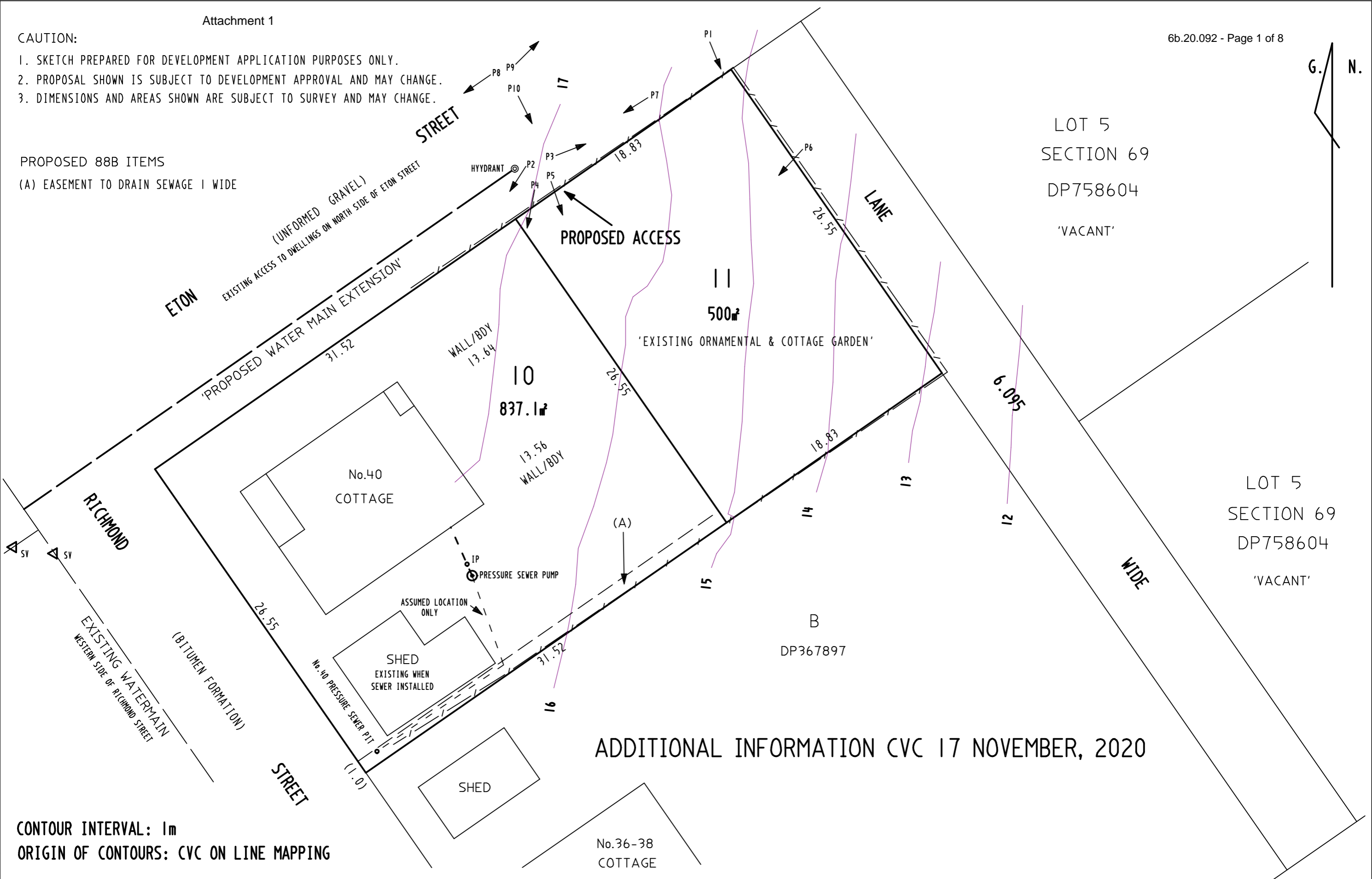
- 1. SKETCH PREPARED FOR DEVELOPMENT APPLICATION PURPOSES ONLY.
- 2. PROPOSAL SHOWN IS SUBJECT TO DEVELOPMENT APPROVAL AND MAY CHANGE.
- 3. DIMENSIONS AND AREAS SHOWN ARE SUBJECT TO SURVEY AND MAY CHANGE.

PROPOSED 88B ITEMS

(A) EASEMENT TO DRAIN SEWAGE 1 WIDE

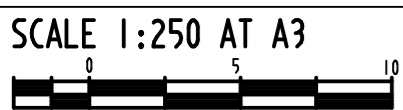
LOT 5  
SECTION 69  
DP758604  
'VACANT'

LOT 5  
SECTION 69  
DP758604  
'VACANT'



ADDITIONAL INFORMATION CVC 17 NOVEMBER, 2020

CONTOUR INTERVAL: 1m  
ORIGIN OF CONTOURS: CVC ON LINE MAPPING



FIELD BOOK:
FILE: DWG4572A
DATA: CCAD
ISSUE: C:2/12/20

SKETCH OF PROPOSED 2 LOT SUBDIVISION  
LOT A DP367897 - LAWRENCE

CLIENT: P.M.SPITZMACHER  
LGA: CLARENCE VALLEY

McNAMARA COOKSLEY & ASSOC P/L  
ABN 11 087 528 069  
CONSULTING SURVEYORS

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GRAFTON NSW 2460

PH. (02) 6642 1921  
E-MAIL: kvcooksley@gmail.com

SHEET 1 OF 1



**SECTION 4.15 EVALUATION FOR SUB2020/0036**  
**- Lot A DP 367897**  
**- - 40 Richmond Street LAWRENCE NSW 2460**

**Proposal:** The proposed development is a two lot subdivision of the existing Lot A DP 367897. The subject land is approx. 1334m<sup>2</sup> and has frontage to both Richmond Street and Eton Street. There is an existing residential dwelling on the proposed Lot 10 with a lot size of 837.1m<sup>2</sup> and the other proposed lot 11 is approx. 500m<sup>2</sup> with access proposed off Eton Street. Both lots will require separate connection to services.

**(1) Matters for consideration – General**

**In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:**

**(a) the provisions of:**

**(i) any environmental planning instrument, and**

State Environmental Planning Policy 55 – Remediation of Land

Clause 7 of the SEPP states that a consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

No change of use to either lot is proposed. The land is considered suitable for the proposed subdivision and no further investigation is required as the proposed development is not intensifying the use of the land.

State Environmental Planning Policy (Coastal Management) 2018

The subject land is located within the coastal environment area and coastal zone under the SEPP.

Coastal Environment Area are land adjacent to coastal waters, estuaries, coastal lakes and coastal lagoons where impacts of development on the use and enjoyment of the beaches, foreshores, dunes, estuaries, lakes and the ocean needs to be considered.

*Clause 13 – Development on land within the coastal environment area*

The development is not considered likely to cause an adverse impact on the following:

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) coastal environmental values and natural coastal processes,*

- (c) *the water quality of the marine estate (within the meaning of the [Marine Estate Management Act 2014](#)), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) *marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) *existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) *Aboriginal cultural heritage, practices and places,*
- (g) *The use of the surf zone.*

and has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

The development is not considered to adversely impact on the above factors.

The proposal is considered not to have an adverse impact on the values of the ecological and marine environment. The proposal includes the relocation of a manufactured dwelling, and it is not anticipated that this will adversely influence the surrounding area. There will be minimal soil disturbance as the proposal does not require extensive excavation works, piers will need to be installed to the dwelling upon placement in the specified location and this will also be required for the future carport which is in close proximity to the dwelling. Installation and use of erosion and sediment controls will reduce potential impacts to the surrounding environment and prevent water degradation of the adjoining Clarence River. The land is currently used for residential purposes with an existing dwelling, the land is mostly clear of vegetation thus there is considered no adverse impacts on native vegetation from the proposed development as the dwelling site does not contain significant vegetation within this vicinity. The proposed development is setback approximately 100m from the Clarence River and it is not considered to impact on any foreshore access. Therefore the proposed detached dual occupancy is not inconsistent with the objectives of Clause 13.

*Clause 15 - Development in coastal zone generally—development not to increase risk of coastal hazards*

The proposed development is not likely to cause increased risk of coastal hazards on that land or other land. The development is not inconsistent with the coastal management plans applying to the land.

*Clause 16 - Development in coastal zone generally—coastal management programs to be considered*

The proposed development is not considered to be inconsistent with the Clarence Estuary Management Plan. The development is considered to be consistent with the aim of this plan.

Clarence Valley Local Environmental Plan 2011

Under the LEP the subject land is zoned R2 Low Density Residential. The proposed development is permissible with consent in the zone. The objectives of the zone are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposed two lot subdivision is considered to be generally consistent with the objectives of the zone. The development is deemed suitable for the land and sustainably utilises existing services.

Clause 4.1 Minimum Subdivision Lot Size

No minimum lot size applies to the subject site.

Clause 5.10: Heritage Conservation:

The subject land is not within a heritage conservation area or in proximity to a heritage item. An AHIMS search on 8 December 2020 of the property did not reveal any items or areas of Aboriginal significance within a 200m radius of the site, appropriate conditions will be imposed to ensure the developer is aware of their obligation to cease work should anything be uncovered during works.

Clause 7.1: Acid Sulfate Soils:

The subject land is identified as containing potential Class 5 Acid Sulfate Soils. Works below 5m of the ground surface or likely to lower the water table 5m below the ground surface require an acid sulfate management plan. No earthworks are proposed as part of the development. The development is not considered to result in disturbance of these soils and the proposed development is not considered to be inconsistent with the objectives of the clause.

Clause 7.2: Earthworks:

There are no significant earthworks proposed as a result of this proposal. Sediment control fences will be required on-site to minimise the transport of sediment off-site and onto adjoining land for the duration of works. It is considered that the proposal is consistent with the objectives of the zone.

Clause 7.3: Flood Planning:

The subject site is identified as not being flood prone.

Clause 7.8: Essential Services:

The subject site has access to electricity and reticulated water. Storm water is to be addressed under the subdivision works certificate through a stormwater management plan as per comments from Council's Development Engineer. The site has access to both Richmond Street and Eton Street, utilizing Eton Street for access will require upgrading as a condition of consent to become a Council maintained road where as Richmond Street is currently a Council maintained road.

- (ii) **any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved), and**

N/A

**(iii) any development control plan, and**

Clause	Control	Complies
C9: Minimum site area for dwelling houses	Minimum site area of 400m <sup>2</sup>	Yes – the proposed lot 10 site area containing the existing dwelling is 837.1m <sup>2</sup> . The proposed lot 11 complies with 500m <sup>2</sup> .
C16: Setbacks	Front setback of 6m, rear and side setback of 900mm and a setback of 1.5m from services	Yes – The proposed new side setback is approx. 13.6m. The proposed development is suitably setback from services on-site.
C20: Private Open Space Requirements	An area of 50m <sup>2</sup> in one parcel with a dimension of 4.5m minimum.	Yes the proposed development is acceptable.
C24: Provision of Services	Access to sewer, electricity, water and Council road. Also storm water management	Yes - the lot has access to water, telecommunications and electricity. The lot has frontage to Richmond Street and Eton Street a Council maintained road. See comments below relating to road upgrade of Eton Street.
C27: Development of land with acid sulfate soils	Minimise disturbance to acid sulfate soils	Yes - see comments under LEP above.
G2: Car parking requirements	Dwelling house - 1 covered space per dwelling	Yes – One covered car parking space is provided onsite for the existing dwelling.
Part H: Sustainable water controls	Maintain water quality and efficient use of water	A stormwater plan is to be provided with the subdivision works certificate application.
I2: Erosion and sediment controls	Prevent land degradation and soil erosion	Detailed erosion and sediment plans will be required with the subdivision works certificate.
J7: Lot layouts	Variety of Lot sizes should be provided	The lot sizes proposed creates a variety of lot sizes for the area which is consistent with the locality.
J12: Provision of	Each lot is to be serviced	See comments above

Clause	Control	Complies
services	by reticulated water, sewer, electricity and telecommunications. Each lot is to have suitable road access	under the LEP and below. Furthermore the new lot will be required to connect to telecommunications. Additionally, the lot is serviced by sewer, power and water.

Council staff have advised the Applicant of the requirement to seal the section of Eton Street from the intersection of Richmond Street to a future driveway on Proposed Lot 11, approximately 40-45m in length. The Applicant has advised that the condition is considered to be onerous, expensive and will impact on the character and amenity of the locality. Council has the ability to consider a request for variation under Clause C24.5 (a) with regard to the scale and nature of the development, context of the site and NRDC.

The scale of the development to create one additional lot may not appear to be significant in a general sense. However, it is the adverse cumulative impact that approving the development without sealing of the road would likely have in terms of the surrounding area that raises concern. The adjoining lots to the north and south are all zoned R2 and have further development potential (see image below). A variation to the DCP by removing the need to seal the road frontage for this development would set a precedent and may result in adjoining land owners wanting to apply for a similar single-lot subdivision with the expectation of not having to seal the road frontage. Given the context of the site in relation to the adjoining R2 zoned lots that have development potential off Eton Street, Council staff are of the view that Council's adopted development controls should be adhered to in this instance so that the development does not result in an increase to Council's road maintenance budget or further deterioration of Council's road asset.

Clauses D1.14 and D1.27 of the NRDC refer to carriageway widths and characteristics for urban and rural roads. In accordance with the NRDC standards contained in Tables D.1.5 and T 1.27, Eton Street requires a minimum of 6m seal and 0.5m shoulders for roads with minor traffic volume. Subsection D1.27.2 of the NRDC states that carriageway widths to existing roads shall generally be in accordance with Table T1.27, however, may be reduced at the discretion of the Director of Engineering Services. As a result of discussions with the Civil Services section of Council, the standards of NRDC are recommended to be reduced to a carriageway width of 4m with 0.5m shoulders.

Council staff recommend that the current unsealed road be sealed to the minimum standard (4m seal with 0.5m shoulders) from the intersection point of Richmond/Eton Street to the future vehicular access to Proposed Lot 11. This will ultimately lead to the decrease in Council's long term maintenance cost of the existing unsealed road network and incrementally improve the overall road network in the area. Design and construction is to be in accordance with NRDC and be submitted for approval with an application for a Subdivision Works Certificate. Locations of the proposed access points are to be nominated on design plans and constructed prior to issue of Subdivision Certificate.

- (iiia) **any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and**

N/A

- (iv) **the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,**

The proposed development is not considered to be inconsistent with the prescribed matters, Environmental Planning and Assessment Regulation 2000 – Clause 92.

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.**

There are no major earthworks and no significant vegetation removal proposed as part of the development, furthermore sediment and erosion controls will be implemented during the provision of services on-site, this is to help maintain water quality. The proposed development is not considered to impact on natural waterways.

The proposal will allow additional residential development in the future. The proposed development will over time alter the built environment, furthermore, the proposal is not considered to be inconsistent with the surrounding built environment.

The proposed development is not considered to result in significant economic activity or employment generation. The minor construction works required and the additional allotment will assist in providing additional residential land to meet the needs of the community. There may be minor economic benefits if local labour and material are used for construction works. The development is not considered to impact on social wellbeing or cohesion. The two lot subdivision will result in an additional residential lot to service the community.

Biodiversity Conservation Act 2016

The proposed development does not require significant clearing; the development site contains some native vegetation in addition to other vegetation which has mostly been established as a garden of the existing residence onsite. The proposal includes the subdivision of the site into two residential lots. This is considered to not adversely impact any biodiversity values.

- (c) the suitability of the site for the development,**

The proposal is considered to be in accordance with development in the surrounding area and is providing a residential lot and which provides additional residential land to meet the needs of the community. It is deliberated that the subject site is considered to be suitable for the proposed development.

The subject site is identified as containing potential acid sulfate soils. The proposed development does not require significant excavation as all works will be limited to the



provision of services and road upgrading; furthermore, stormwater is to be addressed in the subdivision works certificate application. The site is suitable for the proposed development as approved subject to the imposition of suitable conditions

**(d) any submissions made in accordance with this Act or the regulations,**

The proposed development was notified in accordance with the Community Participation Plan (CPP) and no submissions were received in regards to the proposal during the exhibition period.

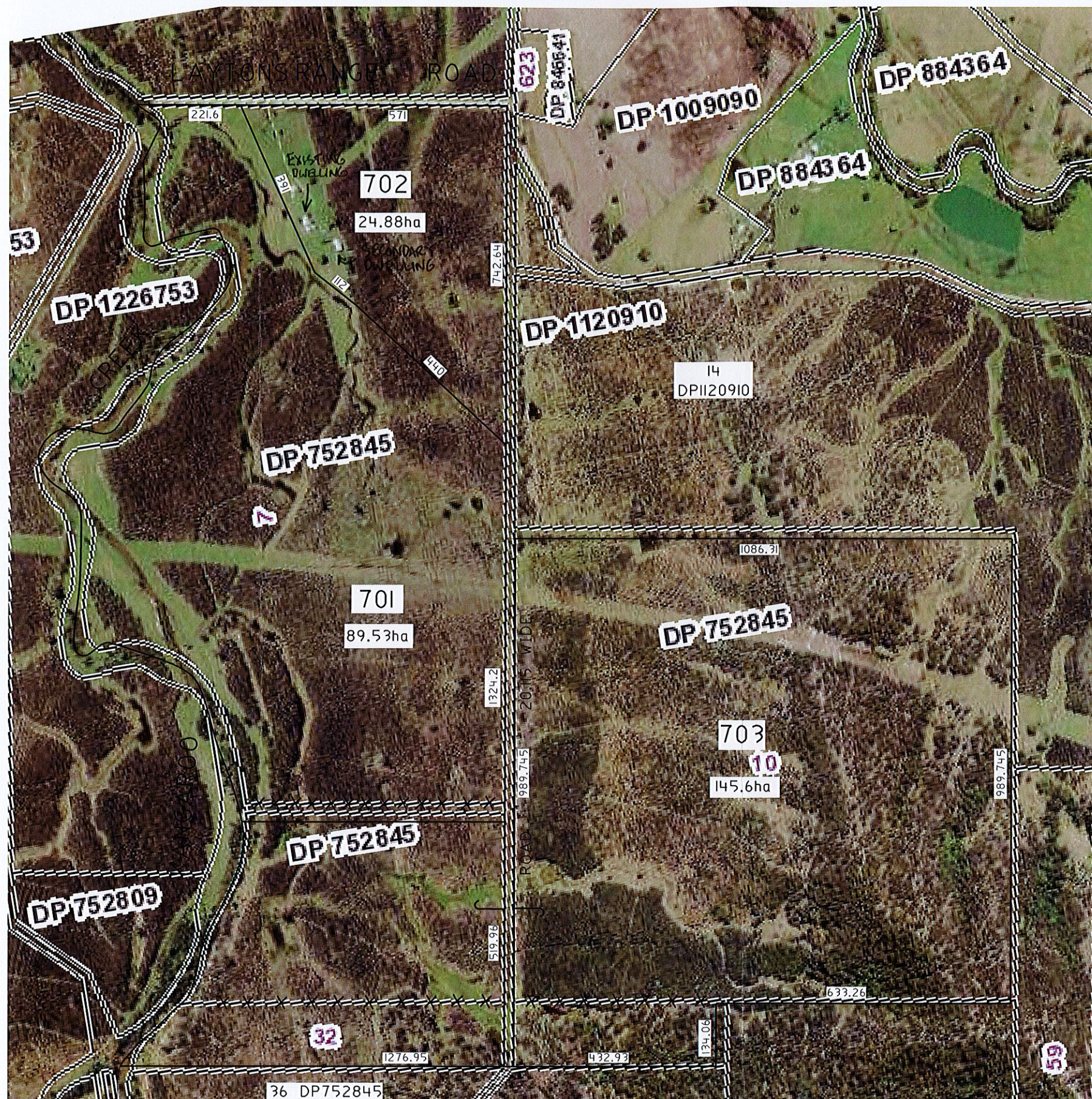
**(e) the public interest.**

The proposed development is considered to be in the public interest by being generally consistent with relevant policies adopted by Council and meeting the objects of the Act.

**Officer: Alex Clark, Trainee Planner, reviewed by James Hamilton, Development Planner**

**Date: 9 December 2020**





NOTES:

1. THIS PLAN WAS PREPARED FOR P. & K. GEORGE AS A PROPOSED BOUNDARY ADJUSTMENT & CONSOLIDATION TO ACCOMPANY A DEVELOPMENT APPLICATION TO CLARENCE VALLEY COUNCIL & SHOULD NOT BE USED FOR ANY OTHER PURPOSES.
2. THE TITLE BOUNDARIES SHOWN HEREON WERE NOT MARKED BY A. FLETCHER & ASSOCIATES PTY. LTD. AT THE TIME OF THE SURVEY AND HAVE BEEN DETERMINED BY THE PLAN DIMENSIONS ONLY AND NOT BY FIELD MEASUREMENT. THE DIMENSIONS, AREAS AND TOTAL NUMBER OF LOTS SHOWN HEREON ARE SUBJECT TO FIELD SURVEY AND ALSO THE REQUIREMENTS OF COUNCIL AND ANY OTHER AUTHORITY WHICH MAY HAVE REQUIREMENTS UNDER ANY RELEVANT LEGISLATION. IN PARTICULAR, NO RELIANCE SHOULD BE PLACED ON THE INFORMATION ON THIS PLAN FOR ANY FINANCIAL DEALINGS ON THE LAND.
3. SERVICES HAVE NOT BEEN LOCATED..
4. PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION ON THE SITE, THE RELEVANT AUTHORITY SHOULD BE CONTACTED FOR POSSIBLE LOCATION OF FURTHER UNDERGROUND SERVICES AND DETAILED LOCATIONS OF ALL SERVICES.
5. THESE NOTES ARE AN INTEGRAL PART OF THIS PLAN

Liability limited by a scheme approved under Professional Standards Legislation.

EXISTING	KEY OF COMMON SERVICES	DESIGN
	ELECTRICITY	
	TELSTRA	
	SEWER	
	WATER	
	DRAINAGE	
	INTERLOTMENT DRAINAGE	

REVISIONS	Rev.	Date	Drn.	Chk.	Description
	A	29.5.19	BF	AF	FIRST ISSUE

**A. FLETCHER & ASSOCIATES Pty Ltd**  
 Land and Engineering Surveyors  
 Development Consultants

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 Ph. (02) 6642 3300, Fax (02) 6642 5990  
 Email: afletcher@hotkey.net.au

PLAN OF BOUNDARY ADJUSTMENT & CONSOLIDATION  
 OF LOTS 7, 10 & 32 DP752845 & LOT 1 DP113804

1278 LAYTONS RANGE ROAD, KANGAROO CREEK

CLIENT: P. & K. GEORGE

SURVEY:	DRAWING No.9407-1	Sheet No. of Sheets
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DRAWN: BF		
DATE: 28/06/19		
SCALE: 1:7,000	CAD REFERENCE Z:\9407\DGN\9407 BDYADJ.dgn	Revision: A

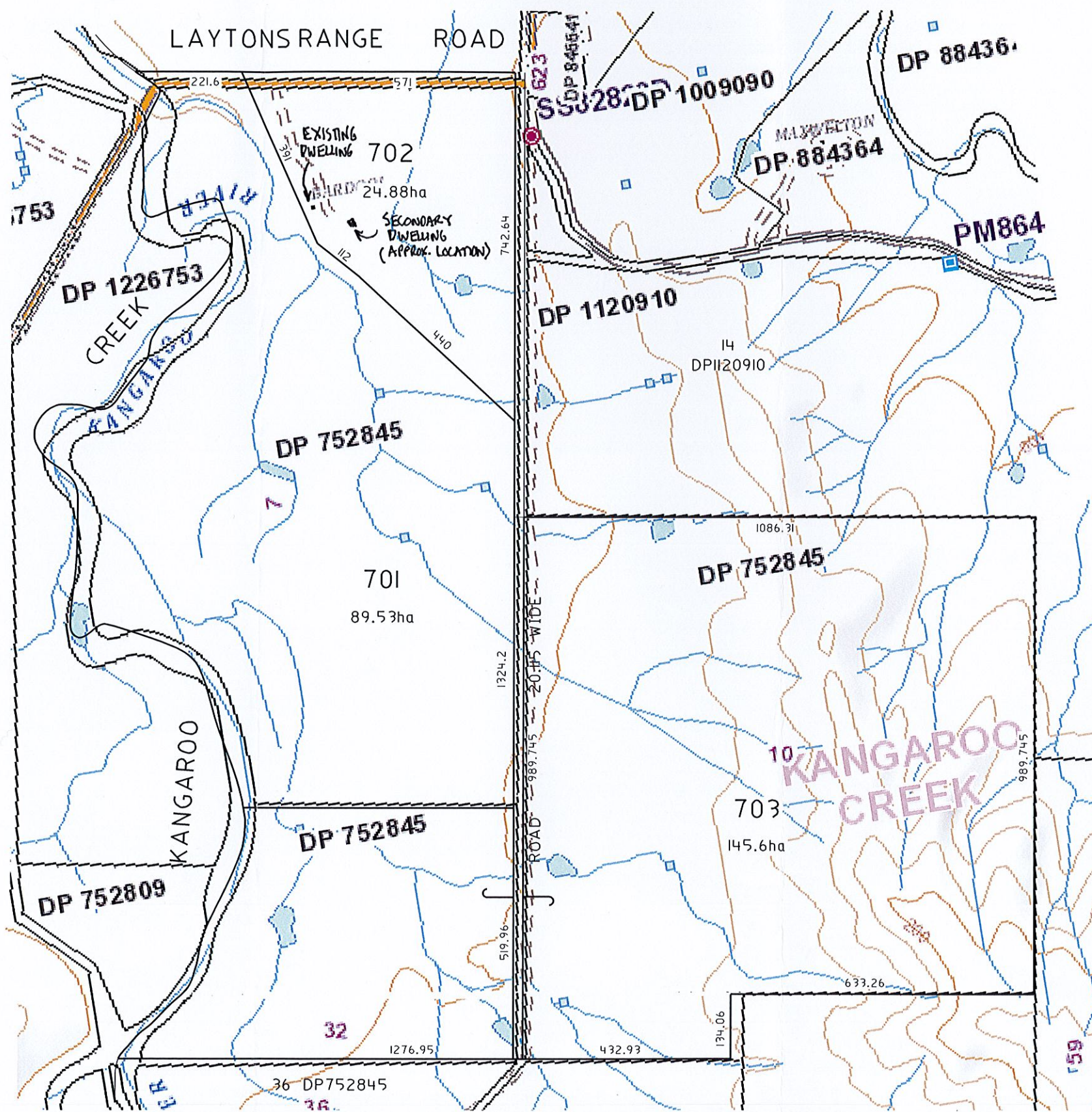
\* This plan is only to scale if plotted at A2 size





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EXISTING		KEY OF COMMON SERVICES		DESIGN	
(O/R) OVERHEAD	POLE	ELECTRICITY	—	—	—
ELEVATED JOINT	PIT	TELSTRA	—	—	—
JUNCTION	MANHOLE	SEWER	—	—	—
HYDRANT WATER METER	STOP VALVE	WATER	—	—	—
PIT		DRAINAGE	—	—	—
		INTERALLOTMENT DRAINAGE	—	—	—

REVISIONS				
Rev.	Date	Drn.	Chk.	Description
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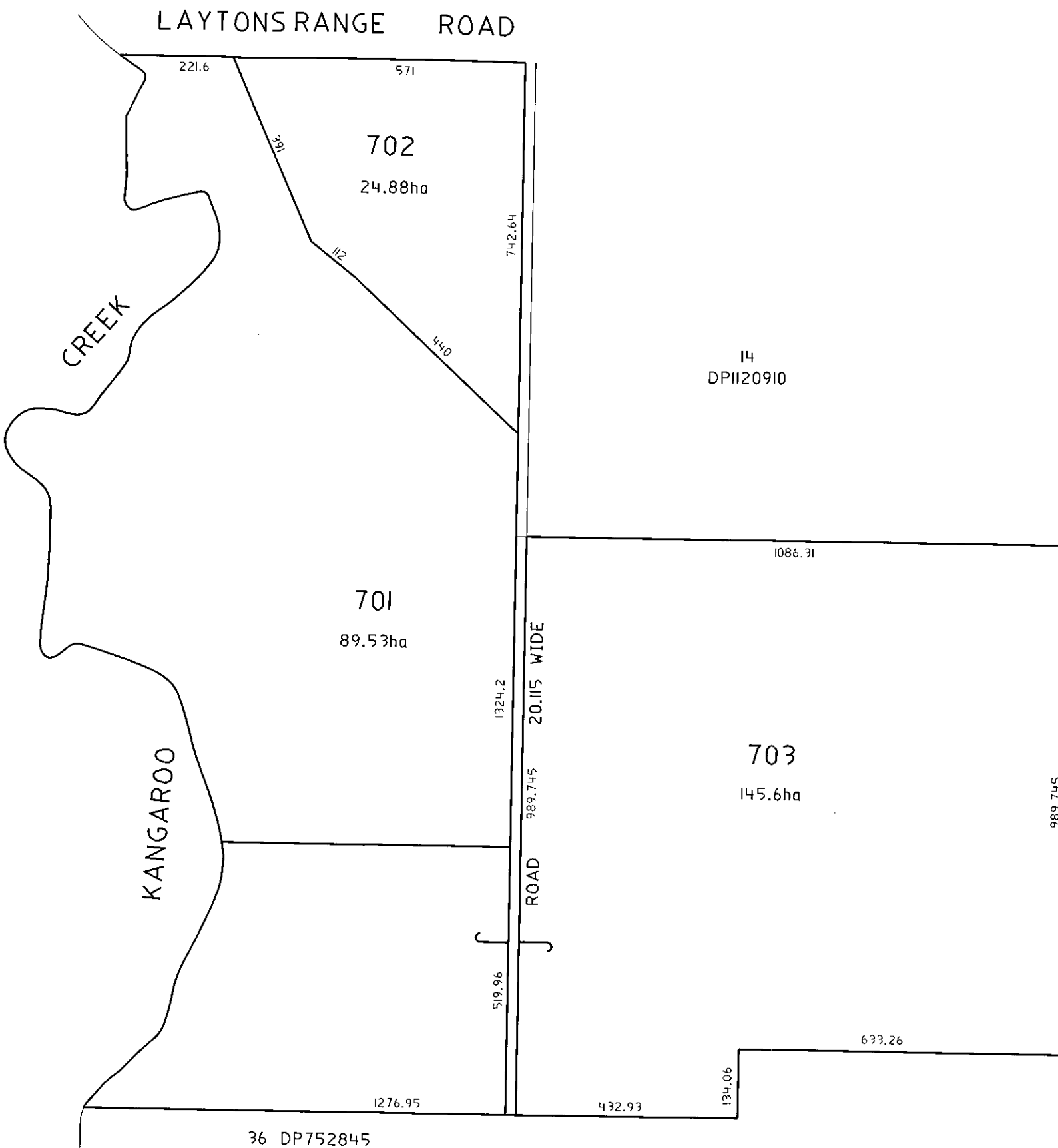
1278 LAYTONS RANGE ROAD, KANGAROO CREEK

CLIENT: P. & K. GEORGE

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DATE: 28/06/19	Sheet No. / Sheets
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EXISTING	KEY OF COMMON SERVICES	DESIGN
(O/N) OVERHEAD POWER POLE	ELECTRICITY	—●—
ELEVATED JOINT	TELSTRA	—T—
JUNCTION	SEWER	—S—
HYDRANT WATER METER	WATER	—W—
PIT	DRAINAGE	—D—
STOP VALVE	INTERALLOTMENT DRAINAGE	—ID—

REVISIONS	Rev.	Date	Drn.	Chk.	Description
A	29.5.19	BF	AF		FIRST ISSUE

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PLAN OF BOUNDARY ADJUSTMENT & CONSOLIDATION OF LOTS 7, 10 & 32 DP752845 & LOT 1 DP113804  
 1278 LAYTONS RANGE ROAD, KANGAROO CREEK  
 CLIENT: P. & K. GEORGE

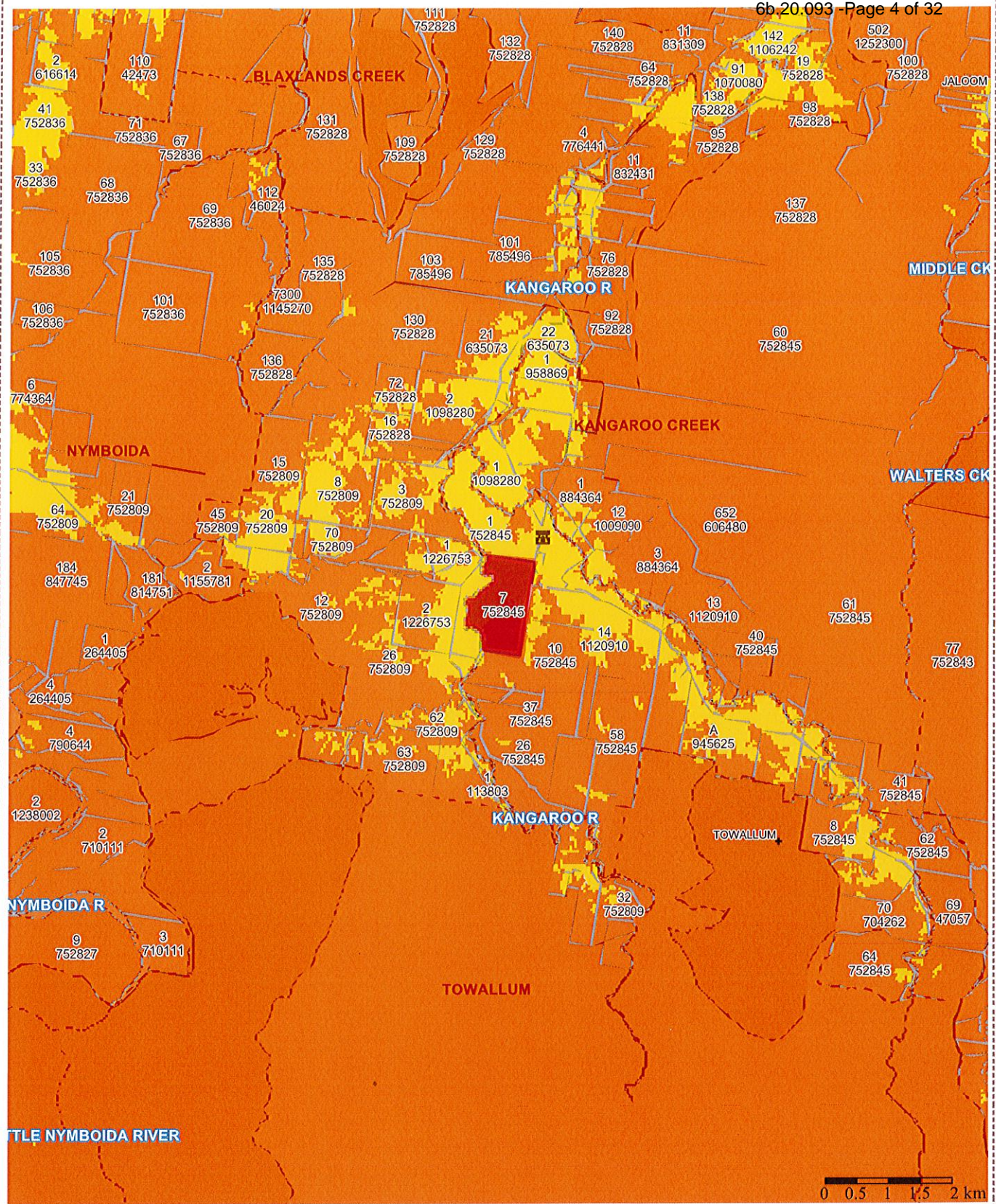
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 Revision: A

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Locked Bag 23 GRAFTON NSW 2640 t 02 6643 0200 w www.clarence.nsw.gov.au



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Projection: GDA94 / MGA zone 56

Date: 1/06/2019 12:05 PM

Map Scale: 1:83458 at A4

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 Sydney 2000 Sydney 2001 **DX** 521 Sydney **ABN** 77 357 538 421



PIKES & VEREKERS  
LAWYERS

22 July 2020

Mr and Mrs George  
 c/- Rob Donges  
 A. Fletcher & Associates Pty Ltd  
 PO Box 1213  
 GRAFTON NSW 2460

**BY EMAIL rdongesyamba@icloud.com**

Dear Mr and Mrs George

**DEVELOPMENT APPLICATION SUB2019/0033**  
**BOUNDARY ADJUSTMENT AND CONSOLIDATION OF LOTS**  
**900-1278 LAYTONS RANGE ROAD, KANGAROO CREEK NSW**  
**Our ref RMC:SQ:200444**

We have been asked to provide an opinion on the scope of clause 4.1B *Clarence Valley Local Environmental Plan 2011* (CVLEP) and the application of that clause to the abovementioned development application.

#### **Clause 4.1B**

Clause 4.1 CVLEP prescribes minimum lots sizes by reference to a Lot Size Map. In relation to the land which is the subject of the development application, the Lot Size Map prescribes a minimum lot size of 100 hectares.

Clause 4.1B permits an exception to the provisions of clause 4.1 in certain circumstances and in relation to certain zones.

Clause 4.1B provides:

- 4.1B. *Boundary adjustments between lots in certain rural, residential and environmental protection zones.*
- (1) *The objective of this clause is to permit boundary adjustments between 2 or more lots where one or more of those lots is less than the minimum lot size shown on the Lot Size Map in relation to that land.*
  - (2) *This clause applies to land in the following zones—*
    - (a) *Zone RU1 Primary Production,*
    - (b) *Zone RU2 Rural Landscape,*
    - (c) *Zone R5 Large Lot Residential,*
    - (d) *Zone E2 Environmental Conservation,*



- (e) *Zone E3 Environmental Management.*
- (3) *Despite clause 4.1, development consent may be granted for the subdivision of land to which this clause applies by way of an adjustment of boundaries between adjoining lots where the size of at least one of the adjoining lots is less than the minimum lot size shown on the Lot Size Map in relation to the land if the consent authority is satisfied that the subdivision will not result in—*
- (a) *an increase in the number of lots, or*
- (b) *an increase in the number of lots that have an area that is less than the minimum size shown on the Lot Size Map in relation to that land, or*
- (c) *an increase in the number of dwellings or opportunities for dwellings on each lot.*
- (4) *In determining whether to grant development consent for the subdivision of land under this clause, the consent authority must consider the following—*
- (a) *if the land is in a rural zone—whether or not the subdivision is likely to have an adverse impact on the agricultural viability of the land,*
- (b) *whether or not the subdivision is likely to increase the potential for land use conflict,*
- (c) *whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,*
- (d) *whether or not the subdivision is likely to have an adverse impact on the environmental values of the land.*

### **Interpretation of Environmental Planning Instruments**

The general principles relating to the interpretation of legislation are equally applicable to the interpretation of environmental planning instruments like CVLEP. As Preston CJ said in *DM & Longbow Pty Ltd v Willoughby City Council* (2017) 228 LGERA 342 at [19]:

*“The general principles relating to the interpretation of statutes are equally applicable to the interpretation of delegated legislation: Collector of Customs v Agfa-Gevaert (1996) 186 CLR 389. The basic principles of statutory construction “require that the language be read in context and having regard to the objective which it was designed to promote”, however, “the primary focus must remain upon the text”: 4Nature Ink v Centennial Springvale Pty Ltd at [51] and see Cranbrook School v Woollahra Municipal Council at [36].”*

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The context of environmental planning provisions includes the legislative history and extrinsic material but they must not displace the meaning of the statutory text. It is wrong to approach the question of construction by confining attention to the legislative purpose and disregarding the text: *Commissioner of Taxation v Consolidated Media Holdings Limited* (2012) 250 CLR 503 at [39]; *Valuer-General v Fibex Pty Ltd* (2015) 206 LGERA 450 at [26].

### **The development application and the application of clause 4.1B**

The land the subject of the development application is zoned RU1 Primary Production. Accordingly, clause 4.1B applies: CVLEP 4.1B(2)(a).

Clause 4.1B permits a boundary adjustment between two or more lots where one or more of those lots is less than the minimum lot size shown on the Lot Size Map.

The development application proposes:

- the consolidation of Lot 10 DP 752845 (129.5ha) and Lot 32 DP 752845 (16.19ha) to create proposed Lot 703 (145.6ha);
- a boundary adjustment between Lot 1 DP 113804 (1.1ha) and Lot 7 DP 752845 (113.3ha) to create proposed Lots 701 (89.53ha) and 702 (24.88ha).

The consolidation of lots does not require development consent, however, it is proposed as part of this development application.

The boundary adjustment between Lot 7 and Lot 1 would not infringe the provisions of clause 4.1B. Looking to the operative words in clause 4.1B(3), the proposed development would constitute an adjustment of boundaries between adjoining lots where the size of at least one of the adjoining lots is less than the minimum lot size, namely, Lot 1.

The consent authority would be satisfied that the subdivision would not result in –

- (a) an increase in the number of lots – the number of lots would be reduced from four to three;
- (b) an increase in the number of lots that have an area that is less than the minimum size shown on the Lot Size Map in relation to that land – there are currently two lots which are under the minimum lot size, Lots 1 and 32. Under the proposed development there would be two lots under the minimum lot size, Lots 701 and 702, so there would be no increase in the number of lots which under the minimum lot size;
- (c) an increase in the number of dwellings or opportunities for dwellings on each lot – the subject land currently has a dwelling on Lot 7 and the opportunity for a dwelling on Lot 10. Under the proposed development, there would be a dwelling on Lot 702 and the opportunity for a dwelling on Lot 703. There

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would be no increase in the number of dwellings or opportunities for dwellings on each lot.

The Council would, of course, be obliged to consider the environmental consequences of the proposed development under clause 4.1B(4).

The proposed development also complies with the objective of clause 4.1B which is found in clause 4.1B(1). That objective is to permit boundary adjustments between two or more lots where one or more of those lots is less than the minimum lot size. The proposed development involves a boundary adjustment between Lot 1 and Lot 7 and Lot 1 is less than the minimum lot size. Accordingly the proposed development is consistent with the objective of clause 4.1B.

### **Officer Recommendation**

The report to the Environment, Planning and Community Committee of 17 March 2020 in respect of the development application contain the following recommendation:

That Council refuse Development Application SUB2019/0033 on the following grounds:

- a. Council does not have the necessary delegations under Clause 4.6 of the *Clarence Valley Local Environmental Plan 2011* to vary the minimum lot size by greater than 10%;
- b. The proposed development does not comply with Clause 4.1B of the *Clarence Valley Local Environmental Plan 2011*;
- c. The proposed development is inconsistent with the intent of Clause 4.1B; and
- d. The proposed development is inconsistent with the objectives of the RU1 Primary Production zone.

The suggested ground for refusal in paragraph a. is misconceived. The development application is not made pursuant to clause 4.1 of CVLEP but pursuant to clause 4.1B which provides an exception to clause 4.1. As the development complies with clause 4.1B there is no request made to vary those provisions pursuant to clause 4.6 of CVLEP.

For the reasons set out above, the proposed development does comply with clause 4.1B. Accordingly, the ground for refusal in paragraph b. is incorrect.

The ground for refusal in paragraph c. refers to the "intent" of clause 4.1B. Clause 4.1B has an express objective with which the proposed development applies, as explained above. It is evident from the body of the report of 17 March 2020 that the author considers clause 4.1B to have a different intent to that expressed in its

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objective, namely, to prevent the creation of an undersized lot on which a dwelling already exists.

There is nothing in clause 4.1B which prohibits the creation of an undersized lot on which a dwelling already exists. The material in support of the planning proposal to create clause 4.1B does not make reference to such an intention. The principles for the interpretation of environmental planning instruments require an examination of the text of the provisions being examined. It is not permissible to substitute for that text an intention which is not described within the provision itself.

The ground for refusal in paragraph d. refers to the objectives of the RU1 Primary Production Zone. Those objectives are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To prevent dispersed rural settlement.
- To ensure that development does not unreasonably increase the demand for public services or public facilities.
- To ensure development is not adversely impacted by environmental hazards.

Clause 2.3 CVLEP requires a consent authority to have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. It is not necessary that a proposed development be consistent with every objective of a zone.

The report of 17 March 2020 refers to the fragmentation of agricultural land. It is an objective of the RU1 zone to minimise the fragmentation and alienation of resource lands. The land the subject of the development application is currently fragmented into four lots, two of which are less than the minimum lot size. The proposed development will reduce the degree of fragmentation to create three lots, two of which would remain as below the minimum lot size. The effect of the proposed development would be to decrease the fragmentation of agricultural land and, accordingly, it would be consistent with the objective to minimise the fragmentation of resource lands.

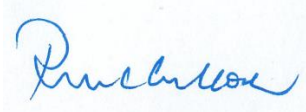
## **Conclusion**

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The proposed development is permissible under clause 4.1B CVLEP. The Council should proceed to assess the development application on that basis and consider the matters specified in clause 4.1B(4) in so doing.

We so advise.

Yours faithfully



Roslyn McCulloch  
Partner  
Accredited Specialist Local Government and Planning Law



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**Your Ref:** SUB2019/0033  
**Attention:** Terry Dwyer

The General Manager  
 Clarence Valley Council  
 Locked Bag 23  
 GRAFTON NSW 2460

11 November 2020

Dear Sir,

**Re: Advice concerning boundary adjustment issues**  
**Ppty: 900-1278 Laytons Range Road, Kangaroo Park**

We refer to the above matter and to Council's instructions.

We confirm that we are instructed to advise Council with respect to three (3) matters which we will detail separately below.

### Background

Clause 4.1B of Clarence Valley Local Environmental Plan 2011 ("CVLEP 2011") was inserted as an amendment to CVLEP 2011 on 10 February 2017.

Clause 4.1B, in context, is located in Part 4 of CVLEP 2011 being that part of the planning instrument that details principal development standards. It is entitled "*Boundary adjustments between lots in certain rural, residential and environment protection zones*" and is included with other exceptions to the minimum lot size subdivision of land in Part 4 and in this regard relevantly provides:

*"4.1B Boundary adjustments between lots in certain rural, residential and environment protection zones*

- (1) *The objective of this clause is to permit boundary adjustments between 2 or more lots where one or more of those lots is less than the minimum lot size shown on the Lot Size Map in relation to that land.*
- (2) *This clause applies to land in the following zones—*
  - (a) *Zone RU1 Primary Production,*
  - (b) *Zone RU2 Rural Landscape,*

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- (c) *Zone R5 Large Lot Residential,*
  - (d) *Zone E2 Environmental Conservation,*
  - (e) *Zone E3 Environmental Management.*
- (3) *Despite clause 4.1, development consent may be granted for the subdivision of land to which this clause applies by way of an adjustment of boundaries between adjoining lots where the size of at least one of the adjoining lots is less than the minimum lot size shown on the Lot Size Map in relation to the land if the consent authority is satisfied that the subdivision will not result in—*
- (a) *an increase in the number of lots, or*
  - (b) *an increase in the number of lots that have an area that is less than the minimum size shown on the Lot Size Map in relation to that land, or*
  - (c) *an increase in the number of dwellings or opportunities for dwellings on each lot.*
- (4) *In determining whether to grant development consent for the subdivision of land under this clause, the consent authority must consider the following—*
- (a) *if the land is in a rural zone—whether or not the subdivision is likely to have an adverse impact on the agricultural viability of the land,*
  - (b) *whether or not the subdivision is likely to increase the potential for land use conflict,*
  - (c) *whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,*
  - (d) *whether or not the subdivision is likely to have an adverse impact on the environmental values of the land.”*

Of recent times Council has received a number of development applications relying upon clause 4.1B of CVLEP 2011 which are yet to be determined. In particular we understand that Council is yet to determine applications DMU2020/0020 and SUB2019/0033.

Although not yet determined it is understood that these applications have been the subject of “DMU meetings” wherein certain concerns with respect to the applications were raised. It is as a consequence of these meetings that a notice of motion was put forward to an ordinary meeting of the Council on 26 May 2020 when Council resolved to do all things necessary to cause clause 4.1B(3) of

CVLEP 2011 to be amended by deleting the word “*adjoining*” and to make other necessary amendments to CVLEP 2011 to ensure no conflict is caused with clause 4.1B(3) of CVLEP 2001 after the amendment is made.

For the purpose of giving effect to this resolution a Planning Proposal was submitted in June 2020 to the Minister for Planning seeking gateway determination.

Council has been in consultation since with the NSW Department of Planning, Industry and Environment (“**DPIE**”) and a request for further detail was made by DPIE which has not yet been answered in full.

In the meantime however Council is continuing with the assessment of DMU2020/0020 and SUB2019/0033.

We are instructed that DMU2020/0020 relates to an application seeking development consent for a boundary adjustment concerning land at Whitbys Lane and Goodwood Island Road. The land is land upon which sugarcane is grown and the proposal would not create an additional dwelling entitlement. We have not been provided with any other details concerning this application.

SUB2019/0033 concerns an application seeking development consent for a boundary adjustment with respect to land identified as Lot 7 in DP 752845 and Lot 1 in DP 113804 at Laytons Range Road, Kangaroo Creek. The application also relates to a consolidation of Lots 32 and 10 in DP 752845.

With respect to the proposed boundary adjustment Lot 7 is presently 113.3ha in size and Lot 1 is presently 1.1ha. Lot 7 contains a dwelling house.

The proposed boundary adjustment would result in creation of lots known as Lot 701 and Lot 702. Lot 702 would continue to retain the dwelling house and would be of a size of 24.88ha. The newly created Lot 701 would be 89.53ha in size.

It is understood that it is presently the view of the assessing officer at Council that development consent should not be granted with respect to SUB2019/0033 as it fails to comply with clauses 4.1B(3)(c) and possibly clause 4.1B(3)(b).

Through corresponding with DPIE in relation to the planning proposal certain other matters have also been brought to Council’s attention concerning what might constitute “*adjoining land*” and a boundary adjustment.

It is in these circumstances that we are asked to advise.

## Advice

1. Council's ability to use clause 4.1B of the *Clarence Valley Local Environmental Plan 2011* ("CVLEP 2011") where the lots the subject of an application for boundary adjustment are not immediately adjoining or abutting each other

In our view, when read in context, in order for there to be a boundary adjustment in accordance with clause 4.1B of CVLEP 2011 it is necessary for the lots the subject of the adjustment of boundaries to be immediately adjoining or abutting each other.

In considering the application of clause 4.1B of CVLEP 2011 Council has placed some focus on the meaning of the word "*adjoining*" as used in clause 4.1B(3). In so doing DPIE has brought to Council's attention a number of cases that consider the meaning of the word "*adjoins*" or "*adjoining*".

There is no definition for these words provided in CVLEP 2011 or the *Environmental Planning and Assessment Act 1979* ("EPA Act").

Council has been directed to the case of *Hornsby Shire Council v Malcolm (1986) 60LGRA* wherein the President of the NSW Court of Appeal considered the meaning of the word "*adjoins*" in the context of clause 11 of *State Environmental Planning Policy No 5* ("SEPP"). Clause 11(2)(a) of the SEPP permitted development for the purpose of housing for aged or disabled persons on land if "*the land is within or adjoins land zoned for urban uses*".

In this case Kirby P noted that "*The word 'adjoins' normally means to abut on, to be in contact with or to lie or be next to: see Macquarie Dictionary*". His Honour however also noted that "*Nor was it contested that the word 'adjoins', in its various forms could mean either physical contiguity or close physical proximity, depending upon the context*".

In this case the subject land was separated from land zoned for urban uses by a road and roadside reserve. His Honour found "*In the present case there was no separate development between land undoubtedly zoned for urban use and the proposed development. But even if there were no strict abutment, because of the lack of physical contiguity, there is still a sufficient proximity to bring the proposed development within the word 'adjoins' in the context of cl 11(2)(a)*".

This case was applied by the Land and Environment Court in the cases of *ACN 115 840 509 Pty Limited v Kiama Municipal Council [2006] NSWLEC 151* and *Wirrabara Village Pty Limited v The Hills Shire Council [2018] NSWLEC 1187* where the Court was satisfied that in the context of the *State Environmental Planning Policy (Seniors Living) 2004* the meaning of "*adjoins*" could be sufficiently wide enough to incorporate the subject land being "*near to*", "*neighbouring on*" or "*in sufficient proximity to*" land zoned for urban purposes.

Kirby P however was careful to note that the meaning of the word is very much “*depending upon the context*” and “*it is therefore necessary to turn to the context in which the word appears.....*”.

The fact that great care needs to be taken in transposing the meaning of the word “*adjoining*” or “*adjoins*” in the context of different statutes was noted by Chief Justice Preston of the Land and Environment Court in the case of ***Dive v Lin and Liu [2017] NSWLEC 153*** in a case concerning the *Trees (Disputes Between Neighbours) Act 2006* when he noted:

“16. The word “*adjoining*” can mean “*physical contiguity*” (such as *abutment*) but can also extend to “*close physical proximity*”, depending on the context in which it is used: see *Hornsby Shire Council v Malcolm (1986) 60 LGRA 429 at 433*. Words are chameleons that take colour from their context. Different statutes use the word “*adjoining*” for different purposes. Care must be taken, therefore, in transposing the meaning of “*adjoining*” or “*adjoins*” in different statutes to the phrase “*adjoining land*” in the *Trees Act*.”

The word “*adjoining*” is used in clause 4.1B of CVLEP 2011 in the context of being used with respect to “*boundary adjustments*” or “*adjustment of boundaries*”. Furthermore clause 4.1B(3) advises that the adjustment of boundaries is to occur “*between*” adjoining lots.

DPIE referred Council to the case of ***Johnson v Coffs Harbour City Council [2018] NSWLEC 1094***. In this case Commissioner Gray helpfully summarised the cases that set out the relevant principles on the question of whether an application constitutes an application for boundary adjustment or adjustment of boundaries when she stated:

“25 In *Ousley Pty Ltd v Warringah Shire Council*, Talbot J considered a subdivision under the now repealed provisions of *State Environmental Planning Policy 4 – Development Without Consent and Miscellaneous Exempt and Complying Development (SEPP 4)*. Clause 6(b) of SEPP 4 permitted subdivision for the adjustment to a boundary between allotments, and provided that subdivision may be carried out without consent where it was “*for the purpose of making an adjustment to a boundary between allotments, being an adjustment that does not involve the creation of any additional allotment*”.

26 In approaching the question as to whether the proposal constituted an adjustment to a boundary, Talbot J referred to the objectives and purposes of SEPP 4 and reached the conclusion at [16] that “*the reference to “an adjustment to a boundary”... must be construed as being a re-arrangement of a boundary so that no significant changes are made to the configuration of any existing allotments.*” In particular, at [21], Talbot found that there is a “*real element of degree*”, and that:



*"The extent of any changes must pay respect to the existing subdivision design and fit the prescription of an adjustment to a boundary between allotments **so that the resulting parcels of land bear some resemblance to the lots which existed before the subdivision.**" [emphasis added]*

- 27 *In McCabe & Others v Blue Mountains City Council, Jagot J considered the ordinary meaning of the phrase "boundary adjustment" and found as follows:*

*"I do not accept that the "ordinary and grammatical meaning" of the phrase "...for a boundary adjustment" embraces any and all alterations of a boundary that make land suitable for an applicant's requirements. I consider that the primary meaning conveyed by the clause, construed in its immediate and more general context, accords with the notion of **an alteration of a boundary by correction or regularisation, whether that correction or regularisation is to reflect actual conditions (such as physical features of the land or its zoning) or to achieve some other requirement or objective (for example, to render the use of land feasible or more practical).** Hence, consistent with the observation of Cripps J in *Boast v Eurobodalla Shire Council*, unreported, NSWLEC, 20110/91, 22 November 1991 at pp 2 – 3, questions of fact and degree are involved." [emphasis added]*

- 28 *Jagot J also agreed with the principle espoused by Talbot J that the resulting parcels of land "should bear some resemblance to the lots which existed before the subdivision" (Talbot J, as cited by Jagot J in *McCabe & Others v Blue Mountains City Council* at [57]).*

- 29 *Jagot J also considered the purpose of allowing boundary adjustments as an exception to a prohibition on certain subdivisions, and stated:*

*"I infer that the purpose of the provisions is to prohibit subdivision of such land other than in the limited circumstances identified so as not to enlarge, materially or significantly, the overall development potential of such land. Construing cl 34.4(c)(i) so as to permit subdivision by way of any and all alterations of a boundary (whether or not the resulting lots bear any resemblance to the existing lots) provided that no additional lots are created, does not accord well with that purpose."*

- 30 *These principles were applied by Commissioner Tuor in *Barnes v Dungog Shire Council* [2012] NSWLEC 1021, in which the Commissioner found on the facts of the case that (at [74]):*

*"The subdivision is not for the purpose of a 'boundary adjustment' but the proposed development may accurately be described as the consolidation of Lot 182 DP*

*1156558 and Lot 4 DP 1033689 , and the subsequent subdivision of the consolidated lot into 2 lots. The purpose of the subdivision appears to be to create a small concessional type allotment so as to enable the erection of an additional dwelling on proposed Lot 40 in the future."*

In this case Commissioner Gray noted that the context of the boundary adjustment clause that was being applied was that *"it sits within a part of the planning instrument that deals with principal development standards, and is grouped with a series of exceptions to the minimum lot size for subdivision of land set out in cl 4.1"*. This is in similar circumstances to the facts at hand concerning Council.

It was in that context and having regard to the cases summarised above that Commissioner Gray accepted that the ordinary meaning of *"adjustment' connotes something that is slight or marginal"*. The Commissioner noted that *"The question of whether a particular factual scenario fits within the meaning of 'adjusting' depends on the degree of alteration that is sought in the context of the site as a whole"*. The Commissioner concluded that *"In considering and applying the ordinary meaning of subdivision 'by adjusting the boundary', I am of the view that this considers a notion of alteration of the boundary to reflect physical features or intended uses, but does not encompass any and all alterations. ....it does not encompass any and all alterations of a boundary, and the resulting parcels of land should bear some resemblance to the lots which existed prior to the boundary adjustment"*.

It is also relevant to note that the boundary adjustment or adjustment of boundaries authorised by clause 4.1B(3) of CVLEP 2011 is *"between adjoining lots"* (our emphasis added).

The word *"between"* is defined in the Macquarie Dictionary to mean *"in the space separating (2 or more points, objects, etc)"* or *"connecting: a link between parts"*.

In the circumstances, when read in the context of a clause authorising a boundary adjustment or adjustment of boundaries it seems to us to be strongly arguable that the reference to *"adjoining"* lots in clause 4.1B(3) is intended to mean physical contiguity such as abutment.

This is because the boundary that is to be adjusted in no more than a slight, marginal or minor way so as to ensure that no significant changes are made to the configuration of any existing allotments, is between the adjoining lots. That is the boundary is in the space separating the two (2) lots or is connecting the two (2) lots.

In the context of a boundary adjustment it is difficult to foresee a factual circumstance where the boundary to be adjusted is not physically contiguous to each lot.

In our view therefore in order to utilise clause 4.1B(3) for the purpose of a boundary adjustment or adjustment of boundaries it is necessary for the lots the subject of the application to be immediately adjoining or abutting each other.

2. Whether Council is restricted in the use of clause 4.1B of CVLEP 2011 where the lots the subject of the application for boundary adjustment are required to be reduced to a size below the minimum lot size. Furthermore whether a proposal for the consolidation of two (2) lots effects an application for boundary adjustment in the circumstances

It is understood that this question has been posed having regard to the facts relating to development application SUB2019/0033. In this regard it is understood that the minimum size on the Lot Size Map of CVLEP 2011 for the RU1 Primary Production zone is 100ha.

The lots the subject of the application for boundary adjustment pursuant to clause 4.1B(3) of CVLEP 2011 are Lot 7 and Lot 1. Lot 7 is 113.3ha in size and Lot 1 is 1.1ha in size. Accordingly Lot 1 is already below the minimum lot size shown on the Lot Size Map for the RU1 primary production zone.

The proposed boundary adjustment being the boundary between Lot 1 and Lot 7 would create two (2) lots known as Lot 701 and Lot 702. Lot 701 is proposed to be 89.53ha in size and Lot 702 is proposed to be 24.88ha in size. Accordingly both lots would be less than the minimum size on the Lot Size Map of CVLEP 2011 for RU1 Primary Production zoned land.

Clause 4.1B(3)(b) confirms that consent for the subdivision of land by an adjustment of boundaries may be granted only if it will not result in *“an increase in the number of lots that have area that is less than the minimum size shown on the Lot Size Map in relation to that land, .....”*.

Accordingly Council is restricted in the circumstances in its use of clause 4.1B of CVLEP 2011 where the boundary adjustment requires the reduction of a lot to a size below the minimum lot size. In so doing it increases the number of lots that have an area that is less than the minimum size shown on the Lot Size Map in relation to the land so that development consent for the subdivision of land by an adjustment of boundaries must not be granted pursuant to clause 4.1B(3)(b) of CVLEP 2011.

It is noted that the plan accompanying the application for a boundary adjustment shows a proposal to consolidate two (2) adjoining lots. That is the consolidation of Lot 32 and Lot 10 to create one (1) lot identified as Lot 703 which is 145.6 hectares in size.

The proposed consolidation does not relate to lots the subject of the proposal for a boundary adjustment.

The definition of subdivision of land in section 6.2 of the EPA Act expressly excludes the procuring of the registration in the office of the Registrar General of a plan of consolidation within the meaning of section 195 of the *Conveyancing Act 1919*.

Section 195 of the *Conveyancing Act 1919* defines a plan of consolidation to mean “a plan that shows the consolidation of 2 or more existing lots into a single lot, where there is no simultaneous redivision of them into 2 or more new lots.....”. The registration of a plan of consolidation pursuant to the *Conveyancing Act 1919* can take place separately and independently of a boundary adjustment for which development consent is required. In the circumstances of this matter the proposed consolidation is of two (2) lots that are not the subject of a proposal for boundary adjustment and in our view the proposal for the consolidation of two (2) lots has no effect on an application to Council seeking development consent for the adjustment of boundaries between adjoining lots pursuant to clause 4.1B of CVLEP 2011.

3. Whether, on facts provided to us, a proposed boundary adjustment pursuant to clause 4.1B of CVLEP 2011 involves “adjoining lots”. Furthermore what constitutes “more than a minor change in the area of any lot” for the purpose of the subdivision of land by a realignment of boundaries pursuant to clause 2.75 of Subdivision 38 of Division 1 of Part 2 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

It is understood that once more this question is posed having regard to the facts concerning development application SUB2019/0033.

Noting that the application for the boundary adjustment pursuant to clause 4.1B of CVLEP 2011 relates to an adjustment of the boundary between Lot 1 and Lot 7 it seems to us that the proposed boundary adjustment does involve “adjoining lots” in that the boundary of Lot 1 and Lot 7 is physically contiguous. That is the northern most boundary of Lot 1 is the southern most boundary of Lot 7 so that the lots abut each other.

However, having regard to the principles as detailed earlier in part 1 of this advice concerning the case of *Johnson v Coffs Harbour City Council* it is our view that what is proposed is not a boundary adjustment or adjustment of boundaries pursuant to clause 4.1B of CVLEP 2011.

The change to the boundary that is sought and the size of the increase to Lot 701 is so significant that in our view it could not be considered to be an adjustment.

What is proposed is more than the alteration of a boundary by correction or regularisation which is more than slight, marginal or minor and results in parcels of land which bear no resemblance to the lots which existed before the proposed subdivision by way of boundary adjustment.

Subdivision 38 of Division 1 of Part 2 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (“**Codes SEPP**”) concerns “*Subdivision*”. Part 2 contains exempt development codes and with respect to Subdivision 38 clause 2.75 relevantly provides:

“2.75 *Specified development*

*The subdivision of land, for the purpose only of any one or more of the following, is development specified for this code—*

- (a) *widening a public road,*
- (b) *a realignment of boundaries—*
  - (i) *that is not carried out in relation to land on which a heritage item or draft heritage item is situated, and*
  - (ii) *that will not create additional lots or increase the number of lots with a dwelling entitlement or increase the opportunity for additional dwellings, and*
  - (iii) *that will not result in any lot that is smaller than the minimum size specified in an environmental planning instrument in relation to the land concerned (other than a lot that was already smaller than that minimum size), and*
  - (iv) *that will not adversely affect the provision of existing services on a lot, and*
  - (v) *that will not result in any increased fire risk to existing buildings, and*
  - (vi) *if located in Zone RU1, RU2, RU3, RU4, RU6, E1, E2, E3 or E4—that will not result in more than a minor change in the area of any lot, and*
  - (vii) *if located in any other zone—that will not result in a change in the area of any lot by more than 10%,*
- (c) *(Repealed)*
- (d) *rectifying an encroachment on a lot,*
- (e) *creating a public reserve,*
- (f) *excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.”*

Clause 2.75(b)(vi) provides that the subdivision of land by way of a realignment of boundaries within certain zones will be exempt development as long as it will “*not result in more than a minor change in the area of any lot*”.

No definition is provided for within the Codes SEPP or the EPA Act for “*minor*” or what might constitute more than a minor change.



There seems to have been no judicial consideration of the meaning of the expression “*more than a minor change*” as contained in clause 2.75(b)(vi).

It seems to us that guidance can be gained from the ordinary meaning of the word “*minor*” in the context of the clause being with respect to the realignment of boundaries. In this regard it seems to us that the same principles as apply to a boundary adjustment or adjustment of boundaries would similarly apply to the realignment of boundaries.

The Macquarie Dictionary defines “*minor*” to mean “*lesser, as in size, extent or importance*”. The word “*lesser*” is defined to mean “*less; smaller as in size, amount, importance etc*”.

Having regard to these definitions and the context within which the word is used being with respect to a realignment of boundaries it seems to us that the expression “*more than a minor change in the area of any lot*” would be intended to mean not more than a smaller, slight or marginal change in the area of any lot in circumstances where no significant changes are made to the configuration of existing allotments so that the resulting parcels of land bear some resemblance to the lots that existed before the subdivision.

What is smaller, slight or marginal is a question of fact and degree. It is not something that is capable of a standard quantification (such as that provided for in clause 2.75(b)(vii)) however it will depend on the facts as they relate to the particular lot. Relevant factors may include the previous size of the lot and its size in comparison with other lots within the subdivision and surrounding land.

Finally we note that Council is concerned that it may be bound by a precedent with respect to earlier assessments and decisions of the Council made concerning applications under clause 4.1B of CVLEP 2011.

Council is not legally bound to follow earlier decisions made by it if they are wrong based upon an incorrect interpretation of the clause.

As was stated by Commissioner Gray in the *Johnson v Coffs Harbour City Council* case:

“48. *That the Council has previously taken a more broad interpretation of what constitutes an “adjusting” of the boundary is, unfortunately, not relevant to my determination. The interpretation of whether a proposal is a subdivision “by adjusting the boundary between adjoining lots” does not give rise to the exercise of discretion. It is instead a question of how the law applies to the facts of the proposal. It is only if the proposal meets the criteria of being a subdivision “by adjusting the boundary between adjoining lots” that the question of discretion arises, as it is only then that the proposal becomes permissible with consent.....”.*

**Re: Advice concerning boundary adjustment subdivision issues**  
**Ppty: 900-1278 Laytons Range Road, Kangaroo Park**

**11 November 2020**

We trust that the above advice is of assistance and should you have any further questions concerning the same then please do not hesitate to contact the writer.

Yours faithfully

**MARSDENS LAW GROUP**

A handwritten signature in blue ink, appearing to read 'David Baird', with a small dot to the right.

**DAVID BAIRD**  
**Partner**

*Due to the fast evolving situation with Covid-19 and the challenges this has created we have implemented processes to ensure uninterrupted service delivery during these times. In order to ensure our ability to action all matters promptly our office requests that all correspondence and documents be sent to our office electronically if possible.*



Figure 1: Current configuration of the lots

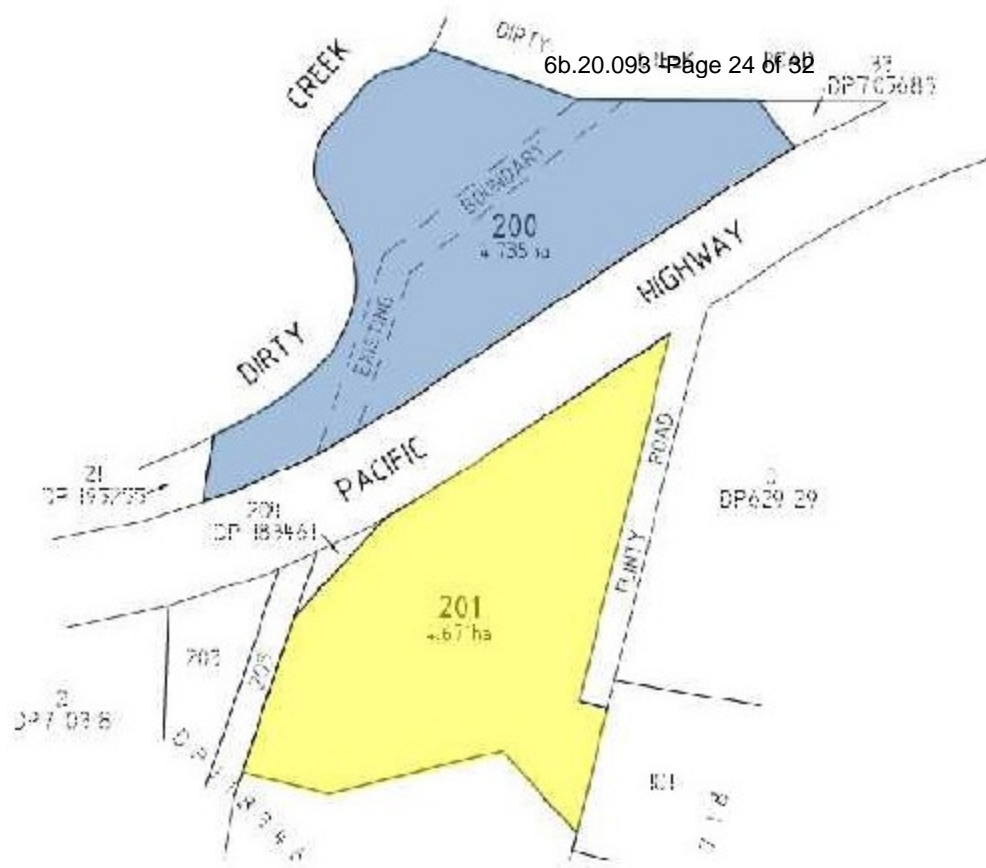


Figure 2: Proposed configuration of the lots

### **SECTION 4.15 EVALUATION FOR SUB2019/0033**

- **Lot 7 DP 752845, Lot 10 DP 752845, Lot 32 DP 752845 and Lot 1 DP 113804**
- **- 900-1278 Laytons Range Road KANGAROO CREEK NSW 2460**

**Proposal:** A boundary adjustment and consolidation to reduce 4 lots to 3 lots at 900-1278 Laytons Range Road, Kangaroo Creek. The current area of the lots is as follows (see Attachment A for plan):

- Lot 7 – 113.3ha (contains the existing house)
- Lot 10 – 129.5ha
- Lot 32 – 16.19ha
- Lot 1 – 1.1ha

The proposed area of the lots is as follows (see Attachment B for proposed plans):

- Lot 701 – 89.53ha
- Lot 702 – 24.88ha (contains existing house)
- Lot 703 – 145.6ha

#### **(1) Matters for consideration – General**

**In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:**

##### **(a) the provisions of:**

##### **(i) any environmental planning instrument, and**

##### **State Environmental Planning Policy 55 - Remediation of Land**

Under the Policy contamination and remediation is required to be considered in determining a development application. A consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

No change of use to either lot is proposed. The land is considered suitable for the proposed boundary adjustment. No further investigation is required as the proposed development is not intensifying the use of the land.

##### **State Environmental Planning Policy (Coastal Management) 2018**

The subject lots are not located within the coastal zone.

##### **Clarence Valley Local Environmental Plan 2011**

The subject lots are zoned RU1 Primary production under the Clarence Valley Local Environmental Plan 2011. Boundary Adjustments are permitted in the zone where the

proposal exceeds the provisions of the Codes SEPP for exempt development, subject to approval from Council. The objectives of the zone are as follows:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To provide land for less intensive agricultural production.
- To prevent dispersed rural settlement.
- To minimise conflict between land uses within the zone and with adjoining zones.
- To ensure that development does not unreasonably increase the demand for public services or public facilities.
- To ensure development is not adversely impacted by environmental hazards.

The proposed development is inconsistent with the objectives of the zone. Although the Applicant is undertaking the proposal to maximise land for the existing agricultural operation on the land, the proposal will result in a small isolated largely cleared lot in an established agricultural area which is contrary to the objectives of the RU1 zone. The smaller lot will fragment agricultural land and could result in increased rural settlement of the locality which may inhibit the feasibility of primary industries in the locality. Furthermore, the creation of the 100ha minimum lot size for new lots is intended to increase the viability of larger scale rural industries whilst limiting the opportunities for dwellings on rural land not in closer proximity to major service centres like Grafton.

Clause 4.1: Minimum Lot Size:

The minimum lot specified for subdivision on the lot size map is 1000ha. The lots are already below the minimum lot size.

Clause 4.1B: Boundary Adjustments Between Lots in Certain Rural, Residential and Environment Protection Zones:

The Applicant has lodged the proposed development under Clause 4.1B of the LEP, Clause 4.1B (3) reads as follows:

- (3) *Despite clause 4.1, development consent may be granted for the subdivision of land to which this clause applies by way of an adjustment of boundaries between adjoining lots where the size of at least one of the adjoining lots is less than the minimum lot size shown on the Lot Size Map in relation to the land if the consent authority is satisfied that the subdivision will not result in—*
- (a) *an increase in the number of lots, or*
  - (b) *an increase in the number of lots that have an area that is less than the minimum size shown on the Lot Size Map in relation to that land, or*
  - (c) *an increase in the number of dwellings or opportunities for dwellings on each lot.*

The intent of the clause is to permit boundary adjustments where one or more allotments involved do not meet the minimum lot size whilst retaining any existing entitlements. In addition, the adjustment should not adversely impact on the ability to achieve the objectives of the relevant zones or create land use conflicts.



Upon assessment of the application Council staff have concluded that the proposal does not demonstrate strict compliance with Clause 4.1B (3) (c). The concern lies with the dwelling house being currently located on a lot that meets the minimum lot size of 100ha and as a result of the proposal, if approved, the dwelling will be located on an undersized lot. Currently there are two oversized lots included in this proposal that have an entitlement (Lots 7 and 10) and two undersized lots without an entitlement (Lots 1 and 32). The Applicant is proposing to undertake a boundary adjustment between Lot 7 (113.3 ha) and Lot 1 (1.13ha) and consolidate Lot 10 (129.5ha) and 32 (16.19ha). The Statement of Environmental Effects clearly states that the sole purpose of the consolidation being included in the proposal is to comply with Clause 4.1B so that there is no overall increase in lots below the minimum lot size. Based on this, the proposal is essentially in two parts, the boundary adjustment and the consolidation.

The Applicant has provided Council with a copy of legal advice obtained. The advice provides an assessment of the grounds presented for refusal under the Officer Recommendation for Item No. 6b.20.015 and concludes that Council has the ability to determine the application as the consent authority. Council staff questioned the part of the advice in which the Applicant is relying on consolidation of 2 adjoining lots to meet the provisions of Clause 4.1B (3) of the *Clarence Valley Local Environmental Plan 2011* (the LEP), which reads as follows:

- (3) Despite clause 4.1, development consent may be granted for the subdivision of land to which this clause applies by way of an adjustment of boundaries between adjoining lots where the size of at least one of the adjoining lots is less than the minimum lot size shown on the Lot Size Map in relation to the land if the consent authority is satisfied that the subdivision will not result in—*
- (a) an increase in the number of lots, or*
  - (b) an increase in the number of lots that have an area that is less than the minimum size shown on the Lot Size Map in relation to that land, or*
  - (c) an increase in the number of dwellings or opportunities for dwellings on each lot.*

Subsequently, Council staff have sought clarification on whether consolidation should be considered as part of the application, bearing in mind that consolidation does not require Council consent. The advice received states that the consolidation is independent of the boundary adjustment and does not relate to the boundary adjustment component of the application. Therefore, as the consolidated lot is not subject to a boundary adjustment the consolidation has no impact on the application. If the consolidation is removed from the application, the proposed boundary adjustment of Lot 7 and Lot 1 does not meet the provisions of Clause 4.1B as the two proposed lots will be under the minimum lot size, currently there is one oversized lot being Lot 7.

Council staff consider the proposal will result in an entitlement being transferred to proposed Lot 702 (a proposed lot that will be below the 100ha minimum lot size) that is proposed to contain the house. Furthermore, the boundary adjustment between Lot 7 and 1 will create two lots under the minimum lot size. Although the location of the dwelling is not changing and number of dwelling entitlements is not being increased, it is considered that the proposal will result in a dwelling opportunity being created on an undersized lot where there was previously no opportunity to build on the undersize lots subject to this proposal. This consequently results in the proposal being inconsistent with the

abovementioned LEP provision as it is seeking approval to give opportunity to a proposed lot that would otherwise not enjoy that opportunity for a dwelling.

In regards to Clause 4.1B, Council is to consider subclause (4) in determining the application, the clause reads as follows:

- (4) *In determining whether to grant development consent for the subdivision of land under this clause, the consent authority must consider the following—*
- (a) *if the land is in a rural zone—whether or not the subdivision is likely to have an adverse impact on the agricultural viability of the land,*
  - (b) *whether or not the subdivision is likely to increase the potential for land use conflict,*
  - (c) *whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,*
  - (d) *whether or not the subdivision is likely to have an adverse impact on the environmental values of the land.*

The proposed development does not comply with a and b above, the smaller lot will fragment agricultural land and could result in increased rural settlement of the locality which may inhibit the feasibility of primary industries in the locality.

Furthermore, Council staff have been informed of a Land and Environment Court case concerning *Johnson v Coffs Harbour City Council [2018] NSWLEC 1094* regarding what is considered a boundary adjustment. The legal advice sought by Council also provides comment on this matter. The definition for a boundary adjustment in a legal sense is considered to be slight, marginal or minor and bear resemblance to the lot layout as they exist before the proposal. In assessing this application against these criteria the boundary adjustment is not be considered to be slight, minor or bear resemblance to the current lot layout, therefore the proposal cannot be considered pursuant to Clause 4.1B of the LEP. Therefore, the application is considered to be a subdivision where the proposal contains a lot that is not within 10% and therefore, concurrence will not be given under Clause 4.6 of the LEP based on recent advice from the Department of Planning. While the argument may be presented that Council has consented to previous applications of similar nature, Council is not bound by a precedence of earlier decisions based on Council's interpretation of the LEP previously.

Clause 5.10: Heritage Conservation:

The subject site is not a heritage item or within a heritage conservation area. A search of the AHIMS database does identify items/ places of Aboriginal significance within proximity to the subject site. There are four sites identified within 200m of the subject land however only 1 is impacted by this proposal, being a scar tree near the boundary of lot 701 and the road reserve. The proposal does not change any boundary near the tree, nor does it propose any works in the vicinity of the site, therefore it is deliberated that the proposal does not impact on the items of significance.

Clause 7.1: Acid Sulfate Soils:

The subject land is does not contain potential Acid Sulfate Soils.

Clause 7.3: Flood Planning:

The land is not within the flood planning area

Clause 7.8: Essential Services:

Each lot is adequately serviced by water, power and telecommunications and has suitable road access to Kangaroo Creek Road (a Council maintained road), there are no changes to services proposed.

- (ii) **any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved), and**

N/A.

- (iii) **any development control plan, and**

The objectives of the Rural Zones are:

- (a) Development which is responsive to site constraints and the surrounding environment.
- (b) Development which is of a high quality and is sensitive to the rural character of the locality in which it is being developed.
- (c) Development that is functional and appropriate for the type of land use activity being provided.
- (d) Development/land uses that provide adequate buffers to residential development to reduce conflicts between rural/agricultural uses and residential amenity

The proposal is considered to inconsistent with the objectives of the rural zones DCP. Although the Applicant is undertaking the proposal to maximise land for the existing agricultural operation on the land, the proposal will result in a small isolated largely cleared lot in an established agricultural area which is contrary to the objectives of the RU1 zone. The smaller lot will fragment agricultural land and could result in increased rural settlement of the locality which may inhibit the feasibility of primary industries in the locality.

Clause	Control	Complies
C.3 Minimum allotment size or a dwelling house	100ha under the LEP	See comments under the LEP.
C.8 Services	Access to water, telecommunications and power and sewage disposal. Frontage to a maintained road	See comments under the LEP. In regards to access for 703 the proposed lot to be consolidated will have an entitlement, and currently does have an entitlement therefore it is not considered that access be extended to this lot being that it may impact the scar tree and can be dealt with at a

		later stage should a dwelling be proposed on the site.
H.3: Erosion and Sediment control	Minimise the potential for soil degradation	No works proposed for this proposal
I.7 Lot Layout	Variety of lot sizes provided and lots	The proposal is consistent with the objectives of this control and does not propose a battle axe shaped lot.
R.2 Objectives of Biodiversity Controls	Protect, maintain and improve native biodiversity	Yes - there is no intended clearing proposed with this boundary adjustment. It is considered that the proposal to amend the boundaries will not have an adverse impact on biodiversity as the land is largely pasture improved or is subject to forestry/plantation timber, therefore a more detailed baseline ecology report is deemed not necessary for this proposal. The proposal will not result in additional boundaries being created that would allow clearing of fence lines as an allowable activity.

- (iii) **any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and**

N/A.

- (iv) **the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,**

The proposed development is not inconsistent with the prescribed matters.

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.**

The proposal will permit the continued use of rural zoned land. No adverse social or environmental impacts will result.

The proposed development is considered to be ecologically sustainable and have limited impact on the built environment. The proposal is not anticipated to have significant impacts on biodiversity, waterways or surrounding lands as there are no building works proposed and the proposal is of a minor nature.

The proposal is not considered to have any significant impact on economic activity or employment generation. The proposed development is not considered to have significant impact on community wellbeing or social cohesion.

**(c) the suitability of the site for the development,**

The proposal is a minor boundary adjustment that does not change the current land uses, however the smaller isolated lot may create potential issues in an established agricultural area. The subject site is not identified as being flood prone or contain potential acid sulfate soils, the proposal is not expected to alter existing ground levels or intensify the existing uses on each lot. The subject land is not suitable for the proposed development as the development will result in land use conflicts as highlighted in other sections of this report.

**(d) any submissions made in accordance with this Act or the regulations,**

In accordance with Part B of the Rural Zones Development Control Plan the application did not require notification or advertising, therefore no submissions or comments were received.

**(e) the public interest.**

The public interest has been considered as part of this application. The proposed development is generally consistent with Council adopted Policies and on balance the development is not inconsistent with the following objectives of the Act:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

**Officer: James Hamilton, Development Planner**  
**Date: 9 December 2020**



**Clarence Valley Council**  
**Planning Proposal -**  
**Amendment Clause 4.1B**  
**Boundary Adjustment**  
**Provisions**  
**June 2020**

<b>Version</b>	<b>Approved by</b>	<b>Date Approved</b>	<b>Brief Description</b>
1.0	Des Schroder	25 June 2020	Version to the Planning Gateway
2.0			

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## 1. PRELIMINARY

### 1.1 Context

This planning proposal constitutes a document referred to in Section 3.33 of the Environmental Planning and Assessment Act 1979. It has been prepared in accordance with the Department of Planning Industry and Environment's "*A guide to preparing planning proposals*" (December 2018). A gateway determination under Section 3.34 of the Act is requested.

### 1.2 Subject Land

This planning proposal applies to land to which clause 4.1B of the Clarence Valley Local Environmental Plan 2011 (CVLEP 2011) applies being land in the following zones:

- (a) Zone RU1 Primary Production,
- (b) Zone RU2 Rural Landscape,
- (c) Zone R5 Large Lot Residential,
- (d) Zone E2 Environmental Conservation,
- (e) Zone E3 Environmental Management.

### 1.3 Current Zoning & Use

The land affected by this planning proposal has the following zoning under the CVLEP 2011;

- (a) Zone RU1 Primary Production,
- (b) Zone RU2 Rural Landscape,
- (c) Zone R5 Large Lot Residential,
- (d) Zone E2 Environmental Conservation,
- (e) Zone E3 Environmental Management.

### 1.4 Background

Council on 26 May 2020 when considering a Notice of Motion resolved to "*do all things necessary to cause:*

1. *Clarence Valley Council LEP 2011 Part 4 to be amended at Clause 4.1B sub-clause (3) by deleting the word 'adjoining' in 2 places shown as follows:*

*(3) Despite clause 4.1, development consent may be granted for the subdivision of land to which this clause applies by way of an adjustment of boundaries between adjoining lots where the size of at least one of the adjoining lots is less than the minimum lot size shown on the Lot Size Map in relation to the land if the consent authority is satisfied that the subdivision will not result in -*

- (a) an increase in the number of lots, or*

- (b) an increase in the number of lots that have an area that is less than the minimum size shown on the Lot Size Map in relation to that land, or*
- (c) an increase in the number of dwellings or opportunities for dwellings on each lot.*

2. *Amendment to any other LEP part or other instrument in such a way to ensure no conflict is caused with sub-clause (3), after amendment, as described above”.*

A copy of the resolution relating to the Notice of Motion and its attachments is at Appendix 5. The Notice of Motion contains letters of support from the Clarence Canegrowers Association and Sunshine Sugar.

## **2. PART 1 - OBJECTIVE OR INTENDED OUTCOME**

The objective/s or intended outcome/s of the planning proposal is permit boundary adjustments to occur between 2 or more lots that are not necessarily adjoining where one or more of those lots is less than the minimum lot size shown on the Lot Size Map in relation to that land.

## **3. PART 2 - EXPLANATION OF PROVISIONS**

The objective/s or intended outcome/s of the Proposal will be achieved by deleting in clause 4.1B (3) of the CVLEP 2011 the reference to the word “adjoining” where it occurs twice.

Note - The amendment to the LEP will not require a map amendment.



#### 4. PART 3 - JUSTIFICATION

##### 4.1 Is the planning proposal a result of any strategic study or report?

No. The planning proposal is a result of a Notice of Motion considered by Council on 26 May 2020.

As mentioned in BACKGROUND above Council resolved to “do all things necessary to cause:

##### 3. Clarence Valley Council LEP 2011 Part 4 to be amended at Clause 4.1B sub-clause (3) by deleting the word 'adjoining' in 2 places shown as follows:

*(3) Despite clause 4.1, development consent may be granted for the subdivision of land to which this clause applies by way of an adjustment of boundaries between adjoining lots where the size of at least one of the adjoining lots is less than the minimum lot size shown on the Lot Size Map in relation to the land if the consent authority is satisfied that the subdivision will not result in -*

*(a) an increase in the number of lots, or*

*(b) an increase in the number of lots that have an area that is less than the minimum size shown on the Lot Size Map in relation to that land, or*

*(c) an increase in the number of dwellings or opportunities for dwellings on each lot.*

*Amendment to any other LEP part or other instrument in such a way to ensure no conflict is caused with sub-clause (3), after amendment, as described above”.*

The minutes of the Council meeting in relation to the Notice of Motion are at Appendix 5. The proposer of the Notice of Motion provides more background for proposing the motion to amend the LEP as described above.

It should be noted that the Richmond Valley LEP 2012 (clause 4.2C) and Ballina LEP 2012 (Clause 4.2B) both have “boundary adjustments” clauses which, whilst not identical, do not specify that the lots the subject of a boundary adjustment have to be adjoining.

##### 4.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The removal of the words “adjoining” where they occur in clause 4.1B (3) of the CVLEP 2011 will achieve the objectives or intended outcomes stated above.

This will also achieve the intention of the Notice of Motion.

## RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

### 4.3 Applicable Regional Plan - Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The *North Coast Regional Plan 2036* (NCRP 2036) released in March 2017 is the applicable regional plan. It is the NSW Government's strategy for guiding land use planning decisions for the North Coast region.

The Regional Plan comprises four goals, 25 directions and 80 actions. The goals articulate the intended outcome; the directions identify the broad issues or policy areas that need to be focused on; and the actions represent the steps needed to be taken or initiatives that need to be implemented to achieve the goals. Actions are either implemented as strategies or as initiatives.

The North Coast Delivery, Coordination and Monitoring Committee has been established to oversee implementation of the vision, goals and actions in the Regional Plan. In this regard the North Coast Regional Plan 2036 - Implementation Plan 2017-2019 has also been released to accompany the Regional Plan.

Accordingly, the proposal is considered to be consistent with the NCRP 2036. An assessment of the planning proposal's consistency against the regional plans goals, directions and actions is at Appendix 1 (consistency checklist).

### 4.4 Consistency with Council's local strategies and other local strategic plans

The *Clarence 2027* is Council's adopted community strategic plan. It is supported by Council's Delivery Program and Annual Operational Plan applicable at the time.

The *Clarence 2027* has a vision/mission and is supported by 5 themes which in turn are supported by a number of objectives and associated actions.

Other local strategies include:

- Council's Delivery Program and Operational Plan (applicable at the time)
- Maclean Urban Catchment Local Growth Management Strategy 2011
- South Grafton Heights Precinct Strategy
- Clarence Valley Settlement Strategy
- Lower Clarence Retail Strategy (May 2007)
- Yamba Retail/Commercial Strategy (May 2002)
- Clarence Valley Economic Development Strategic Plan
- Clarence Valley Industrial Lands Strategy
- Clarence Valley Affordable Housing Strategy
- Clarence Valley Council Biodiversity Management Strategy 2010
- Clarence River Way Masterplan 2009
- Clarence Valley Open Spaces Strategic Plan 2012

An assessment of the planning proposal against the relevant objectives, strategies and actions is at Appendix 2 (consistency checklist). The planning proposal is considered to be consistent with the relevant objectives, strategies and actions of Council's strategies.

#### **4.5 Consistency with applicable state environmental planning policies**

The proposal is consistent with applicable and relevant state environmental planning policies (SEPPs).

Refer to the consistency checklist against these policies at Appendix 3.

#### **4.6 Consistency with applicable Ministerial Directions (s.9.1 Directions)**

The proposal is not consistent with applicable and relevant Section 9.1 Directions.

Refer to the consistency checklist against these Directions at Appendix 4.

### **ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT**

#### **4.7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

It is considered unlikely that the proposal will have an adverse impact upon critical habitat or threatened species, population or ecological communities, or their habitats. Detailed assessment of these effects (if any) will occur when a Development Application is submitted for a specific site.

#### **4.8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

There are no direct negative or adverse environmental effects anticipated as a result of the planning proposal. Any possible environmental issues will be addressed as part of the Development Application process including the imposition of conditions to manage any potential impacts, if necessary.

#### **4.9 Relevant social and economic effects?**

Current clause 4.1B of the LEP already provides for social and economic circumstances where it is not viable to maintain larger holdings in situations where the primary income is not derived from the lot – or can augment already existing agricultural holdings to make the management of the land more economically viable. In all cases where this may be considered appropriate, it must be evaluated to not cause a greater likelihood of land use conflict.

The proposal to permit boundary adjustments to occur between 2 or more lots that are not necessarily adjoining (where one or more of those lots is less than the minimum lot size shown on the Lot Size Map in relation to that land) will provide more flexibility than the current LEP clause 4.1B which still prevents otherwise beneficial aggregations in situations where separation is created by road reserve, unformed Crown road and short distances between land holdings.

## **STATE AND COMMONWEALTH INTERESTS**

### **4.10 Is there adequate public infrastructure for the planning proposal?**

Yes. The planning proposal does not impact public infrastructure or create any demand to upgrade public infrastructure.

### **4.11 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

The views of relevant public authorities have not been sought at this early stage as a gateway determination has not yet been issued.

The proposed agency/stakeholder consultation will be confirmed with any Gateway determination issued. The outcomes of the consultation will be reported back to Council following community consultation/public exhibition.

Refer also to Section 6. PART 5 - COMMUNITY CONSULTATION, below.

## 5. PART 4 - MAPPING

No change to the LEP mapping is proposed or required.

## 6. PART 5 - COMMUNITY CONSULTATION

It is considered that the proposal is 'low impact' for the purpose of community consultation under Section 6.5.2 of "A guide to preparing local environmental plans, December 2018".

On this basis, it is intended that the planning proposal be exhibited for a minimum period of 14 days in accordance with Section 6.5.2 of "A guide to preparing local environmental plans".

It is proposed that consultation be undertaken with the following public authorities:

- (i) NSW Rural Fire Service (RFS)
- (ii) NSW Department of Primary Industries (Agricultural Land Use Planning)

Community and public authority consultation will be carried out following the issue of any gateway determination.

A public hearing is not considered necessary.

## 7. PART 6 - PROJECT TIMELINE

An estimated timeline for this project is 6 - 9 months from the date of issue of a Gateway determination, providing such determination does not impose conditions that are onerous to satisfy. The table below provides some estimated timeframes or dates for specific milestones.

Specific milestone	Milestone timeframe or date
Date submitted to Planning Gateway	26 June 2020
Anticipated issue of Gateway determination	24 July 2020
Public exhibition including period	7 August - 21 August 2020 <ul style="list-style-type: none"> <li>• commencement date assumes no additional technical studies/investigations are required</li> </ul>
Dates for public hearing (if required)	N/A
Timeframe for the consideration of a proposal post exhibition including submissions	29 September 2020 - Ordinary Council meeting
Request opinion from Parliamentary Counsel's Office (if plan-making is delegated to Council)	9 October 2020
LEP made by Council delegate (if plan-making is delegated to Council)	20 November 2020
LEP notified	4 December 2020

## APPENDIX 1: NORTH COAST REGIONAL PLAN 2036 CONSISTENCY CHECKLIST

(Note - refer also to section 4.3)

NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS	CONSISTENCY	COMMENTS
<b>Goal 1 - The most stunning environment in NSW</b>		
<b>Direction 1 - Deliver environmentally sustainable growth</b>		
<u>Action 1.1</u> - Focus future urban development to mapped urban growth areas.	Yes	Consistent although this action is not directly relevant to the planning proposal.
<u>Action 1.2</u> - Review areas identified as 'under investigation' within urban growth areas to identify and map sites of potentially high environmental value.	Yes	Consistent although this action is not directly relevant to the planning proposal.
<u>Action 1.3</u> - Identify residential, commercial or industrial uses in urban growth areas by developing local growth management strategies endorsed by the Department of Planning and Environment.	Yes	Consistent although this action is not directly relevant to the planning proposal.
<u>Action 1.4</u> - Prepare land release criteria to assess appropriate locations for future residential, commercial and industrial uses.	Yes	Consistent although this action is not directly relevant to the planning proposal.
<b>Goal 1 - The most stunning environment in NSW</b>		
<b>Direction 2 - Enhance biodiversity, coastal and aquatic habitats, and water catchments</b>		
<u>Action 2.1</u> - Focus development to areas of least biodiversity sensitivity in the region and implement the 'avoid, minimise, offset' hierarchy to biodiversity, including areas of high environmental value.	Yes	Consistent although this action is not directly relevant to the planning proposal as it is not proposing additional development or settlement.
<u>Action 2.2</u> - Ensure local plans manage marine environments, water catchment areas and groundwater sources to avoid potential development impacts.	Yes	Consistent although this action is not directly relevant to the planning proposal as it is not proposing additional development or settlement.
<b>Goal 1 - The most stunning environment in NSW</b>		
<b>Direction 3 - Manage natural hazards and climate change</b>		
<u>Action 3.1</u> - Reduce the risk from natural hazards, including the projected effects of climate change, by identifying, avoiding and managing vulnerable areas and hazards.	Yes	Consistent although this action is not directly relevant to the planning proposal as it is not proposing additional development or settlement.
<u>Action 3.2</u> - Review and update floodplain risk, bushfire and coastal management mapping to manage risk, particularly where urban growth is being investigated.	Yes	Consistent although this action is not directly relevant to the planning proposal.
<u>Action 3.3</u> - Incorporate new knowledge on regional climate projections and related cumulative impacts in local plans for new urban development.	Yes	Consistent although this action is not directly relevant to the planning proposal.
<b>Goal 1 - The most stunning environment in NSW</b>		



NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS	CONSISTENCY	COMMENTS
<b>Direction 4 - Promote renewable energy opportunities</b>		
<u>Action 4.1</u> - Diversify the energy sector by identifying renewable energy resource precincts and infrastructure corridors with access to the electricity network.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 4.2</u> - Enable appropriate smaller-scale renewable energy projects using bio-waste, solar, wind, small-scale hydro, geothermal or other innovative storage technologies.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 4.3</u> - Promote appropriate smaller and community-scale renewable energy projects.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 2 - A thriving, interconnected economy</b>		
<b>Direction 5 - Strengthen communities of interest and cross-regional relationships</b>		
<u>Action 5.1</u> - Collaborate on regional and intra-regional housing and employment land delivery, and industry development.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 5.2</u> - Integrate cross-border land use planning between NSW and South East Queensland, and remove barriers to economic, housing and jobs growth.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 5.3</u> - Encourage ongoing cooperation and land use planning between the City of Gold Coast and Tweed Shire Council.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 5.4</u> - Prepare a regional economic development strategy that drives economic growth opportunities by identifying key enabling infrastructure and other policy interventions to unlock growth.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 2 - A thriving, interconnected economy</b>		
<b>Direction 6 - Develop successful centres of employment</b>		
<u>Action 6.1</u> - Facilitate economic activity around industry anchors such as health, education and airport facilities by considering new infrastructure needs and introducing planning controls that encourage clusters of related activity.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 6.2</u> - Promote knowledge industries by applying flexible planning controls, providing business park development opportunities and identifying opportunities for start-up industries.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 6.3</u> - Reinforce centres through local growth management strategies and local environmental plans as primary mixed-use locations for commerce, housing, tourism, social activity and regional services.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 6.4</u> - Focus retail and commercial activities in existing centres and develop place-making focused planning strategies for centres.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 6.5</u> - Promote and enable an appropriate mix of land uses and prevent the encroachment of sensitive uses on employment land through local planning controls.	Yes	Consistent - although this action is not directly relevant to the planning proposal.

NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS	CONSISTENCY	COMMENTS
<u>Action 6.6</u> - Deliver an adequate supply of employment land through local growth management strategies and local environmental plans to support jobs growth.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 6.7</u> - Ensure employment land delivery is maintained through an annual North Coast Housing and Land Monitor.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 2 - A thriving, interconnected economy</b> <b>Direction 7 - Coordinate the growth of regional cities</b>		
<u>Action 7.1</u> - Prepare action plans for regional cities that: <ul style="list-style-type: none"> <li>▪ ensure planning provisions promote employment growth and greater housing diversity;</li> <li>▪ promote new job opportunities that complement existing employment nodes around existing education, health and airport precincts;</li> <li>▪ identify infrastructure constraints and public domain improvements that can make areas more attractive for investment; and</li> <li>▪ deliver infrastructure and coordinate the most appropriate staging and sequencing of development.</li> </ul>	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 2 - A thriving, interconnected economy</b> <b>Direction 8 - Promote the growth of tourism</b>		
<u>Action 8.1</u> - Facilitate appropriate large-scale tourism developments in prime tourism development areas such as Tweed Heads, Tweed Coast, Ballina, Byron Bay, Coffs Harbour and Port Macquarie.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 8.2</u> - Facilitate tourism and visitor accommodation and supporting land uses in coastal and rural hinterland locations through local growth management strategies and local environmental plans.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 8.3</u> - Prepare destination management plans or other tourism focused strategies that: <ul style="list-style-type: none"> <li>▪ identify culturally appropriate Aboriginal tourism opportunities;</li> <li>▪ encourage tourism development in natural areas that support conservation outcomes; and</li> <li>▪ strategically plan for a growing international tourism market.</li> </ul>	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 8.4</u> - Promote opportunities to expand visitation to regionally significant nature-based tourism places, such as Ellenborough Falls, Dorrigo National Park, Wollumbin–Mount Warning National Park, Iluka Nature Reserve and Yuraygir Coastal Walk.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 8.5</u> - Preserve the region's existing tourist and visitor accommodation by directing permanent residential accommodation away from tourism developments, except where it is ancillary to existing tourism developments or part of an area otherwise identified for urban expansion	Yes	Consistent - although this action is not directly relevant to the planning proposal.

NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS	CONSISTENCY	COMMENTS
in an endorsed local growth management strategy.		
<b>Goal 2 - A thriving, interconnected economy</b>		
<b>Direction 9: Strengthen regionally significant transport corridors</b>		
<u>Action 9.1</u> - Enhance the competitive value of the region by encouraging business and employment activities that leverage major inter-regional transport connections, such as the Pacific Highway, to South East Queensland and the Hunter.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 9.2</u> - Identify buffer and mitigation measures to minimise the impact of development on regionally significant transport infrastructure including regional and state road network and rail corridors.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 9.3</u> - Ensure the effective management of the State and regional road network by: <ul style="list-style-type: none"> <li>▪ preventing development directly adjoining the Pacific Highway;</li> <li>▪ preventing additional direct 'at grade' access to motorway-class sections of the Pacific Highway;</li> <li>▪ locating highway service centres on the Pacific Highway at Chinderah, Ballina, Maclean, Woolgoolga, Nambucca Heads, Kempsey and Port Macquarie, approved by the Department of Planning and Environment and Roads and Maritime Services; and</li> <li>▪ identifying strategic sites for major road freight transport facilities.</li> </ul>	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 2 - A thriving, interconnected economy</b>		
<b>Direction 10 - Facilitate air, rail and public transport infrastructure</b>		
<u>Action 10.1</u> - Deliver airport precinct plans for Ballina–Byron, Lismore, Coffs Harbour and Port Macquarie that capitalise on opportunities to diversify and maximise the potential of value-adding industries close to airports.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 10.2</u> - Consider airport-related employment opportunities and precincts that can capitalise on the expansion proposed around Gold Coast Airport.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 10.3</u> - Protect the North Coast Rail Line and high-speed rail corridor to ensure network opportunities are not sterilised by incompatible land uses or land fragmentation.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 10.4</u> - Provide public transport where the size of the urban area has the potential to generate sufficient demand.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 10.5</u> - Deliver a safe and efficient transport network to serve future release areas.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 2 - A thriving, interconnected economy</b>		
<b>Direction 11: Protect and enhance productive agricultural lands</b>		

<b>NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS &amp; ACTIONS</b>	<b>CONSISTENCY</b>	<b>COMMENTS</b>
<u>Action 11.1</u> - Enable the growth of the agricultural sector by directing urban and rural residential development away from important farmland and identifying locations to support existing and small-lot primary production, such as horticulture in Coffs Harbour.	Yes	Consistent.
<u>Action 11.2</u> - Deliver a consistent management approach to important farmland across the region by updating the Northern Rivers Farmland Protection Project (2005) and Mid North Coast Farmland Mapping Project (2008).	Yes	Consistent.
<u>Action 11.3</u> - Identify and protect intensive agriculture clusters in local plans to avoid land use conflicts, particularly with residential and rural residential expansion.	Yes	Consistent.
<u>Action 11.4</u> - Encourage niche commercial, tourist and recreation activities that complement and promote a stronger agricultural sector, and build the sector's capacity to adapt to changing circumstances.	Yes	Consistent.
<u>Action 11.5</u> - Address sector-specific considerations for agricultural industries through local plans.	Yes	Consistent.
<b>Goal 2 - A thriving, interconnected economy</b>		
<b>Direction 12 - Grow agribusiness across the region</b>		
<u>Action 12.1</u> - Promote the expansion of food and fibre production, agrichemicals, farm machinery, wholesale and distribution, freight and logistics, and processing through flexible planning provisions in local growth management strategies and local environmental plans.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 12.2</u> - Encourage the co-location of intensive primary industries, such as feedlots and compatible processing activities.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 12.3</u> - Examine options for agribusiness to leverage proximity from the Gold Coast and Brisbane West Wellcamp airports.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 12.4</u> - Facilitate investment in the agricultural supply chain by protecting assets, including freight and logistics facilities, from land use conflicts arising from the encroachment of incompatible land uses.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 2 - A thriving, interconnected economy</b>		
<b>Direction 13 - Sustainably manage natural resources</b>		
<u>Action 13.1</u> - Enable the development of the region's natural, mineral and forestry resources by directing to suitable locations land uses such as residential development that are sensitive to impacts from noise, dust and light interference.	Yes	Consistent.
<u>Action 13.2</u> - Plan for the ongoing productive use of lands with regionally significant construction material resources in locations with established infrastructure and resource accessibility.	Yes	Consistent. The planning proposal should not hinder the achievement of this action.

NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS	CONSISTENCY	COMMENTS
<b>Goal 3 - Vibrant and engaged communities</b> <b>Direction 14 - Provide great places to live and work</b>		
<u>Action 14.1</u> - Prepare precinct plans in growth areas, such as Kingscliff, or centres bypassed by the Pacific Highway, such as Woodburn and Grafton, to guide development and establish appropriate land use zoning, development standards and developer contributions.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 14.2</u> - Deliver precinct plans that are consistent with the Precinct Plan Guidelines (Appendix C).	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 3 - Vibrant and engaged communities</b> <b>Direction 15 - Develop healthy, safe, socially engaged and well-connected communities</b>		
<u>Action 15.1</u> - Deliver best-practice guidelines for planning, designing and developing healthy built environments that respond to the ageing demographic and subtropical climate.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 15.2</u> - Facilitate more recreational walking and cycling paths and expand inter-regional and intra-regional walking and cycling links, including the NSW Coastline Cycleway.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 15.3</u> - Implement actions and invest in boating infrastructure priorities identified in regional boating plans to improve boating safety, boat storage and waterway access.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 15.4</u> - Create socially inclusive communities by establishing social infrastructure benchmarks, minimum standards and social impact assessment frameworks within local planning.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 15.5</u> - Deliver crime prevention through environmental design outcomes through urban design processes.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 3 - Vibrant and engaged communities</b> <b>Direction 16 - Collaborate and partner with Aboriginal communities</b>		
<u>Action 16.1</u> - Develop partnerships with Aboriginal communities to facilitate engagement during the planning process, including the development of engagement protocols.	Yes	Consistent - although this action is not directly relevant to this planning proposal.
<u>Action 16.2</u> - Ensure Aboriginal communities are engaged throughout the preparation of local growth management strategies and local environmental plans.	Yes	Consistent. The planning proposal is not implementing a local growth management strategy. Further a planning proposal for a minor amendment of the boundary adjustment provisions does not warrant engagement with the Aboriginal community.
<b>Goal 3 - Vibrant and engaged communities</b> <b>Direction 17: Increase the economic self-determination of Aboriginal communities</b>		

NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS	CONSISTENCY	COMMENTS
<u>Action 17.1</u> - Deliver opportunities to increase the economic independence of Aboriginal communities through training, employment and tourism.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 17.2</u> - Foster closer cooperation with Local Aboriginal Land Councils to identify the unique potential and assets of the North Coast communities.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 17.3</u> - Identify priority sites with economic development potential that Local Aboriginal Land Councils may wish to consider for further investigation.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 3 - Vibrant and engaged communities</b> <b>Direction 18 - Respect and protect the North Coast's Aboriginal heritage</b>		
<u>Action 18.1</u> - Ensure Aboriginal objects and places are protected, managed and respected in accordance with legislative requirements and the wishes of local Aboriginal communities.	Yes	Consistent. The planning proposal is not for a specific site. Further the planning proposal is for a minor amendment of the boundary adjustment provisions generally where no impacts on Aboriginal objects and places are expected.
<u>Action 18.2</u> - Undertake Aboriginal cultural heritage assessments to inform the design of planning and development proposals so that impacts to Aboriginal cultural heritage are minimised and appropriate heritage management mechanisms are identified.	Yes	Consistent. The planning proposal is not for a specific site. Further the planning proposal is for a minor amendment of the boundary adjustment provisions generally where no impacts on Aboriginal cultural heritage are expected.
<u>Action 18.3</u> - Develop local heritage studies in consultation with the local Aboriginal community, and adopt appropriate measures in planning strategies and local plans to protect Aboriginal heritage.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 18.4</u> - Prepare maps to identify sites of Aboriginal heritage in 'investigation' areas, where culturally appropriate, to inform planning strategies and local plans to protect Aboriginal heritage.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 3 - Vibrant and engaged communities</b> <b>Direction 19 - Protect historic heritage</b>		
<u>Action 19.1</u> - Ensure best-practice guidelines are considered such as the Australia International Council on Monuments and Sites (ICOMOS) Charter for Places of Cultural Significance and the NSW Heritage Manual when assessing heritage significance.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 19.2</u> - Prepare, review and update heritage studies in consultation with the wider community to identify and protect historic heritage items, and include appropriate local planning controls.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 19.3</u> - Deliver the adaptive or sympathetic use of heritage items and	Yes	Consistent - although this action is not



NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS	CONSISTENCY	COMMENTS
assets.		directly relevant to the planning proposal.
<b>Goal 3 - Vibrant and engaged communities</b>		
<b>Direction 20 - Maintain the region's distinctive built character</b>		
<u>Action 20.1</u> - Deliver new high-quality development that protects the distinct character of the North Coast, consistent with the North Coast Urban Design Guidelines (2009)	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 20.2</u> - Review the North Coast Urban Design Guidelines (2009).	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 3 - Vibrant and engaged communities</b>		
<b>Direction 21 - Coordinate local infrastructure delivery</b>		
<u>Action 21.1</u> - Undertake detailed infrastructure service planning to support proposals for new major release areas.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 21.2</u> - Maximise the cost-effective and efficient use of infrastructure by directing development towards existing infrastructure or promoting the co-location of new infrastructure.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 4 - Great housing choice and lifestyle options</b>		
<b>Direction 22 - Deliver greater housing supply</b>		
<u>Action 22.1</u> - Deliver an appropriate supply of residential land within local growth management strategies and local plans to meet the region's projected housing needs.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 22.2</u> - Facilitate housing and accommodation options for temporary residents by: <ul style="list-style-type: none"> <li>▪ preparing planning guidelines for seasonal and itinerant workers accommodation to inform the location and design of future facilities; and</li> <li>▪ working with councils to consider opportunities to permit such facilities through local environmental plans.</li> </ul>	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 22.3</u> - Monitor the supply of residential land and housing through the North Coast Housing and Land Monitor.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 4 - Great housing choice and lifestyle options</b>		
<b>Direction 23 - Increase housing diversity and choice</b>		
<u>Action 23.1</u> - Encourage housing diversity by delivering 40 per cent of new housing in the form of dual occupancies, apartments, townhouses, villas or dwellings on lots less than 400 square metres, by 2036.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 23.2</u> - Develop local growth management strategies to respond to changing housing needs, including household and demographic changes, and support initiatives to increase ageing in place.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 4 - Great housing choice and lifestyle options</b>		

NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS	CONSISTENCY	COMMENTS
<b>Direction 24: Deliver well-planned rural residential housing areas</b>		
<u>Action 24.1</u> - Facilitate the delivery of well-planned rural residential housing areas by: <ul style="list-style-type: none"> <li>▪ identifying new rural residential areas in a local growth management strategy or rural residential land release strategy endorsed by the Department of Planning and Environment; and</li> <li>▪ ensure that such proposals are consistent with the Settlement Planning Guidelines: Mid and Far North Coast Regional Strategies (2007) or land release criteria (once finalised).</li> </ul>	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 24.2</u> - Enable sustainable use of the region's sensitive coastal strip by ensuring new rural residential areas are located outside the coastal strip, unless already identified in a local growth management strategy or rural residential land release strategy endorsed by the Department of Planning and Environment.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<b>Goal 4 - Great housing choice and lifestyle options</b>		
<b>Direction 25 - Deliver more opportunities for affordable housing</b>		
<u>Action 25.1</u> - Deliver more opportunities for affordable housing by incorporating policies and tools into local growth management strategies and local planning controls that will enable a greater variety of housing types and incentivize private investment in affordable housing.	Yes	Consistent - although this action is not directly relevant to the planning proposal.
<u>Action 25.2</u> - Prepare guidelines for local housing strategies that will provide guidance on planning for local affordable housing needs.	Yes	Consistent - although this action is not directly relevant to the planning proposal.

## APPENDIX 2: COUNCILS LOCAL STRATEGY AND STRATEGIC PLAN/S CONSISTENCY CHECKLIST

(Note - refer also to section 4.4)

Strategy/Strategic Plan	Relevant component/statement of consistency
The Clarence 2027	<p>The themes and objectives of the Community Plan that are most relevant to the planning proposal are listed below:</p> <p>Theme – Economy Objective 3.1 - To have an attractive and diverse environment for business, tourism and industry.</p> <p><u>Comment</u> According to the Notice of Motion the proposed change to the boundary adjustment provisions will assist in creating larger farm and be beneficial to farm enterprise viability and important to protection of prime agricultural land.</p>
Council's Delivery Program and Operational Plan (Note: this changes annually)	<p>The planning proposal will complement and is consistent with the following strategies and actions under the current Delivery Program and Operational Plan.</p> <p>Objective 3.1 - We will have an attractive and diverse environment for business, tourism and industry. Strategy 3.1.2 - Grows the Clarence Valley economy through supporting local business and industry Strategy 3.1.3 - Provides land use planning that facilitates and balances economic growth, environmental protection and social equity</p>
Maclean Urban Catchment Local Growth Management Strategy 2011	Not relevant. This strategy is only applicable to the urban growth areas of Townsend, Gulmarrad and James Creek.
South Grafton Heights Precinct Strategy	Not relevant. The planning proposal has no direct relevance to this strategy and vice versa.
Clarence Valley Settlement Strategy	<p>The planning proposal is consistent with the Clarence Valley Settlement Strategy including the following strategy objectives:</p> <ul style="list-style-type: none"> <li>• Maximise the valley's agricultural base;</li> <li>• Protect and maintain sustainable rural industries;</li> </ul>
Lower Clarence Retail Strategy (May 2007)	Not relevant. The planning proposal has no direct relevance to this strategy and vice versa.
Yamba Retail/Commercial Strategy (May 2002)	Not relevant. The planning proposal has no direct relevance to this strategy and vice versa.
Clarence Valley Economic Development Strategic Plan	The planning proposal is consistent with and complements the Clarence Valley Economic Development Strategic Plan.
Clarence Valley Industrial Lands Strategy	Not relevant. The planning proposal has no direct relevance to this strategy and vice versa.
Clarence Valley Affordable Housing Strategy	Not relevant. The planning proposal has no direct relevance to this strategy and vice versa.
Clarence Valley Council Biodiversity Management Strategy 2010	Not relevant. The planning proposal has no direct relevance to this strategy and vice versa.
Clarence River Way Masterplan 2009	Not relevant. The planning proposal has no direct relevance to this strategy and vice versa.
Clarence Valley Open Spaces Strategic Plan 2012	Not relevant. The planning proposal has no direct relevance to this strategy and vice versa.

**APPENDIX 3: STATE ENVIRONMENTAL PLANNING POLICY CONSISTENCY CHECKLIST***(Note - refer also to section 4.5)*

<b>Name of SEPP</b>	<b>Relevant/applicable?</b>	<b>Comment/statement of consistency</b>
<i>The following State Environmental Planning Policies (SEPPs) are current and whilst not all may be applicable to the Clarence Valley LGA they are all being acknowledged and some are considered in more detail where relevant.</i>		
State Environmental Planning Policy No 1 - Development Standards	No	Not applicable to the CVLEP 2011 or to the planning proposal.
State Environmental Planning Policy No 19 - Bushland in Urban Areas	No	N/A
State Environmental Planning Policy No 21 - Caravan Parks	No	N/A - as this proposal is not for a caravan park; nor is it a development application (DA).
State Environmental Planning Policy No 33 - Hazardous and Offensive Development	No	N/A
State Environmental Planning Policy No 36 - Manufactured Home Estates	No	N/A
State Environmental Planning Policy No 47 - Moore Park Showground	No	N/A
State Environmental Planning Policy No 50 - Canal Estate Development	No	N/A
State Environmental Planning Policy No 55 - Remediation of Land	No	N/A - this is not a development application (DA). Refer also to Section 9.1 Direction 2.6 Remediation of Contaminated Land.
State Environmental Planning Policy No 64 - Advertising and Signage	No	N/A
State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development	No	N/A
State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes)	No	N/A
State Environmental Planning Policy (Affordable Rental Housing) 2009	No	N/A - this is not a development application (DA). The SEPP does not apply to planning proposals or to amendments to environmental planning instruments.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	No	N/A
State Environmental Planning Policy (Coastal Management) 2018	No	Consistent - This is not a development application (DA). The SEPP does not apply to planning proposals or to amendments to environmental planning instruments.
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	No	N/A
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	No	N/A
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	No	N/A - this is not a development application (DA) for housing for seniors or people with a disability. The SEPP does not apply to planning proposals or to amendments to environmental planning instruments.
State Environmental Planning Policy (Infrastructure) 2007	No	N/A
State Environmental Planning Policy (Kosciuszko National Park - Alpine	No	N/A

Name of SEPP	Relevant/applicable?	Comment/statement of consistency
Resorts) 2007		
State Environmental Planning Policy (Kurnell Peninsula) 1989	No	N/A
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	No	N/A
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	No	N/A
State Environmental Planning Policy (State and Regional Development) 2011	No	N/A
State Environmental Planning Policy (State Significant Precincts) 2005	No	N/A
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	No	N/A
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	No	N/A
State Environmental Planning Policy (Three Ports) 2013	No	N/A
State Environmental Planning Policy (Urban Renewal) 2010	No	N/A
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	No	Consistent - This is not a development application (DA). The SEPP does not apply to planning proposals or to amendments to environmental planning instruments.
State Environmental Planning Policy (Western Sydney Employment Area) 2009	No	N/A
State Environmental Planning Policy (Western Sydney Parklands) 2009	No	N/A
State Environmental Planning Policy (Concurrences and Consents) 2018	No	
State Environmental Planning Policy (Aboriginal Land) 2019	No	N/A. Refer also to Section 9.1 Direction 5.11 Remediation of Contaminated Land Development of Aboriginal Land Council land.
State Environmental Planning Policy (Primary Production and Rural Development) 2019	No	N/A
State Environmental Planning Policy (Gosford City Centre) 2018	No	N/A
State Environmental Planning Policy Koala Habitat Protection 2019	No	N/A. This is not a development application (DA). The SEPP does not apply to planning proposals or to amendments to environmental planning instruments.

**APPENDIX 4: SECTION 9.1 DIRECTION CONSISTENCY CHECKLIST***(Note - refer also to section 4.6)*

<b>SECTION 9.1 DIRECTION</b>	<b>CONSISTENCY</b>	<b>COMMENTS</b>
<b>1. EMPLOYMENT AND RESOURCES</b>		
1.1 Business and Industrial Zones	Not applicable	This direction is not applicable as the land is not within an existing or proposed Business or Industrial zone.
1.2 Rural Zones	Consistent	The planning proposal is consistent as it does not: (a) rezone land from a rural zone to a residential, business, industrial, village or tourist zone. (b) contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).
1.3 Mining, Petroleum Production and Extractive industries	Consistent	The planning proposal is consistent as it will not: (i) prohibit the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (ii) restrict the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.
1.4 Oyster Aquaculture	Not applicable	The land is not nor does it affect a Priority Oyster Aquaculture Areas in terms of this direction.
1.5 Rural Lands	Consistent	The planning proposal is consistent as it does not change the existing minimum lot size on land within a rural or environment protection zone. It is considered that the planning proposal complements the objectives of this Direction.
<b>2. ENVIRONMENT AND HERITAGE</b>		
2.1 Environmental protection Zones	Consistent	The planning proposal will not alter any environmental protection zones or reduce existing any environmental protection standards. No additional lots within the environmental zones will result from the provisions.
2.2 Coastal management	Consistent	The planning proposal is not proposing to rezone land which would enable increased development or more intensive land-use of land to which the planning proposal applies.
2.3 Heritage Conservation	Consistent	The planning proposal does not seek to change those provisions or alter how they apply to any future development applications.
2.4 Recreation Vehicle Areas	Not applicable	Direction not applicable in this instance.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable	This direction does not apply to the Clarence Valley Council area.
2.6 Remediation of Contaminated Land	Consistent	The planning proposal will apply to land specified in paragraph 2(b) of the Direction. The planning proposal is considered to be consistent with the direction for the following reasons: (a) It is not proposing to change the zoning of any land any land. (b) It is not proposing to change of use of the land.



SECTION 9.1 DIRECTION	CONSISTENCY	COMMENTS
		<p>Due to this it is considered that Council does not have to consider the matters referred to in paragraph 4(a) to (c) of the Direction.</p> <p>Consequently, it is considered that Council does not have to obtain and have regard to the type of report referred to in paragraph 4 of the Direction.</p>
<b>3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT</b>		
3.1 Residential Zones	Consistent	This direction is relevant only to the extent that current LEP clause 4.1B applies to land that is zoned R5 Large Lot Residential. As the proposal is not intending to rezone any additional land to R5 Large Lot Residential it is considered that the proposal is consistent with this Direction.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable	Direction not applicable in this instance.
3.3 Home Occupations	Not applicable	Direction not applicable in this instance.
3.4 Integrated Land Use and Transport	Not applicable	Direction not applicable in this instance.
3.5 Development Near Regulated Airports and Defence Airfields	Consistent	<p>This direction is relevant only to the extent that current LEP clause 4.1B applies to land that is zoned rural being the zoning of land that adjoins the 2 regulated airports in the Council area, which are:</p> <ul style="list-style-type: none"> <li>• Clarence Valley Regional Airport at Glenugie; and</li> <li>• South Grafton Aerodrome.</li> </ul> <p>The provisions in the LEP that are being amended do not relate to or result in any additional built development. Hence it is not considered necessary to consult with the lessee/operator of the airport/s unless the gateway determination directs that consultation be undertaken.</p> <p>The proposal is considered to be consistent with the objectives of the Direction.</p>
3.6 Shooting Ranges	Not applicable	This direction is not relevant as it will not affect, create, alter or remove a zone or a provision relating to land adjacent to and/or adjoining an existing shooting range.
3.7 Reduction in non-hosted short term rental accommodation period	Not applicable	The Direction applies to the Byron Shire Council only.
<b>4. HAZARD AND RISK</b>		
4.1 Acid Sulfate Soils	Consistent	Although the planning proposal covers some land parcels that are identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present it is considered that the planning proposal is consistent with this direction as it is not proposing to rezone any land or facilitate the carrying out of a particular development.
4.2 Mine Subsidence and Unstable land	Not applicable	This direction is not applicable as there are no known Mine Subsidence Districts in the Council area. The requirements of the direction in relation to land

SECTION 9.1 DIRECTION	CONSISTENCY	COMMENTS
		that has been identified as unstable in a study, strategy or other assessment can be addressed and met at the DA stage for any future development that may be proposed on any land that maybe the subject of an application using clause 4.1B.
4.3 Flood Prone Land	Consistent	<p>Current clause 4.1B and therefore this planning proposal no doubt apply to some land that is flood prone land. Despite this the requirements of this Direction are not triggered as the planning proposal is not proposing to facilitate the carrying out of a particular development.</p> <p>The requirements of the direction in relation to land that is flood prone land can be addressed and met at the DA stage for any future individual development that is proposed for such land having regard to the floodplain management controls in Council's development control plans.</p>
4.4 Planning for Bushfire Protection	Consistent	<p>Current clause 4.1B and therefore this planning proposal no doubt apply to some land that is mapped as bush fire prone on the relevant bush fire prone land maps. The planning proposal is not proposing to facilitate the carrying out of a particular development.</p> <p>Notwithstanding this it is proposed to consult with the NSW Rural Fire Service following the issue of any Gateway determination to proceed.</p>
<b>5. REGIONAL PLANNING</b>		
5.1 Implementation of Regional Strategies	Not applicable.	No longer applicable as the Mid North Coast Regional Strategy has now been replaced by the North Coast Regional Plan 2036. Refer to Direction 5.10 below.
5.2 Sydney Drinking Water Catchments	Not applicable.	This Direction does not apply to the Clarence Valley Council area.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.	This Direction does not apply to the Clarence Valley Council area.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable	Direction not applicable in this instance.
5.5 Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not applicable.	<i>Revoked 18 June 2010</i>
5.6 Sydney to Canberra Corridor	Not applicable.	<i>Revoked 10 July 2008 - See amended Direction 5.1</i>
5.7 Central Coast	Not applicable.	<i>Revoked 10 July 2008 - See amended Direction 5.1</i>
5.8 Second Sydney Airport: Badgerys Creek	Not applicable.	<i>Revoked 20 August 2018</i>
5.9 North West Rail Link Corridor Strategy	Not applicable	This Direction is not applicable in this instance as it does not apply to the Clarence Valley Council area.
5.10 Implementation of Regional Plans	Consistent	The applicable regional plan is the North Coast Regional Plan 2036. Refer also to section 4.3,

SECTION 9.1 DIRECTION	CONSISTENCY	COMMENTS
		<p>pages 8 -10 of this planning proposal document.</p> <p>The NCRP 2036 has very few if any actions (or goals or directions) that are of relevance to a planning proposal of this nature. Conversely, the planning proposal does not impact nor is considered to be inconsistent with any action (or goal or direction) contained within the NCRP 2036. Accordingly, the proposal is considered to be consistent with the NCRP 2036. A detailed assessment of the planning proposal against the NCRP 2036 actions is at Appendix 1.</p>
5.11 Development of Aboriginal Land Council land	Not applicable	The Direction is not applicable as there is no land in the Clarence Valley Council area that has been mapped on the Land Application Map accompanying State Environmental Planning Policy (Aboriginal Land) 2019.
<b>6. LOCAL PLAN MAKING</b>		
6.1 Approval and Referral Requirements	Consistent	The planning proposal is not intending to introduce concurrence, consultation or referral requirements nor identify development as designated development.
6.2 Reserving Land for Public Purposes	Consistent	The planning proposal is not intending to create, alter or reduce existing zonings or reservations of land for public purposes. In this sense the proposal does not trigger the requirements of this direction.
6.3 Site Specific Provisions	Consistent	The requirements of this Direction are not triggered as it is not intending to permit a particular development on a particular site.
<b>7. METROPOLITAN PLANNING</b>		
7.1 Implementation of a Plan for Growing Sydney	Not applicable.	This Direction is not applicable in this instance as it does not apply to the Clarence Valley Council area.
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable.	This Direction is not applicable in this instance as it does not apply to the Clarence Valley Council area.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable.	This Direction is not applicable in this instance as it does not apply to the Clarence Valley Council area.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.	This Direction is not applicable in this instance as it does not apply to the Clarence Valley Council area.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.	This Direction is not applicable in this instance as it does not apply to the Clarence Valley Council area.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.	This Direction is not applicable in this instance as it does not apply to the Clarence Valley Council area.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable.	This Direction is not applicable in this instance as it does not apply to the Clarence Valley Council area.
7.8 Implementation of	Not applicable.	This Direction is not applicable in this instance as it

<b>SECTION 9.1 DIRECTION</b>	<b>CONSISTENCY</b>	<b>COMMENTS</b>
Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan		does not apply to the Clarence Valley Council area.
7.9 Implementation of Bayside West Precincts 2036 Plan	Not applicable.	This Direction is not applicable in this instance as it does not apply to the Clarence Valley Council area.
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable.	This Direction is not applicable in this instance as it does not apply to the Clarence Valley Council area.

**APPENDIX 5: Notice of Motion Resolution  
dated 26 May 2020**

## 7. NOTICE OF MOTIONS

<b>ITEM</b>	<b>07.20.003</b>	<b>AMEND CLARENCE VALLEY LOCAL ENVIRONMENTAL PLAN 2011 SUB-CLAUSE (3) OF CLAUSE 4.1B OF PART 4 – TO DELETE WORDS PREVENTING BENEFICIAL BOUNDARY ADJUSTMENT TO NON-ADJOINING LOTS</b>
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<b>Meeting</b>	Council	26 May 2020
<b>Directorate</b>	Notice of Motion	
<b>Submitted by</b>	Cr Andrew Baker	
<b>Attachment</b>	Nil	

To the General Manager, Clarence Valley Council, I propose that the following report and notice of motion be submitted to Council.

**SUMMARY**

The proposed amendment seeks to correct a detrimental provision of the LEP where boundary adjustments that would otherwise result in a net benefit to farming and rural industry are prevented merely due to lots being non-adjoining. If this motion is adopted, all of the remaining provisions of LEP2011 Part 4 remain as substantial protection of the objectives and land described in the clauses of Part 4 Principal development standards.

**PROPOSED MOTION**

That Council do all things necessary to cause:

1. Clarence Valley Council LEP 2011 Part 4 to be amended at Clause 4.1B sub-clause (3) by deleting the word 'adjoining' in 2 places shown as follows:

(3) Despite clause 4.1, development consent may be granted for the subdivision of land to which this clause applies by way of an adjustment of boundaries between adjoining lots where the size of at least one of the adjoining lots is less than the minimum lot size shown on the [Lot Size Map](#) in relation to the land if the consent authority is satisfied that the subdivision will not result in—

- (a) an increase in the number of lots, or
- (b) an increase in the number of lots that have an area that is less than the minimum size shown on the [Lot Size Map](#) in relation to that land, or
- (c) an increase in the number of dwellings or opportunities for dwellings on each lot.

2. Amendment to any other LEP part or other instrument in such a way to ensure no conflict is caused with sub-clause (3), after amendment, as described above.

**COUNCIL RESOLUTION – 07.20.003**

**Baker/Lysaught**

**That Council do all things necessary to cause:**

1. **Clarence Valley Council LEP 2011 Part 4 to be amended at Clause 4.1B sub-clause (3) by deleting the word 'adjoining' in 2 places shown as follows:**

**(3) Despite clause 4.1, development consent may be granted for the subdivision of land to which this clause applies by way of an adjustment of boundaries between adjoining lots where the size of at least one of the adjoining lots is less than the minimum lot size shown on the [Lot Size Map](#) in**



relation to the land if the consent authority is satisfied that the subdivision will not result in—

- (a) an increase in the number of lots, or
- (b) an increase in the number of lots that have an area that is less than the minimum size shown on the [Lot Size Map](#) in relation to that land, or
- (c) an increase in the number of dwellings or opportunities for dwellings on each lot.

2. Amendment to any other LEP part or other instrument in such a way to ensure no conflict is caused with sub-clause (3), after amendment, as described above.

Voting recorded as follows:

For: Simmons, Kingsley, Baker, Ellem, Novak, Williamson, Lysaught, Toms

Against: Clancy

FORESHADOWED MOTION

Clancy

That Council add provisions in the Clarence Valley Local Environmental Plan 2011 to enable boundary adjustments between no more than two allotments, whether adjoining or not, where both allotments are subject to a contractual arrangement between Sugar Milling Cooperative and a grower member for the production of sugar cane being in force with respect of the land when the works are carried out.

#### LINKAGE TO OUR COMMUNITY PLAN

Theme 5 Leadership

Objective 5.1 We will have a strong, accountable and representative Government

Strategy 5.1.4 Ensure transparent and accountable decision making for our community

#### BACKGROUND

Boundary adjustments between non-adjoining Lots or part-Lots to create larger farms have proven to be beneficial to farm enterprise viability and important to protection of prime agricultural land where small lots with an existing dwelling are approved for subdivision to create a small residential Lot with the residue agricultural land then being attached to a farm Lot within the same general area. Where subdivision and aggregation occurred that did not result in additional dwelling eligibility, the farm owner gained the benefit of the agricultural land without the necessity to apply capital to an unwanted dwelling or dwelling eligibility while the small-Lot owner gained the benefit of retaining the dwelling or dwelling eligibility without the burden of a small non-viable, or hobby, area of agricultural land. The recent change (date unknown to me) to the CVLEP 2011 to require land to be adjoining now acts to prevent otherwise beneficial aggregations in situations where separation is created by road reserve, unformed Crown road and short distances between land holdings.

#### KEY ISSUES

My recent observations at three 'proposed boundary adjustment' DMU meetings has resulted in my identification of an impediment to Council consideration of sugar cane farm boundary adjustments that would, save for the word 'adjoining' occurring in the extensive list of other considerations needed to satisfy the provisions of the LEP, and if approved, result in:

- a) substantially increased protection of the prime agricultural land for farming purposes and,
- b) increased viability of the continuing farming enterprise together with,
- c) a level of protection of the sugar milling and refining industry that relies heavily upon a critical level of production for continuing viability and,
- d) no identifiable adverse impact on the subject land, other land, the environment, local amenity or on existing farming operations.

If adopted, the removal of 'adjoining' will leave all of the 'protection of land' provisions of Part 4 to be considered as part of any application for boundary adjustment.

## COUNCIL IMPLICATIONS

### Budget/Financial

Cost of implementation to be advised by way of staff report.

### Policy or Regulation

Clarence Valley Local Environmental Plan 2011

### Consultation

My external consultation on the subject with farmers and sugar industry representatives has produced no adverse comment to the issue of aggregation of non-adjoining land parcels where no additional dwelling eligibility results.

### Legal and Risk Management

N/A

## STAFF COMMENT – DIRECTOR ENVIRONMENT, PLANNING & COMMUNITY

Clause 4.1B was added to the Clarence Valley Local Environmental Plan 2011 (LEP) via a planning proposal initiated by Council staff in order to overcome a barrier in the State Environmental Planning Policy (Exempt and Complying Codes) 2008 that prevented boundary adjustments between allotments when one or more of those allotments was under the required minimum lot size. The legal drafting of the clause was prepared by NSW Parliamentary Counsel (PC) and the amendment to the LEP, known as Amendment No. 29, was notified in the NSW Government Gazette on 10 February 2017.

The planning proposal was silent on whether allotments subject to the clause needed to be adjoining or not. However, a diagram giving an example of such a boundary adjustment within the planning proposal did show the subject lots being adjoining. Given the planning proposal was silent on the issue of 'adjoining' it would appear that the PC inserted the word 'adjoining' during legal drafting and it appears Council staff did not seek to have the word removed.

Without the word 'adjoining' there is certainly potential for boundary adjustments authorised by the clause to occur between allotments that are separated by a substantial distance and this is not considered ideal as it would open the potential for such adjustments where each allotment has no relationship to the other. Advice has been provided in the DMU or Pre-DA meeting that individual applicants may seek to amend the LEP for the individual case and demonstrate the merit of the change. The LEP clauses cannot and should not necessarily cater for or enable every possible planning scenario and that is why there is a process of enabling planning proposals to be submitted and considered on their merit. For private benefit these planning proposals are typically prepared and submitted at the applicants cost on a user pays basis. Council's current fees for a planning proposal are:

### Rezoning Applications

Pre Gateway Assessment – Initial Application	Rezoning	\$3,551.00	R	N
Post Gateway Assessment	Rezoning	\$5,432.00	R	N
Advertising	Rezoning	\$336.00	R	N
Legal Drafting	Rezoning	\$1,076.00	R	N
Fee – staff time – per hour (after first 20 minutes)	Rezoning	\$157.60	R	N

The examples cited in the Notice of Motion relate to sugar cane farm boundary adjustments. With this industry in mind, and in the event that Council supported a change to clause 4.1B, it is suggested that the word 'adjoining' may be best retained and further provisions added that enable boundary adjustments

between no more than two allotments, whether adjoining or not, where at least one of the allotments is subject to a 'contractual arrangement between the Sugar Milling Cooperative and a grower member for the production of sugar cane being in force in respect of the land when the works are carried out' in much the same way as the relaxation for the sugar cane industry contained in the LEPs acid sulfate soils clause (sub clause 7.1(7)(a) of the LEP). In this way the added flexibility is limited to an industry and to a particular geographical area, ie the lower Clarence floodplain.

On this matter it would be better if the sugar industry applied for the rezoning process. This would add industry support as at present the DPI guideline (attached) does not support the addition of residential housing in agricultural zones. They would need to be consulted as per the Ministerial 117 Direction and are likely to object to this proposal as it would add more potential conflict into agricultural areas due to non-farming residents occupying houses in the new small lots. If the objection can't be overcome the Department is likely to reject the proposal at the Gateway stage.

To be tabled	Letter from Sunshine Sugar Letter from Clarence Canegrowers Association Section 9.1 Directions Farm Subdivision Assessment Guideline
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Clarence Canegrowers  
Association

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Phone: 02 6645 2515  
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ABN: 65 743 508 826

14<sup>th</sup> May 2020

The General Manager  
Clarence Valley Council  
Locked Bag 23  
Grafton NSW 2460

Proposed Amendment to Clause 4.1B sub-clause (3) of Clarence Valley Council LEP 2011

To whom it may concern,

Please accept this letter regarding a notice of motion to be submitted by councillor Andrew Baker pertaining to boundary adjustments.

The future viability of all farming practices, not just the sugar industry, relies on economies of scale.

The requirement that lots be adjoining restricts landholder's ability to amalgamate and upscale, when in fact this should be encouraged.

The enhancing of cane farming businesses ensures the ongoing viability of our sugar mills which in turn provide many hundreds of jobs critical to the economic benefit of the Clarence Valley.

At a recent meeting of the Clarence Canegrowers executive committee it was unanimously agreed to strongly support councillor Bakers proposed amendment.

Your sincerely,

A handwritten signature in black ink that reads "Ross Farlow".

Ross Farlow  
President Clarence Cane Growers Association  
Chairman NSW Cane Growers Association



**100%**  
**Locally grown**  
**Australian owned**  
**Certified sustainable**

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**SUNSHINE SUGAR**  
**T/A MANILDRA HARWOOD**

**SUGARS**

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13<sup>th</sup> May 2020

The General Manager  
Clarence Valley Council  
Locked Bag 23,  
Grafton 2460, NSW

E-mail: [Ashley.Lindsay@clarence.nsw.gov.au](mailto:Ashley.Lindsay@clarence.nsw.gov.au)

Dear Sir

**Proposed Amendment to Clause 4.1B sub-clause (3) of Clarence Valley Council LEP 2011.**

The sugar industry in NSW is highly dependent on throughput to remain viable. Throughput is dependent on cane yield and the area of available good quality land on which to grow sugarcane. In recent years, we have seen the loss of significant areas of land close to our mills to alternative uses including urban encroachment, lifestyle and other crops, such as macadamias, which is placing increasing pressure on this important local industry.

Growers are in turn feeling the pressure from rising costs and increasing the scale of their operations is an important measure to improve their efficiencies. Boundary adjustments play an important role in this from two perspectives – firstly, they provide a relatively straightforward mechanism to aggregate productive land and, secondly and just as importantly, they provide an important exit mechanism for farmers who wish to retire from farming but remain in their home.

While the provisions of Clause 4.1B sub-clause (3) of Clarence Valley Council LEP 2011 certainly facilitate this process, the requirement that lots should be adjoining is in our view too restrictive and should be removed.

It is worth noting, that the Richmond Valley, Ballina, Byron Council LEPs do not specify that for boundary adjustment purposes lots should be adjoining.

Yours sincerely

A handwritten signature in black ink, appearing to read "Ian McBean".

Ian McBean  
Corporate Services Manager

## Section 9.1 Directions

The following is a list of Directions issued by the Minister for Planning to relevant planning authorities under section 9.1(2) of the *Environmental Planning and Assessment Act 1979* - previously section 117(2). These directions apply to planning proposals lodged with the Department of Planning, Industry and Environment on or after the date the particular direction was issued:

<b>Direction</b>	<b>Issue date / Date effective</b>
1. Employment and Resources	1 July 2009 (Except for
1.1 Business and Industrial Zones	New Direction 1.2
1.2 Rural Zones	effective 14 April 2016;
1.3 Mining, Petroleum Production and Extractive Industries	Direction 1.1 effective 1
1.4 Oyster Aquaculture	May 2017;
1.5 Rural Lands	New Direction 1.5
	effective 28 February
	2019)
2. Environment and Heritage	1 July 2009 (Except for
2.1 Environment Protection Zones	New Direction 2.6
2.2 Coastal Management	effective 17 April 2020;
2.3 Heritage Conservation	Direction 2.5 effective 2
2.4 Recreation Vehicle Areas	March 2016;
2.5 Application of E2 and E3 Zones and Environmental Overlays in	Direction 2.1 and 2.4
Far North Coast LEPs	effective 14 April 2016;
2.6 Remediation of Contaminated Land	Direction 2.2 effective 3
	April 2018)
3. Housing, Infrastructure and Urban Development	1 July 2009 (Except
3.1 Residential Zones	for
3.2 Caravan Parks and Manufactured Home Estates	New Direction 3.6
3.3 Home Occupations	effective 16 February
3.4 Integrating Land Use and Transport	2011;
3.5 Development Near Regulated Airports and Defence Airfields	Direction 3.1, 3.2, 3.4
3.6 Shooting Ranges	and 3.5 effective 14 April
3.7 Reduction in non-hosted short term rental accommodation period	2016; Direction 3.7
	effective 15 February
	2019)
4. Hazard and Risk	1 July 2009 (Except
4.1 Acid Sulfate Soils	for
4.2 Mine Subsidence and Unstable Land	New Direction 4.2
4.3 Flood Prone Land	effective 14 April 2016)
4.4 Planning for Bushfire Protection	
5. Regional Planning	1 July 2009 (Except
5.1 Implementation of Regional Strategies	for
5.2 Sydney Drinking Water Catchments	New Direction 5.2
5.3 Farmland of State and Regional Significance on the NSW Far North	effective 3 March 2011;
Coast	Direction 5.4 effective 21
5.4 Commercial and Retail Development along the Pacific Highway,	August 2015;
North Coast	Direction 5.9 effective 30
5.5 Development in the vicinity of Ellalong, Paxton and Millfield	September 2013;
(Cessnock LGA) (Revoked 18 June 2010)	Direction 5.8 and 5.10



<b>Direction</b>	<b>Issue date / Date effective</b>
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	effective 14 April 2016; Direction 5.1 and 5.3
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	effective 1 May 2017;
5.8 Second Sydney Airport: Badgerys Creek (Revoked 20 August 2018)	Direction 5.11 effective 6 February 2019)
5.9 North West Rail Link Corridor Strategy	
5.10 Implementation of Regional Plans	
5.11 Development of Aboriginal Land Council land	
<b>6. Local Plan Making</b>	<b>1 July 2009</b>
6.1 Approval and Referral Requirements	
6.2 Reserving Land for Public Purposes	
6.3 Site Specific Provisions	
<b>7. Metropolitan Planning</b>	<b>14 January 2015</b>
7.1 Implementation of A Plan for Growing Sydney	Except for
7.2 Implementation of Greater Macarthur Land Release Investigation	Direction 7.2 effective
7.3 Parramatta Road Corridor Urban Transformation Strategy	22 September 2015;
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Direction 7.3: effective
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	9 December 2016;
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Direction 7.4: effective
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	15 May 2017;
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	Direction 7.5: effective
7.9 Implementation of Bayside West Precincts 2036 Plan	25 July 2017;
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Direction 7.6: effective
	5 August 2017;
	Direction 7.7: effective
	22 December 2017;
	Direction 7.8: effective
	20 August 2018;
	Direction 7.9: effective:
	25 September 2018;
	Direction 7.10: effective
	25 September 2018

# **1. Employment and Resources**

## **1.1 Business and Industrial Zones**

### **Objectives**

- (1) The objectives of this direction are to:
  - (a) encourage employment growth in suitable locations,
  - (b) protect employment land in business and industrial zones, and
  - (c) support the viability of identified centres.

### **Where this direction applies**

- (2) This direction applies to all relevant planning authorities.

### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).

### **What a relevant planning authority must do if this direction applies**

- (4) A planning proposal must:
  - (a) give effect to the objectives of this direction,
  - (b) retain the areas and locations of existing business and industrial zones,
  - (c) not reduce the total potential floor space area for employment uses and related public services in business zones,
  - (d) not reduce the total potential floor space area for industrial uses in industrial zones, and
  - (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Secretary of the Department of Planning and Environment.

### **Consistency**

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning and Environment (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:
  - (a) justified by a strategy which:
    - (i) gives consideration to the objective of this direction, and
    - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
    - (iii) is approved by the Secretary of the Department of Planning and Environment, or
  - (b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or
  - (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning and Environment which gives consideration to the objective of this direction, or
  - (d) of minor significance.

**Note:** In this direction, “identified centre” means a centre that has been identified as a strategic centre, regional city or centre in a regional strategy, regional plan, sub-regional strategy, or another strategy approved by the Secretary.

## 1.2 Rural Zones

### Objective

- (1) The objective of this direction is to protect the agricultural production value of rural land.

### Where this direction applies

- (2) (a) Clause 4(a) of this direction applies to all relevant planning authorities.  
(b) Clause 4(b) of this direction applies in the following local government areas:

Ashfield	Holroyd	Sutherland
Auburn	Hornsby	Warringah
Bankstown	Hunters Hill	Waverley
Baulkham Hills	Hurstville	Willoughby
Blacktown	Kogarah	Wollondilly
Blue Mountains	Ku-ring-gai	Woollahra
Botany Bay	Lake Macquarie	Wollongong
Burwood	Lane Cove	Wyong
Camden	Leichhardt	
Campbelltown	Liverpool	
Canada Bay	Manly	
Canterbury	Marrickville	
City of Sydney	Mosman	
Fairfield	Newcastle	
Gosford	North Sydney	
Hawkesbury	Parramatta	

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).

### What a relevant planning authority must do if this direction applies

- (4) A planning proposal must:
- (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.
  - (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).

### Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:
- (a) justified by a strategy which:
    - (i) gives consideration to the objectives of this direction,
    - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
    - (iii) is approved by the Director-General of the Department of Planning, or
  - (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or
  - (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
  - (d) is of minor significance.

## **1.3 Mining, Petroleum Production and Extractive Industries**

### **Objective**

- (1) The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.

### **Where this direction applies**

- (2) This direction applies to all relevant planning authorities.

### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal that would have the effect of:
  - (a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or
  - (b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.

### **What a relevant planning authority must do if this direction applies**

- (4) In the preparation of a planning proposal affected by this direction, the relevant planning authority must:
  - (a) consult the Director-General of the Department of Primary Industries (DPI) to identify any:
    - (i) resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and
    - (ii) existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and
  - (b) seek advice from the Director-General of DPI on the development potential of resources identified under (4)(a)(i), and
  - (c) identify and take into consideration issues likely to lead to land use conflict between other land uses and:
    - (i) development of resources identified under (4)(a)(i), or
    - (ii) existing development identified under (4)(a)(ii).
- (5) Where a planning proposal prohibits or restricts development of resources identified under (4)(a)(i), or proposes land uses that may create land use conflicts identified under (4)(c), the relevant planning authority must:
  - (a) provide the Director-General of DPI with a copy of the planning proposal and notification of the relevant provisions,
  - (b) allow the Director-General of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and
  - (c) include a copy of any objection and supporting information received from the Director-General of DPI with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) before undertaking community consultation in satisfaction of section 57 of the Act.

### **Consistency**

- (6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the provisions of the planning proposal that are inconsistent are of minor significance.

## 1.4 Oyster Aquaculture

### Objectives

- (1) The objectives of this direction are:
  - (a) to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal,
  - (b) to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.

### Where this direction applies

- (2) This direction applies to Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area as identified in the *NSW Oyster Industry Sustainable Aquaculture Strategy (2006)* ("the Strategy").

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares any planning proposal that proposes a change in land use which could result in:
  - (a) adverse impacts on a Priority Oyster Aquaculture Area or a "current oyster aquaculture lease in the national parks estate"; or
  - (b) incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or a "current oyster aquaculture lease in the national parks estate" and other land uses.

### What a relevant planning authority must do if this direction applies

- (4) In the preparation of a planning proposal affected by this direction, the relevant planning authority must:
  - (a) identify any Priority Oyster Aquaculture Areas and oyster aquaculture leases outside such an area, as shown the maps to the Strategy, to which the planning proposal would apply,
  - (b) identify any proposed land uses which could result in any adverse impact on a Priority Oyster Aquaculture Area or oyster aquaculture leases outside such an area,
  - (c) identify and take into consideration any issues likely to lead to an incompatible use of land between oyster aquaculture and other land uses and identify and evaluate measures to avoid or minimise such land use in compatibility,
  - (d) consult with the Director-General of the Department of Primary Industries (DPI) of the proposed changes in the preparation of the planning proposal, and
  - (e) ensure the planning proposal is consistent with the Strategy.
- (5) Where a planning proposal proposes land uses that may result in adverse impacts identified under (4)(b) and (c), relevant planning authority must:
  - (a) provide the Director-General of DPI with a copy of the planning proposal and notification of the relevant provisions,
  - (b) allow the Director-General of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and
  - (c) include a copy of any objection and supporting information received from the Director-General of DPI with the statement to the Director-General of the Department of Planning before undertaking community consultation in satisfaction of section 57 of the Act.

### Consistency

- (6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.

#### Note:

- (a) "Priority Oyster Aquaculture Areas" has the same meaning as in the *NSW Oyster Industry Sustainable Aquaculture Strategy*; and
- (b) an "incompatible use of land" includes access to oyster leases being limited by the change in land use or the risk of adverse impacts as a result of that change in land use on water quality and, consequently, on the health of oysters and on the health of consumers of those oysters.

## 1.5 Rural Lands

### Objective

(1) The objectives of this direction are to:

- (a) protect the agricultural production value of rural land,
- (b) facilitate the orderly and economic use and development of rural lands for rural and related purposes,
- (c) assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State,
- (d) minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses,
- (e) encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land
- (f) support the delivery of the actions outlined in the New South Wales Right to Farm Policy.

### Where this direction applies

(2) This direction applies to all local government areas in the State except for:

- (a) Lake Macquarie,
- (b) Newcastle,
- (c) Wollongong, and
- (d) local government areas in the Greater Sydney Region (as defined in the *Greater Sydney Commission Act 2015*) other than Wollondilly and Hawkesbury.

### When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that:

- (a) will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or
- (b) changes the existing minimum lot size on land within a rural or environment protection zone.

**Note:** Reference to a rural or environment protection zone means any of the following zones or their equivalent in a non-Standard LEP: RU1, RU2, RU3, RU4, RU6, E1, E2, E3, E4.

### What a relevant planning authority must do if this direction applies

(4) A planning proposal to which clauses 3(a) or 3(b) apply must:

- (a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Secretary of the Department of Planning and Environment, and any applicable local strategic planning statement
- (b) consider the significance of agriculture and primary production to the State and rural communities
- (c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources
- (d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions
- (e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities
- (f) support farmers in exercising their right to farm
- (g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land uses



- (h) consider State significant agricultural land identified in *State Environmental Planning Policy (Primary Production and Rural Development) 2019* for the purpose of ensuring the ongoing viability of this land
  - (i) consider the social, economic and environmental interests of the community.
- (5) A planning proposal to which clause 3(b) applies must demonstrate that it:
- (a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses
  - (b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains
  - (c) where it is for rural residential purposes:
    - i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres
    - ii. is necessary taking account of existing and future demand and supply of rural residential land.

**Note:** where a planning authority seeks to vary an existing minimum lot size within a rural or environment protection zone, it must also do so in accordance with the Rural Subdivision Principles in clause 5.16 of the relevant Local Environmental Plan.

### **Consistency**

- (6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:
- (a) justified by a strategy which:
    - i. gives consideration to the objectives of this direction,
    - ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
    - iii. is approved by the Secretary of the Department of Planning & Environment and is in force, or
  - (b) is of minor significance.

**Direction 1.5 – issued 28 February 2019**

## **2. Environment and Heritage**

### **2.1 Environment Protection Zones**

#### **Objective**

- (1) The objective of this direction is to protect and conserve environmentally sensitive areas.

#### **Where this direction applies**

- (2) This direction applies to all relevant planning authorities.

#### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal.

#### **What a relevant planning authority must do if this direction applies**

- (4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.
- (5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "*Rural Lands*".

#### **Consistency**

- (6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:
- (a) justified by a strategy which:
    - (i) gives consideration to the objectives of this direction,
    - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
    - (iii) is approved by the Director-General of the Department of Planning, or
  - (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or
  - (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
  - (d) is of minor significance.

## 2.2 Coastal Management

### Objective

- (1) The objective of this direction is to protect and manage coastal areas of NSW.

### Where this direction applies

- (2) This direction applies to land that is within the coastal zone, as defined under the *Coastal Management Act 2016* - comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area and coastal use area - and as identified by the *State Environmental Planning Policy (Coastal Management) 2018*.

### When this direction applies

- (3) This direction applies when a planning proposal authority prepares a planning proposal that applies to land identified in (2) above.

### What a planning proposal authority must do if this direction applies

- (4) A planning proposal must include provisions that give effect to and are consistent with:
- (a) the objects of the *Coastal Management Act 2016* and the objectives of the relevant coastal management areas;
  - (b) the NSW Coastal Management Manual and associated Toolkit;
  - (c) NSW Coastal Design Guidelines 2003; and
  - (d) any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the *Coastal Protection Act 1979* that continues to have effect under clause 4 of Schedule 3 to the *Coastal Management Act 2016*, that applies to the land.
- (5) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land:
- (a) within a coastal vulnerability area identified by the *State Environmental Planning Policy (Coastal Management) 2018*; or
  - (b) that has been identified as land affected by a current or future coastal hazard in a local environmental plan or development control plan, or a study or assessment undertaken:
    - (i) by or on behalf of the relevant planning authority and the planning proposal authority, or
    - (ii) by or on behalf of a public authority and provided to the relevant planning authority and the planning proposal authority.
- (6) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land within a coastal wetlands and littoral rainforests area identified by the *State Environmental Planning Policy (Coastal Management) 2018*.
- (7) A planning proposal for a Local Environmental Plan may propose to amend the following maps, including increasing or decreasing the land within these maps, under the *State Environmental Planning Policy (Coastal Management) 2018*:
- (a) Coastal wetlands and littoral rainforests area map;
  - (b) Coastal vulnerability area map;
  - (c) Coastal environment area map; and
  - (d) Coastal use area map.

Such a planning proposal must be supported by evidence in a relevant Coastal Management Program that has been certified by the Minister, or by a Coastal Zone Management Plan under the *Coastal Protection Act 1979* that continues to have effect under clause 4 of Schedule 3 to the *Coastal Management Act 2016*.

Note: Under section 10(2) of the *Coastal Management Act 2016*, any provision of an LEP that identifies a coastal management area (or part of such an area) must not be made without the recommendation of the Minister administering the *Coastal Management Act 2016*.

### Consistency

- (8) A planning proposal may be inconsistent with the terms of this direction only if the planning proposal authority can satisfy the Secretary of the Department of Planning and Environment (or their nominee) that the provisions of the planning proposal that are inconsistent are:
- (a) justified by a study or strategy prepared in support of the planning proposal which gives consideration to the objective of this direction, or

- (b) in accordance with any relevant Regional Strategic Plan or District Strategic Plan, prepared under Division 3.1 of the *Environmental Planning and Assessment Act 1979* by the relevant strategic planning authority, which gives consideration to the objective of this direction, or
- (c) of minor significance.

“Coastal hazard” and “Coastal Management Program” are defined in the *Coastal Management Act 2016*.

**Direction 2.2 – issued 3 April 2018**

## 2.3 Heritage Conservation

### Objective

- (1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

### Where this direction applies

- (2) This direction applies to all relevant planning authorities.

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal.

### What a relevant planning authority must do if this direction applies

- (4) A planning proposal must contain provisions that facilitate the conservation of:
- (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,
  - (b) Aboriginal objects or Aboriginal places that are protected under the *National Parks and Wildlife Act 1974*, and
  - (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.

### Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:
- (a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or
  - (b) the provisions of the planning proposal that are inconsistent are of minor significance.

#### Note:

In this direction: “conservation”, “environmental heritage”, “item”, “place” and “relic” have the same meaning as in the *Heritage Act 1977*.

“Aboriginal object”, “Aboriginal area” and “Aboriginal place” have the same meaning as in the *National Parks and Wildlife Act 1974*.

Heritage conservation is covered by a compulsory clause in the Standard Instrument (Local Environmental Plans) Order 2006. A LEP that adopts the Standard Instrument should identify such items, areas, objects or places of environmental heritage significance or indigenous heritage significance as are relevant to the terms of this direction on the Heritage Map and relevant Schedule of the LEP.

## 2.4 Recreation Vehicle Areas

### Objective

- (1) The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.

### Where this direction applies

- (2) This direction applies to all relevant planning authorities.

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal.

### What a relevant planning authority must do if this direction applies

- (4) A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the *Recreation Vehicles Act 1983*):
  - (a) where the land is within an environmental protection zone,
  - (b) where the land comprises a beach or a dune adjacent to or adjoining a beach,
  - (c) where the land is not within an area or zone referred to in paragraphs (4)(a) or (4)(b) unless the relevant planning authority has taken into consideration:
    - (i) the provisions of the guidelines entitled *Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985*, and
    - (ii) the provisions of the guidelines entitled *Recreation Vehicles Act, 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985*.

### Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:
  - (a) justified by a strategy which:
    - (i) gives consideration to the objective of this direction, and
    - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
    - (iii) is approved by the Director-General of the Department of Planning, or
  - (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
  - (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
  - (d) of minor significance.



## **2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs**

### **Objective**

- (1) The objective of this direction is to ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast.

### **Where this direction applies**

- (2) This direction applies to the local government areas of Ballina, Byron, Kyogle, Lismore and Tweed.

### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal:
  - (a) that introduces or alters an E2 Environmental Conservation or E3 Environmental Management zone;
  - (b) that introduces or alters an overlay and associated clause.

### **What a relevant planning authority or council must do if this direction applies**

- (4) A planning proposal that introduces or alters an E2 Environmental Conservation or E3 Environmental Management zone or an overlay and associated clause must:
  - (a) apply the proposed E2 Environmental Conservation or E3 Environmental Management zones, or the overlay and associated clause, consistent with the Northern Councils E Zone Review Final Recommendations.

### **Consistency**

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary, Department of Planning and Environment (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.

## 2.6 Remediation of Contaminated Land

### Objective

- (1) The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.

### Where this direction applies

- (2) This direction applies to:
- (a) land that is within an investigation area within the meaning of the *Contaminated Land Management Act 1997*,
  - (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,
  - (c) the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land:
    - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
    - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

### When this direction applies

- (3) This direction applies when a planning proposal authority prepares a planning proposal applying to land specified in paragraph (2).

### What a planning proposal authority must do if this direction applies

- (4) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land specified in paragraph (2) if the inclusion of the land in that zone would permit a change of use of the land, unless:
- (a) the planning proposal authority has considered whether the land is contaminated, and
  - (b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and
  - (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.

In order to satisfy itself as to paragraph (4)(c), the planning proposal authority may need to include certain provisions in the local environmental plan.

- (5) Before including any land specified in paragraph (2) in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.

**Note:** In this direction, **contaminated land planning guidelines** means guidelines under clause 3 of Schedule 6 to the *Environmental Planning and Assessment Act 1979*.

## **3. Housing, Infrastructure and Urban Development**

### **3.1 Residential Zones**

#### **Objectives**

- (1) The objectives of this direction are:
- (a) to encourage a variety and choice of housing types to provide for existing and future housing needs,
  - (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
  - (c) to minimise the impact of residential development on the environment and resource lands.

#### **Where this direction applies**

- (2) This direction applies to all relevant planning authorities.

#### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:
- (a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary),
  - (b) any other zone in which significant residential development is permitted or proposed to be permitted.

#### **What a relevant planning authority must do if this direction applies**

- (4) A planning proposal must include provisions that encourage the provision of housing that will:
- (a) broaden the choice of building types and locations available in the housing market, and
  - (b) make more efficient use of existing infrastructure and services, and
  - (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and
  - (d) be of good design.
- (5) A planning proposal must, in relation to land to which this direction applies:
- (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and
  - (b) not contain provisions which will reduce the permissible residential density of land.

#### **Consistency**

- (6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:
- (a) justified by a strategy which:
    - (i) gives consideration to the objective of this direction, and
    - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
    - (iii) is approved by the Director-General of the Department of Planning, or
  - (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
  - (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
  - (d) of minor significance.

## 3.2 Caravan Parks and Manufactured Home Estates

### Objectives

- (1) The objectives of this direction are:
  - (a) to provide for a variety of housing types, and
  - (b) to provide opportunities for caravan parks and manufactured home estates.

### Where this direction applies

- (2) This direction applies to all relevant planning authorities. This direction does not apply to:
  - (a) Crown land reserved or dedicated for any purposes under the *Crown Lands Act 1989*, except Crown land reserved for accommodation purposes, or
  - (b) land dedicated or reserved under the *National Parks and Wildlife Act 1974*.

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal.

### What a relevant planning authority must do if this direction applies

- (4) In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:
  - (a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and
  - (b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.
- (5) In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:
  - (a) take into account the categories of land set out in Schedule 2 of SEPP 36 as to where MHEs should not be located,
  - (b) take into account the principles listed in clause 9 of SEPP 36 (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and
  - (c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the *Community Land Development Act 1989* be permissible with consent.

### Consistency

- (6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:
  - (a) justified by a strategy which:
    - (i) gives consideration to the objective of this direction, and
    - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
    - (iii) is approved by the Director-General of the Department of Planning, or
  - (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
  - (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
  - (d) of minor significance.

### **3.3 Home Occupations**

#### **Objective**

- (1) The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.

#### **Where this direction applies**

- (2) This direction applies to all relevant planning authorities.

#### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal.

#### **What a relevant planning authority must do if this direction applies**

- (4) Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.

#### **Consistency**

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.

**Note:** In this direction “home occupation” has the same meaning as it has in the Standard Instrument (Local Environmental Plans) Order 2006.

**Direction 3.3 – issued 1 July 2009**

## 3.4 Integrating Land Use and Transport

### Objectives

- (1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:
  - (a) improving access to housing, jobs and services by walking, cycling and public transport, and
  - (b) increasing the choice of available transport and reducing dependence on cars, and
  - (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and
  - (d) supporting the efficient and viable operation of public transport services, and
  - (e) providing for the efficient movement of freight.

### Where this direction applies

- (2) This direction applies to all relevant planning authorities.

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.

### What a relevant planning authority must do if this direction applies

- (4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:
  - (a) *Improving Transport Choice – Guidelines for planning and development* (DUAP 2001), and
  - (b) *The Right Place for Business and Services – Planning Policy* (DUAP 2001).

### Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:
  - (a) justified by a strategy which:
    - (i) gives consideration to the objective of this direction, and
    - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
    - (iii) is approved by the Director-General of the Department of Planning, or
  - (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
  - (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
  - (d) of minor significance.

### 3.5 Development Near Regulated Airports and Defence Airfields

#### Objectives

- (1) The objectives of this direction are:
  - (a) to ensure the effective and safe operation of regulated airports and defence airfields;
  - (b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and
  - (c) to ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.

#### Where this direction applies

- (2) This direction applies to all relevant planning authorities.

#### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.

#### What a relevant planning authority must do if this direction applies

- (4) In the preparation of a planning proposal that sets controls for development of land near a regulated airport, the relevant planning authority must:
  - (a) consult with the lessee/operator of that airport;
  - (b) take into consideration the operational airspace and any advice from the lessee/operator of that airport;
  - (c) for land affected by the operational airspace, prepare appropriate development standards, such as height controls.
  - (d) not allow development types that are incompatible with the current and future operation of that airport.
- (5) In the preparation of a planning proposal that sets controls for development of land near a core regulated airport, the relevant planning authority must:
  - (a) consult with the Department of the Commonwealth responsible for airports and the lessee/operator of that airport;
  - (b) for land affected by the prescribed airspace (as defined in Regulation 6(1) of the *Airports (Protection of Airspace) Regulation 1996*, prepare appropriate development standards, such as height controls.
  - (c) not allow development types that are incompatible with the current and future operation of that airport.
  - (d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal seeks to allow, as permissible with consent, development that would constitute a controlled activity as defined in section 182 of the *Airports Act 1996*. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the *Environmental Planning and Assessment Act 1979*.
- (6) In the preparation of a planning proposal that sets controls for the development of land near a defence airfield, the relevant planning authority must:
  - (a) consult with the Department of Defence if:
    - (i) the planning proposal seeks to exceed the height provisions contained in the *Defence Regulations 2016 – Defence Aviation Areas* for that airfield; or
    - (ii) no height provisions exist in the *Defence Regulations 2016 – Defence Aviation Areas* for the airfield and the proposal is within 15km of the airfield.
  - (b) for land affected by the operational airspace, prepare appropriate development standards, such as height controls.
  - (c) not allow development types that are incompatible with the current and future operation of that airfield.



- (7) A planning proposal must include a provision to ensure that development meets *Australian Standard 2021 – 2015, Acoustic- Aircraft Noise Intrusion – Building siting and construction* with respect to interior noise levels, if the proposal seeks to rezone land:
- (a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25; or
  - (b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or
  - (c) for commercial or industrial purposes where the ANEF is above 30.
- (8) A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 ANEC/ANEF contour for Western Sydney Airport.

### **Consistency**

- (9) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning and Environment (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:
- a) justified by a strategy which:
    - (i) gives consideration to the objectives of this direction; and
    - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites); and
    - (iii) is approved by the Secretary of the Department of Planning and Environment; or
  - b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction; or
  - c) in accordance with the relevant Regional Plan prepared by the Department of Planning and Environment which gives consideration to the objectives of this direction; or is of minor significance.

**Direction 3.5 – issued 14 April 2016 (amended 20 August 2018)**

## 3.6 Shooting Ranges

### Objectives

- (1) The objectives are:
  - (a) to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range,
  - (b) to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land,
  - (c) to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.

### Where this direction applies

- (2) This direction applies to all relevant planning authorities.

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.

### What a relevant planning authority must do if this direction applies

- (4) A planning proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of:
  - (a) permitting more intensive land uses than those which are permitted under the existing zone; or
  - (b) permitting land uses that are incompatible with the noise emitted by the existing shooting range.

### Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:
  - (a) justified by a strategy which:
    - i. gives consideration to the objectives of this direction, and
    - ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites) and
    - iii. is approved by the Director-General of the Department of Planning and is in force, or
  - (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
  - (c) is of minor significance.

**Note:** In this direction, an “existing shooting range” means a shooting range the subject of a valid approval issued under the *Firearms Act 1996* and *Firearms Regulation 2006*, and includes the Range Danger Area of that shooting range.

**Direction 3.6 – issued 16 February 2011**

### 3.7 Reduction in non-hosted short term rental accommodation period

#### Objective

- (1) The objectives of this direction are to:
- (a) mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced, and
  - (b) ensure the impacts of short-term rental accommodation and views of the community are considered.

#### Where this direction applies

- (2) This direction applies to Byron Shire Council.

#### When this direction applies

- (3) This direction applies when the council prepares a planning proposal to identify or reduce the number of days that non-hosted short-term rental accommodation may be carried out in parts of its local government area.

#### What a planning proposal authority must do if this direction applies

- (4) The council must include provisions which give effect to the following principles in a planning proposal to which this direction applies:
- o non-hosted short term rental accommodation periods must not be reduced to be less than 90 days
  - o the reasons for changing the non-hosted short-term rental accommodation period should be clearly articulated
  - o there should be a sound evidence base for the proposed change, including evidence of the availability of short-term rental accommodation in the area (or parts of the area) in the 12 months preceding the proposal, relative to the amount of housing in the area, and trend data on the availability of short-term rental accommodation over the past 5 years.
  - o the impact of reducing the non-hosted short-term rental accommodation period should be analysed and explained, including social and economic impacts for the community in general, and impacted property owners specifically.

#### Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.

Note: In this direction:

**short-term rental accommodation** means an existing dwelling:

- (a) in which accommodation is lawfully provided on a commercial basis by the owner or tenant of the dwelling (the **host**) for a temporary or short-term period, with or without the host residing on the premises during that period, and
- (b) that, if it were used predominantly as a place of residence, would be one of the following types of residential accommodation:
  - (i) an attached dwelling,
  - (ii) a dual occupancy,
  - (iii) a dwelling house,
  - (iv) multi dwelling housing,
  - (v) a residential flat building,
  - (vi) a rural workers' dwelling,
  - (vii) a secondary dwelling,
  - (viii) a semi-detached dwelling,
  - (ix) shop top housing.

**Note.** Section 137A of the *Strata Schemes Management Act 2015* provides that a by-law made by a special resolution of an owners corporation may prohibit a lot being used for the purposes of a short-term rental

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Section 9.1(2) of the *Environmental Planning and Assessment Act*

accommodation arrangement (within the meaning of section 54A of the *Fair Trading Act 1987*) if the lot is not the principal place of residence of the person who, pursuant to the arrangement, is giving another person the right to occupy the lot.

**tenant** has the same meaning as in the *Residential Tenancies Act 2010*.

**non-hosted short-term rental accommodation** means short-term rental accommodation provided where the host does not reside on the premises during the provision of the accommodation.

Direction 3.7 – issued 15 February 2019

## **4. Hazard and Risk**

### **4.1 Acid Sulfate Soils**

#### **Objective**

- (1) The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.

#### **Where this direction applies**

- (2) This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils, as shown on Acid Sulfate Soils Planning Maps held by the Department of Planning.

#### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.

#### **What a relevant planning authority must do if this direction applies**

- (4) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.
- (5) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:
  - (a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or
  - (b) such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines.
- (6) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act.
- (7) Where provisions referred to under paragraph (5) of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with paragraph (5).

#### **Consistency**

- (8) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:
  - (a) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
  - (b) of minor significance.

## 4.2 Mine Subsidence and Unstable Land

### Objective

- (1) The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.

### Where this direction applies

- (2) This direction applies to land that:
- (a) is within a Mine Subsidence District proclaimed pursuant to section 15 of the Mine Subsidence Compensation Act 1961, or
  - (b) has been identified as unstable land.

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal that permits development on land that:
- (a) is within a mine subsidence district, or
  - (b) has been identified as unstable in a study, strategy or other assessment undertaken:
    - (i) by or on behalf of the relevant planning authority, or
    - (ii) by or on behalf of a public authority and provided to the relevant planning authority.

### What a relevant planning authority must do if this direction applies

- (4) When preparing a planning proposal that would permit development on land that is within a Mine Subsidence District a relevant planning authority must:
- (a) consult the Mine Subsidence Board to ascertain:
    - (i) if the Mine Subsidence Board has any objection to the draft Local Environmental Plan, and the reason for such an objection, and
    - (ii) the scale, density and type of development that is appropriate for the potential level of subsidence, and
  - (b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under (4)(a)(ii), and
  - (c) include a copy of any information received from the Mine Subsidence Board with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.
- (5) A planning proposal must not permit development on unstable land referred to in paragraph 3(b).

### Consistency

- (6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:
- (a) justified by a strategy which:
    - (i) gives consideration to the objective of this direction, and
    - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
    - (iii) is approved by the Director-General of the Department of Planning, or
  - (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
  - (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
  - (d) of minor significance.

**Note:** With regard to development applications, section 15 of the *Mine Subsidence Compensation Act 1961* requires approval from the Mine Subsidence Board to alter or erect improvements within a mine subsidence district or to subdivide land therein.

Section 91 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) provides that approval under section 15 of the *Mine Subsidence Compensation Act 1961* is integrated development. Section 91A of

the EP&A Act provides that the consent authority must obtain from the relevant approval body (Mine Subsidence Board) the general terms of any approval proposed to be granted by the approval body in relation to the development. A consent granted by the consent authority must be consistent with the general terms of any approval proposed to be granted by the approval body.

**Direction 4.2 – issued 14 April 2016**



## 4.3 Flood Prone Land

### Objectives

- (1) The objectives of this direction are:
  - (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the *Floodplain Development Manual 2005*, and
  - (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

### Where this direction applies

- (2) This direction applies to all relevant planning authorities that are responsible for flood prone land within their LGA.

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.

### What a relevant planning authority must do if this direction applies

- (4) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the *Floodplain Development Manual 2005* (including the *Guideline on Development Controls on Low Flood Risk Areas*).
- (5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.
- (6) A planning proposal must not contain provisions that apply to the flood planning areas which:
  - (a) permit development in floodway areas,
  - (b) permit development that will result in significant flood impacts to other properties,
  - (c) permit a significant increase in the development of that land,
  - (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or
  - (e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.
- (7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).
- (8) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the *Floodplain Development Manual 2005* (including the *Guideline on Development Controls on Low Flood Risk Areas*) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).

### Consistency

- (9) A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that:
  - (a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the *Floodplain Development Manual 2005*, or
  - (b) the provisions of the planning proposal that are inconsistent are of minor significance.

**Note:** "flood planning area", "flood planning level", "flood prone land" and "floodway area" have the same meaning as in the *Floodplain Development Manual 2005*.

## 4.4 Planning for Bushfire Protection

### Objectives

- (1) The objectives of this direction are:
  - (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and
  - (b) to encourage sound management of bush fire prone areas.

### Where this direction applies

- (2) This direction applies to all local government areas in which the responsible Council is required to prepare a bush fire prone land map under section 146 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act), or, until such a map has been certified by the Commissioner of the NSW Rural Fire Service, a map referred to in Schedule 6 of that Act.

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.

### What a relevant planning authority must do if this direction applies

- (4) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made,
- (5) A planning proposal must:
  - (a) have regard to *Planning for Bushfire Protection 2006*,
  - (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and
  - (c) ensure that bushfire hazard reduction is not prohibited within the APZ.
- (6) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:
  - (a) provide an Asset Protection Zone (APZ) incorporating at a minimum:
    - (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and
    - (ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,
  - (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the *Rural Fires Act 1997*), the APZ provisions must be complied with,
  - (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,
  - (d) contain provisions for adequate water supply for firefighting purposes,
  - (e) minimise the perimeter of the area of land interfacing the hazard which may be developed,
  - (f) introduce controls on the placement of combustible materials in the Inner Protection Area.

### Consistency

- (7) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service, to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.

## **5. Regional Planning**

### **5.1 Implementation of Regional Strategies**

#### **Objective**

- (1) The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.

#### **Where this direction applies**

- (2) This direction applies to land to which the following regional strategies apply:
  - (a) South Coast Regional Strategy (excluding land in the Shoalhaven LGA)
  - (b) Sydney–Canberra Corridor Regional Strategy

#### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal.

#### **What a relevant planning authority must do if this direction applies**

- (4) Planning proposals must be consistent with a regional strategy released by the Minister for Planning.

#### **Consistency**

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning and Environment (or an officer of the Department nominated by the Secretary), that the extent of inconsistency with the regional strategy:
  - (a) is of minor significance, and
  - (b) the planning proposal achieves the overall intent of the regional strategy and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.

**Direction 5.1 – issued 1 May 2017**

## 5.2 Sydney Drinking Water Catchment

### Objective

- (1) The objective of this Direction is to protect water quality in the Sydney drinking water catchment.

### Where this Direction applies

- (2) This Direction applies to the Sydney drinking water catchment in the following local government areas:

Blue Mountains	Kiama	Sutherland
Campbelltown	Lithgow	Upper Lachlan
Cooma Monaro	Oberon	Wingecarribee
Eurobodalla	Palerang	Wollondilly
Goulburn Mulwaree	Shoalhaven	Wollongong.

### When this Direction applies

- (3) This Direction applies when a relevant planning authority prepares a planning proposal that applies to land within the Sydney drinking water catchment.

### What a relevant planning authority must do if this Direction applies

- (4) A planning proposal must be prepared in accordance with the general principle that water quality within the Sydney drinking water catchment must be protected, and in accordance with the following specific principles:
- new development within the Sydney drinking water catchment must have a neutral or beneficial effect on water quality, and
  - future land use in the Sydney drinking water catchment should be matched to land and water capability, and
  - the ecological values of land within a Special Area that is:
    - reserved as national park, nature reserve or state conservation area under the *National Parks and Wildlife Act 1974*, or
    - declared as a wilderness area under the *Wilderness Act 1987*, or
    - owned or under the care control and management of the Sydney Catchment Authority,
 should be maintained.
- (5) When preparing a planning proposal that applies to land within the Sydney drinking water catchment, the relevant planning authority must:
- ensure that the proposal is consistent with *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*, and
  - give consideration to the outcomes of the Strategic Land and Water Capability Assessment prepared by the Sydney Catchment Authority, and
  - zone land within the Special Areas owned or under the care control and management of Sydney Catchment Authority generally in accordance with the following:

Land	Zone under Standard Instrument (Local Environmental Plans) Order 2006
Land reserved under the <i>National Parks and Wildlife Act 1974</i>	E1 National Parks and Nature Reserves
Land in the ownership or under the care, control and management of the Sydney Catchment Authority located above the full water supply level	E2 Environmental Conservation

Land below the full water supply level (including water storage at dams and weirs) and operational land at dams, weirs, pumping stations etc.	SP2 Infrastructure (and marked "Water Supply Systems" on the Land Zoning Map)
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and

- (d) consult with the Sydney Catchment Authority, describing the means by which the planning proposal gives effect to the water quality protection principles set out in paragraph (4) of this Direction, and
- (e) include a copy of any information received from the Sydney Catchment Authority as a result of the consultation process in its planning proposal prior to the issuing of a gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979*.

### **Consistency**

- (6) A planning proposal may be inconsistent with the terms of this Direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.

**Note:** In this Direction:

"Sydney drinking water catchment" has the same meaning as in the *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*.

"Special Area" has the same meaning as in the *Sydney Water Catchment Management Act 1998*.

"Strategic Land and Water Capability Assessment" means the series of land use capability maps and GIS data of this title, prepared by the Sydney Catchment Authority and as provided to councils in June 2009. The maps resulted from the Sydney Catchment Authority's assessment of the physical capability of natural features of land and waterways to identify appropriate types and intensities of land use that will not adversely impact on water quality and catchment health.

**Direction 5.2 – issued 3 March 2011**

## 5.3 Farmland of State and Regional Significance on the NSW Far North Coast

### Objectives

- (1) The objectives of this direction are:
- (a) to ensure that the best agricultural land will be available for current and future generations to grow food and fibre,
  - (b) to provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning, and
  - (c) to reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas.

### Where this direction applies

- (2) This direction applies to:
- (a) Ballina Shire Council,
  - (b) Byron Shire Council,
  - (c) Kyogle Shire Council,
  - (d) Lismore City Council,
  - (e) Richmond Valley Council, and
  - (f) Tweed Shire Council,
- except within areas contained within the “urban growth areas” mapped in the North Coast Regional Plan 2036.

### When this direction applies

- (3) This Direction will apply when a relevant planning authority prepares a planning proposal for land mapped as:
- (a) State significant farmland, or
  - (b) regionally significant farmland, or
  - (c) significant non-contiguous farmland,
- on the set of four maps held in the Department of Planning and Environment marked “Northern Rivers Farmland Protection Project, Final Map 2005 (Section 117(2) Direction)”.

### What a relevant planning authority must do if this direction applies

- (4) A planning proposal must not:
- (a) rezone land identified as “State Significant Farmland” for urban or rural residential purposes.
  - (b) rezone land identified as “Regionally Significant Farmland” for urban or rural residential purposes.
  - (c) rezone land identified as “significant non-contiguous farmland” for urban or rural residential purposes.

### Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if council can satisfy the Secretary of the Department of Planning and Environment (or an officer of the Department nominated by the Secretary) that the planning proposal is consistent with:
- (a) the North Coast Regional Plan 2036, or
  - (b) Section 4 of the report titled *Northern Rivers Farmland Protection Project - Final Recommendations, February 2005*, held by the Department of Planning and Environment.

## 5.4 Commercial and Retail Development along the Pacific Highway, North Coast

### Objectives

- (1) The objectives for managing commercial and retail development along the Pacific Highway are:
  - (a) to protect the Pacific Highway's function, that is to operate as the North Coast's primary inter- and intra-regional road traffic route;
  - (b) to prevent inappropriate development fronting the highway;
  - (c) to protect public expenditure invested in the Pacific Highway;
  - (d) to protect and improve highway safety and highway efficiency;
  - (e) to provide for the food, vehicle service and rest needs of travellers on the highway; and
  - (f) to reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns.

### Where this Direction applies

- (2) This Direction applies to those council areas on the North Coast that the Pacific Highway traverses, being those council areas between Port Stephens Shire Council and Tweed Shire Council, inclusive.

### When this Direction applies

- (3) This Direction applies when a relevant planning authority prepares a planning proposal for land in the vicinity of the existing and/or proposed alignment of the Pacific Highway.

### What a relevant planning authority must do if this Direction applies

- (4) A planning proposal that applies to land located on "within town" segments of the Pacific Highway must provide that:
  - (a) new commercial or retail development must be concentrated within distinct centres rather than spread along the highway;
  - (b) development with frontage to the Pacific Highway must consider impact the development has on the safety and efficiency of the highway; and
  - (c) for the purposes of this paragraph, "within town" means areas which, prior to the draft local environmental plan, have an urban zone (eg: "village", "residential", "tourist", "commercial", "industrial", etc) and where the Pacific Highway speed limit is less than 80km/hour.
- (5) A planning proposal that applies to land located on "out-of-town" segments of the Pacific Highway must provide that:
  - (a) new commercial or retail development must not be established near the Pacific Highway if this proximity would be inconsistent with the objectives of this Direction;
  - (b) development with frontage to the Pacific Highway must consider the impact the development has on the safety and efficiency of the highway; and
  - (c) for the purposes of this paragraph, "out-of-town" means areas which, prior to the draft local environmental plan, do not have an urban zone (eg: "village", "residential", "tourist", "commercial", "industrial", etc) or are in areas where the Pacific Highway speed limit is 80km/hour or greater.
- (6) Notwithstanding the requirements of paragraphs (4) and (5), the establishment of highway service centres may be permitted at the localities listed in Table 1, provided that Roads and Maritime Services is satisfied that the highway service centre(s) can be safely and efficiently integrated into the Highway interchange(s) at those localities. For the purposes of this paragraph, a highway service centre has the same meaning as is contained in the Standard Instrument (Local Environmental Plans) Order 2006.

**Table 1: Highway service centres that can proceed**

Town	Locality
Chinderah	<ul style="list-style-type: none"> <li>• Chinderah Bay Road interchange (southbound)</li> <li>• Western side of highway at Tweed Valley Way interchange (northbound)</li> </ul>
Ballina	<ul style="list-style-type: none"> <li>• Teven Road interchange</li> </ul>



<b>Town</b>	<b>Locality</b>
Maclean	<ul style="list-style-type: none"> <li>• Southern interchange.</li> </ul>
Woolgoolga	<ul style="list-style-type: none"> <li>• Northern interchange at Arrawarra.</li> </ul>
Nambucca Heads	<ul style="list-style-type: none"> <li>• Nambucca Heads interchange</li> </ul>
Kempsey	<ul style="list-style-type: none"> <li>• South Kempsey interchange</li> </ul>
Port Macquarie	<ul style="list-style-type: none"> <li>• Oxley Highway interchange (both sides of the Pacific Highway)</li> </ul>
Taree	<ul style="list-style-type: none"> <li>• Old Bar Road interchange</li> </ul>
Tomago	<ul style="list-style-type: none"> <li>• In the vicinity of Tomago Road / South Heatherbrae</li> </ul>

### **Consistency**

- (7) A planning proposal may be inconsistent with the terms of this Direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning and Environment (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.

**Direction 5.4 – issued 21 August 2015**

### **5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)** (Revoked 18 June 2010)

### **5.6 Sydney to Canberra Corridor** (Revoked 10 July 2008. See amended Direction 5.1)

### **5.7 Central Coast** (Revoked 10 July 2008. See amended Direction 5.1)

### **5.8 Second Sydney Airport: Badgerys Creek** (Revoked 20 August 2018)

## 5.9 North West Rail Link Corridor Strategy

### Objectives

- (1) The objectives of this direction are to:
  - (a) promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL)
  - (b) ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans.

### Where this direction applies

- (2) This Direction applies to Hornsby Shire Council, The Hills Shire Council and Blacktown City Council.

### When this Direction applies

- (3) This Direction applies when a relevant planning authority prepares a planning proposal for land within the North West Rail Link Corridor, as identified in the NWRL Corridor Strategy and Structure Plans.

### What a relevant planning authority must do if this Direction applies

- (4) A planning proposal that applies to land located within the NWRL Corridor must:
  - (a) give effect to the objectives of this direction
  - (b) be consistent with the proposals of the NWRL Corridor Strategy, including the growth projections and proposed future character for each of the NWRL precincts
  - (c) promote the principles of transit-oriented development (TOD) of the NWRL Corridor Strategy.

### Consistency

- (5) A planning proposal may be inconsistent with the terms of this Direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning & Infrastructure (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:
  - (a) justified by a strategy which:
    - (i) gives consideration to the objective of this direction, and
    - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
    - (iii) is approved by the Director-General of the Department of Planning & Infrastructure, or
  - (b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or
  - (c) in accordance with the relevant Sub-Regional Delivery Plan prepared by the Department of Planning & Infrastructure which gives consideration to the objective of this direction, or
  - (d) of minor significance.

## 5.10 Implementation of Regional Plans

### Objective

- (1) The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.

### Where this direction applies

- (2) This direction applies to land to which a Regional Plan has been released by the Minister for Planning.

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal.

### What a relevant planning authority must do if this direction applies

- (4) Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.

### Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning and Environment (or an officer of the Department nominated by the Secretary), that the extent of inconsistency with the Regional Plan:
  - (a) is of minor significance, and
  - (b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of its vision, land use strategy, goals, directions or actions.

**Direction 5.10 – issued 14 April 2016**

## 5.11 Development of Aboriginal Land Council land

### Objective

- (1) The objective of this direction is to provide for the consideration of development delivery plans prepared under *State Environmental Planning Policy (Aboriginal Land) 2019* when planning proposals are prepared by a planning proposal authority.

### Where this direction applies

- (2) This direction applies to all relevant planning proposal authorities.

### When this direction applies

- (3) This direction applies when a planning proposal authority prepares a planning proposal for land shown on the Land Application Map of *State Environmental Planning Policy (Aboriginal Land) 2019*.

**Note:** When this direction was made, *State Environmental Planning Policy (Aboriginal Land) 2019* applied only to land in the Central Coast local government area.

### What a planning proposal authority must do if this direction applies

- (4) When preparing a planning proposal to which this direction applies, the planning proposal authority must take into account:
  - (a) any applicable development delivery plan made under *State Environmental Planning Policy (Aboriginal Land) 2019*; or
  - (b) if no applicable development delivery plan has been published, the interim development delivery plan published on the Department's website on the making of this direction.

**Note:** Development delivery plans must be published in the Gazette or the NSW planning portal.

### Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning and Environment (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.

## **6. Local Plan Making**

### **6.1 Approval and Referral Requirements**

#### **Objective**

- (1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

#### **Where this direction applies**

- (2) This direction applies to all relevant planning authorities.

#### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal.

#### **What a relevant planning authority must do if this direction applies**

- (4) A planning proposal must:
  - (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and
  - (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:
    - (i) the appropriate Minister or public authority, and
    - (ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General),  
prior to undertaking community consultation in satisfaction of section 57 of the Act, and
  - (c) not identify development as designated development unless the relevant planning authority:
    - (i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and
    - (ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.

#### **Consistency**

- (5) A planning proposal must be substantially consistent with the terms of this direction.

**Note:** In this direction “public authority” has the same meaning as section 4 of the Environmental Planning and Assessment Act 1979.

**Direction 6.1 – issued 1 July 2009**

## 6.2 Reserving Land for Public Purposes

### Objectives

- (1) The objectives of this direction are:
  - (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and
  - (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.

### Where this direction applies

- (2) This direction applies to all relevant planning authorities.

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal.

### What a relevant planning authority must do if this direction applies

- (4) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).
- (5) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the *Land Acquisition (Just Terms Compensation) Act 1991*, the relevant planning authority must:
  - (a) reserve the land in accordance with the request, and
  - (b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and
  - (c) identify the relevant acquiring authority for the land.
- (6) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must:
  - (a) include the requested provisions, or
  - (b) take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired.
- (7) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.

### Consistency

- (8) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:
  - (a) with respect to a request referred to in paragraph (7), that further information is required before appropriate planning controls for the land can be determined, or
  - (b) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.

- Note:** Clause 12 of the EP&A Reg 2000 provides that a planning proposal for a proposed local environmental plan:
- (a) may not contain a provision reserving land for a purpose referred to in section 26 (1) (c) of the EP&A Act, and
  - (b) may not contain a provision in respect of that reservation as required by section 27 of the EP&A Act, unless the public authority responsible for the acquisition of the land has notified the relevant planning authority of its concurrence to the inclusion of such a provision in the planning proposal.

In this direction:

“public authority” has the same meaning as section 4 of the EP&A Act.

the use or reservation of land for a public purpose has the same meaning as in section 26(1)(c) of the EP&A Act.

**Direction 6.2 – issued 1 July 2009**



## 6.3 Site Specific Provisions

### Objective

- (1) The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.

### Where this direction applies

- (2) This direction applies to all relevant planning authorities.

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.

### What a relevant planning authority must do if this direction applies

- (4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:
  - (a) allow that land use to be carried out in the zone the land is situated on, or
  - (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or
  - (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.
- (5) A planning proposal must not contain or refer to drawings that show details of the development proposal.

### Consistency

- (6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.

**Direction 6.3 – issued 1 July 2009**

## 7. Metropolitan Planning

### 7.1 Implementation of A Plan for Growing Sydney

#### Objective

- (1) The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.

#### Where this direction applies

- (2) This direction applies to land comprising of the following local government areas:

Ashfield	Hornsby	Randwick
Auburn	Hunters Hill	Rockdale
Bankstown	Hurstville	Ryde
Blacktown	Kogarah	Strathfield
Blue Mountains	Ku-ring-gai	Sutherland
Botany Bay	Lane Cove	The Hills
Burwood	Leichhardt	Warringah
Camden	Liverpool	Waverley
Campbelltown	Manly	Willoughby
Canada Bay	Marrickville	Wollondilly
Canterbury	Mosman	Woollahra
City of Sydney	North Sydney	
Fairfield	Parramatta	
Hawkesbury	Penrith	
Holroyd	Pittwater	

#### When this direction applies

- (3) This direction applies when a Relevant Planning Authority prepares a planning proposal.

#### What a Relevant Planning Authority must do if this direction applies

- (4) Planning proposals shall be consistent with:
- (a) the NSW Government's A Plan for Growing Sydney published in December 2014.

#### Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if the Relevant Planning Authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary), that the extent of inconsistency with A Plan for Growing Sydney:
- (a) is of minor significance, and
- (b) the planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its planning principles; directions; and priorities for subregions, strategic centres and transport gateways.

## 7.2 Implementation of Greater Macarthur Land Release Investigation

### Objective

- (1) The objective of this direction is to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan (the Preliminary Strategy).

### Where this direction applies

- (2) This direction applies to Campbelltown City Council and Wollondilly Shire Council.

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal for land within the Greater Macarthur Land Release Investigation Area, as identified in the Preliminary Strategy.

### What a Relevant Planning Authority must do if this direction applies

- (4) Planning proposals shall be consistent with the Preliminary Strategy published in September 2015.

### Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary), that:
  - (a) the provisions of the planning proposal that are inconsistent are of minor significance, and
  - (b) the planning proposal achieves the overall intent of the Preliminary Strategy and does not undermine the achievement of its objectives, planning principles and priorities for the Greater Macarthur Land Release Investigation Area.

**Direction 7.2 – issued 22 September 2015**

## 7.3 Parramatta Road Corridor Urban Transformation Strategy

### Objectives

- (1) The objectives of this Direction are to:
- (a) facilitate development within the Parramatta Road Corridor that is consistent with the *Parramatta Road Corridor Urban Transformation Strategy (November, 2016)* and the *Parramatta Road Corridor Implementation Tool Kit*,
  - (b) provide a diversity of jobs and housing to meet the needs of a broad cross-section of the community, and
  - (c) guide the incremental transformation of the Parramatta Road Corridor in line with the delivery of necessary infrastructure.

### Where this Direction applies

- (2) This Direction applies to the following Local Government Areas:
- (a) City of Parramatta Council,
  - (b) Cumberland Council,
  - (c) Strathfield Council,
  - (d) Burwood Council,
  - (e) Canada Bay Council, and
  - (f) Inner West Council.

### When this Direction applies

- (3) This Direction applies when a relevant planning authority prepares a planning proposal for land within the Parramatta Road Corridor as identified on the Map titled Parramatta Road Corridor on pages 14 and 15 of the *Parramatta Road Corridor Urban Transformation Strategy (November, 2016)*.

### What a relevant planning authority must do if this Direction applies

- (4) A planning proposal that applies to land within the Parramatta Road Corridor must:
- (a) give effect to the objectives of this Direction,
  - (b) be consistent with the Strategic Actions within the *Parramatta Road Corridor Urban Transformation Strategy (November, 2016)*,
  - (c) be consistent with the *Parramatta Road Corridor Planning and Design Guidelines (November, 2016)* and particularly the requirements set out in Section 3 Corridor-wide Guidelines and the relevant Precinct Guidelines,
  - (d) be consistent with the staging and other identified thresholds for land use change identified in the *Parramatta Road Corridor Implementation Plan 2016 – 2023 (November, 2016)*,
  - (e) contain a requirement that development is not permitted until land is adequately serviced (or arrangements satisfactory to the relevant planning authority, or other appropriate authority, have been made to service it) consistent with the *Parramatta Road Corridor Implementation Plan 2016 – 2023 (November, 2016)*,
  - (f) be consistent with the relevant District Plan.

### Consistency

- (5) A planning proposal may be inconsistent with the terms of this Direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary) that the planning proposal is:
- (a) consistent with the *Out of Sequence Checklist in the Parramatta Road Corridor Implementation Plan 2016 – 2023 (November, 2016)*, or
  - (b) justified by a study (prepared in support of the planning proposal) that clearly demonstrates better outcomes are delivered than identified in the *Parramatta Road Corridor Urban Transformation Strategy (November, 2016)* and *Parramatta Road Corridor Implementation Plan 2016-2023 (November, 2016)* having regard to the vision and objectives, or
  - (c) of minor significance.

**Note:**

In this Direction the following documents are defined as:

***Parramatta Road Corridor*** - the land adjoining and at least one block back from Parramatta Road, as well as Precincts that have been identified as a focus for future growth based on their different functions and character as identified on the *Parramatta Road Corridor Map*, with the exception of the land within the City of Sydney. The Map is on pages 14 and 15 of the *Parramatta Road Corridor Urban Transformation Strategy (November, 2016)*.

***Parramatta Road Corridor Urban Transformation Strategy (November, 2016)*** – the NSW Government's 30-year plan setting out how the Parramatta Road Corridor will grow and bring new life to local communities living and working along the Corridor.

***Parramatta Road Corridor Implementation Tool Kit*** – a suite of supporting documents to be used by councils, proponents and State agencies when making land use decisions in the Parramatta Road Corridor and comprising:

- *Parramatta Road Corridor Implementation Plan 2016 – 2023 (November, 2016)*
- *Parramatta Road Corridor Infrastructure Schedule (November, 2016)*
- *Parramatta Road Corridor Planning and Design Guidelines (November, 2016)*
- *Parramatta Road Corridor Urban Amenity Improvement Program Report (November, 2016)*

**Direction 7.3 – issued 9 December 2016**

## **7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan**

### **Objective**

- (1) The objective of this direction is to ensure development within the North West Priority Growth Area is consistent with the North West Priority Growth Area Land Use and Infrastructure Strategy (the Strategy).

### **Where this direction applies**

- (2) This direction applies to Blacktown City Council, The Hills Shire Council and Hawkesbury City Council.

### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal for land within the North West Priority Growth Area.

### **What a Relevant Planning Authority must do if this direction applies**

- (4) Planning proposals shall be consistent with the North West Land Use and Infrastructure Strategy.

### **Consistency**

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary), that:
  - (a) the provisions of the planning proposal that are inconsistent are of minor significance, and
  - (b) the planning proposal achieves the overall intent of the Strategy and does not undermine the achievement of its objectives, planning principles and priorities for the North West Priority Growth Area.

**Direction 7.4 – issued 15 May 2017**

## **7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan**

### **Objective**

- (1) The objective of this direction is to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the interim Plan).

### **Where this direction applies**

- (2) This direction applies to land contained within Greater Parramatta Priority Growth Area and as indicated in the map attached.

### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal for land within the Greater Parramatta Priority Growth Area, as identified in the map attached.

### **What a Relevant Planning Authority must do if this direction applies**

- (4) Planning proposals shall be consistent with the interim Plan published in July 2017.

### **Consistency**

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary), that:
  - (a) the provisions of the planning proposal that are inconsistent are of minor significance, and
  - (b) the planning proposal achieves the overall intent of the interim Plan and does not undermine the achievement of its objectives, planning principles and priorities for the Greater Parramatta Priority Growth Area.

**Direction 7.5 – issued 25 July 2017**



## **7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan**

### **Objective**

- (1) The objective of this direction is to ensure development within the Wilton Priority Growth Area is consistent with the Wilton Interim Land Use and Infrastructure Implementation Plan and Background Analysis.

### **Where this direction applies**

- (2) This direction applies to Wollondilly Shire Council.

### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal for land within the Wilton Priority Growth Area (being the Wilton Priority Growth Area within the meaning of State Environmental Planning Policy (Sydney Region Growth Centres) 2006).

### **What a Relevant Planning Authority must do if this direction applies**

- (4) A planning proposal is to be consistent with the Interim Land Use and Infrastructure Implementation Plan and Background Analysis, approved by the Minister for Planning and as published on 5 August 2017 on the website of the Department of Planning and Environment (Implementation Plan).

### **Consistency**

- (5) A planning proposal may be inconsistent with the Implementation Plan only if the relevant planning authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary) that:
  - (a) the provisions of the planning proposal that are inconsistent are of minor significance, and
  - (b) the planning proposal achieves the overall intent of the Implementation Plan and does not undermine the achievement of its objectives, planning principles and priorities for the Wilton Priority Growth Area.

**Direction 7.6 – issued 5 August 2017**

## **7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor**

### **Objective**

- (1) The objective of this direction is to ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.

### **Where this direction applies**

- (2) This direction applies to Campbelltown City Council.

### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal for land within the precincts between Glenfield and Macarthur.

### **What a Relevant Planning Authority must do if this direction applies**

- (4) A planning proposal is to be consistent with the precinct plans approved by the Minister for Planning and published on the Department's website on 22 December 2017.

### **Consistency**

- (5) A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary), that:
  - (a) the provisions of the planning proposal that are inconsistent are of minor significance, and
  - (b) the planning proposal achieves the overall intent of the precinct plans and does not undermine the achievement of its objectives, planning principles and priorities for the urban renewal corridor.

**Direction 7.7 – issued 22 December 2017**

## 7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan

### Objective

- (1) The objective of this direction is to ensure development within the Western Sydney Aerotropolis is consistent with the Stage 1 Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan dated August 2018 (the Stage 1 Land Use and Implementation Plan).

### Where this direction applies

- (2) This direction applies to Liverpool City Council, Penrith City Council, Blue Mountains City Council, Blacktown City Council, Camden Council, Campbelltown City Council, Fairfield City Council and Wollondilly Shire Council.

### When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal for land within the Western Sydney Aerotropolis and land affected by the obstacle limitation surface and ANEF contours for Western Sydney Airport.

### What a Relevant Planning Authority must do if this direction applies

- (4) A planning proposal is to be consistent with the Stage 1 Land Use and Infrastructure Implementation Plan approved by the Minister for Planning and as published on 20 August 2018 on the website of the Department of Planning and Environment (**Implementation Plan**).

### Consistency

- (5) A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary), that:
  - (a) the provisions of the planning proposal that are inconsistent are of minor significance, and
  - (b) the planning proposal achieves the overall intent of the Stage 1 Land Use and Implementation Plan and does not undermine the achievement of its objectives, planning principles and priorities for the Western Sydney Aerotropolis.

**Direction 7.8 – issued 20 August 2018**

## **7.9 Implementation of Bayside West Precincts 2036 Plan**

### **Objective**

- (1) The objective of this direction is to ensure development within the Bayside West Precincts (Arncliffe, Banksia and Cooks Cove) is consistent with the Bayside West Precincts 2036 Plan (the Plan).

### **Where this direction applies**

- (2) This direction applies to land within the Bayside local government area.

### **When this direction applies**

- (3) This direction applies when a planning proposal authority prepares a planning proposal for land within the Bayside West Precincts of Arncliffe, Banksia and Cooks Cove.

### **What a planning proposal authority must do if this direction applies**

- (4) A planning proposal authority must ensure that a planning proposal is consistent with the Bayside West Precincts 2036 Plan, approved by the Minister for Planning and published on the Department of Planning and Environment website in September 2018.

### **Consistency**

- (5) A planning proposal may be inconsistent with the terms of this direction only if the planning proposal authority can satisfy the Secretary of the Department of Planning & Environment (or their nominee), that:
  - (a) the provisions of the planning proposal that are inconsistent are of minor significance, and
  - (b) the planning proposal achieves the overall intent of the plan and does not undermine the achievement of its vision, objectives and planning principles for the Bayside West Precincts.

**Direction 7.9 – issued 25 September 2018**

## 7.10 Implementation of Planning Principles for the Cooks Cove Precinct

### Objective

- (1) The objective of this direction is to ensure development within the Cooks Cove Precinct is consistent with the Cooks Cove Planning Principles.

### Where this direction applies

- (2) This direction applies to land within the Cooks Cove Precinct in the Bayside local government area, as shown on Map Sheet LAP\_001 Cooks Cove Precinct Section 9.1 Direction.

### When this direction applies

- (3) This direction applies when a planning proposal authority prepares a planning proposal for land within the Cooks Cove Precinct.

### What a planning proposal authority must do if this direction applies

- (4) A planning proposal authority must ensure that a planning proposal is consistent with the following principles:
- (a) Enable the environmental repair of the site and provide for new recreation opportunities;
  - (b) Not compromise future transport links (such as the South-East Mass Transit link identified in Future Transport 2056 and the Greater Sydney Region Plan) that will include the consideration of the preserved surface infrastructure corridor, noting constraints, including the Cooks River, geology, Sydney airport and existing infrastructure will likely necessitate consideration of future sub-surface solutions and potential surface support uses;
  - (c) Create a highly liveable community that provides choice for the needs of residents, workers and visitors to Cooks Cove;
  - (d) Ensure best practice design and a high-quality amenity with reference to the NSW design policy Better Placed;
  - (e) Deliver an enhanced, attractive, connected and publicly accessible foreshore and public open space network and protect and enhance the existing market garden;
  - (f) Safeguard the ongoing operation of Sydney Airport;
  - (g) Enhance walking and cycling connectivity and the use of public transport to encourage and support a healthy and diverse community and help deliver a 30-minute city;
  - (h) Deliver a safe road network that balances movement and place, provides connections to the immediate and surrounding areas, and is cognisant of the traffic conditions in this area; and
  - (i) Enhance the environmental attributes of the site, including protected flora and fauna, riparian areas and wetlands and heritage.

### Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if the planning proposal authority can satisfy the Secretary of the Department of Planning & Environment (or their nominee), that:
- (a) the provisions of the planning proposal that are inconsistent are of minor significance, and
  - (b) the planning proposal achieves the overall intent of the plan and does not undermine the achievement of the planning principles for the Cooks Cove Precinct.

**Note:** Map Sheet LAP\_001 Cooks Cove Precinct Section 9.1 Direction can be available on the Department of Planning and Environment website

**Direction 7.10 – issued 25 September 2018**



# primefacts

FOR PROFITABLE, ADAPTIVE AND SUSTAINABLE PRIMARY INDUSTRIES

DECEMBER 2009

PRIMEFACT 972

PLANNING FOR AGRICULTURE

## Farm subdivision assessment guideline: Developments with the potential for creating additional dwelling entitlements

### Andrew Scott

Resource Management Officer (Land Use),  
Tamworth Agricultural Centre

### Rik Whitehead

Resource Management Officer (Land Use),  
Wollongbar Agricultural Institute

Subdivision is the dividing of an allotment of land to create one or more additional allotments. A dwelling entitlement may or may not accompany subdivision. The creation of additional dwelling entitlements and resultant land use changes can adversely affect primary industry operations and future development.

This Primefact sets out the relevant agricultural issues and planning principles to consider when assessing proposals to subdivide rural lands within Primary Production or Rural zones. The emphasis of this guide is on subdivision proposals where the lots to be created are equal to or greater than the minimum subdivision standard established in council Local Environmental Plans.

This guide is part of a series aimed at streamlining the Development Application (DA) process, by setting out the key agricultural issues, impacts and recommendations for consent authorities to consider.

This guideline focuses on agricultural issues and does not purport to cover the full range of issues that DAs and consent authorities must address.

Only those proposals that may trigger **integrated development** under the *Environmental Planning and Assessment Act 1979*, the provisions of the *Fisheries Management Act 1994*, the *Mining Act 1992*, or the *Plantations and Reafforestation (Code) Regulation 2001* should still be routinely referred to Industries and Investment NSW.

The guidelines may also help applicants, developers and consultants to identify important

subdivision design considerations and issues to be addressed to maintain sustainable primary industry production and development opportunities.

As councils are the local planning and development authority in NSW, all subdivision enquiries should be directed to the relevant local council.

Applications to subdivide land that is zoned for rural use may require the applicant or Council to seek specialist technical advice from an independent consultant with relevant expertise.

### The importance of rural land

Food and fibre production in NSW relies on access to rural land resources that are suited to efficient and profitable agricultural production. Lands that are suited to sustained agricultural production are a limited resource. Rural land resources are also important for extractive industries, mining, aquaculture and timber production.

The rural land resource is a fundamental asset to the communities of NSW as it provides a means of producing perpetual wealth, employment, raw materials and fresh food.

*Rural landscape North Coast NSW. Photo Rik Whitehead.*



Maintaining rural land in efficient and productive sized allotments is critical for maintaining opportunities for sustainable and profitable primary industry development and local food and fibre production. Maintaining productive sized allotments is a key factor in achieving wise resource use and enhancing the economic value of primary industries and protecting the capacity to manage environmental impacts.

### Why can farm subdivision be an issue?

Farm subdivision can result in permanent fragmentation of rural land and a decrease in the production and efficiency of agriculture, particularly where additional dwelling entitlements occur.

Farm subdivision and fragmentation can lead to a shift in land use from primary production to rural residential uses. This increases the risk of land use conflict and the alienation of agricultural resources.

The fragmentation of rural land can impact on access to critical farm and rural infrastructure, such as water resources, transport routes and stock reserves.

Farm subdivision can also lead to speculative increases in land values for rural lands which impacts on the capacity for farm amalgamation, farm adjustment and the 'buy-in' cost for agriculture investors.

### Assessing farm subdivision applications

The key statutory planning instruments that the subdivision proposal must be assessed against include:

- Environmental Planning and Assessment Act objectives and assessment criteria,
- State Environmental Planning Policy (Rural Lands 2008) objectives,
- relevant land use zone(s) objectives of the Local Environmental Plan,
- relevant provisions of any strategic planning documents or policies that apply.
- relevant provisions of Development Control Plans (DCPs) that apply.

Key principles to encourage sustainable and profitable agricultural development and investment are:

- The land resource base on which agriculture depends is protected from fragmentation and alienation.
- The sustainable profitable agricultural use of rural land is promoted over lifestyle uses in agricultural areas.
- Critical farm and rural infrastructure is recognised and addressed in land use planning decisions.

- Farm amalgamation and farm adjustment capacity is maintained by sound land use planning decisions.
- The potential for conflict between adjoining land uses is prevented or minimised.
- Environmental and amenity impacts are avoided through good farm design that allows management of adverse on-site and off-site effects.
- The current viability or profitability of a property is not a valid basis for farm subdivision.

To achieve these key principles the following factors should be considered.

- local context of the subdivision proposal,
- minimum lot size and agricultural development,
- sufficient resources for sustainable agricultural development,
- minimising land use conflict,
- alternatives to the subdivision have been considered and are justifiably discounted.

These factors are discussed below.

### Local context of the subdivision proposal

The proposal should be considered against the strategic plan for the rural lands for the LGA. The proposal should identify the existing and typical land uses in the locality including the dominance of such uses. This provides an understanding of the compatibility of the proposed development with the surrounding land uses.

Farm and rural property subdivision can change land use options. The creation of smaller lots with dwellings in the rural zone can result in the cumulative fragmentation of rural lands reducing the potential for agricultural use and allowing instead lifestyle-orientated uses which may be incompatible. It may also change the profile of the area and restrict efficient primary production.

*Industry & Investment NSW recommends that the consent authority verifies that:*

- the development application has identified the existing land uses in the locality and the dominance of such uses,
- the lots created by the subdivision proposal are compatible with surrounding land uses and encourage sustainable agricultural development,
- the subdivision proposal will not result in a change of land use that is contrary to zone objectives,
- each of the lots has practical and legal access and that there is no reliance on a right of way, for example, through State forest.



### Minimum lot size and agricultural development

Local Environmental Plans prescribe minimum subdivision standards for a dwelling in rural areas (often referred to as the Minimum Lot Size).

The intent of minimum lot sizes is to manage rural settlement patterns and thereby maintain access to the resource base for primary industry production.

Minimum subdivision standards that have been developed via a strategic planning and consultative process can provide a useful guide as to appropriate lot sizes for a particular locality to prevent the inappropriate fragmentation of rural lands and support profitable, sustainable agricultural development and food production.

The minimum historic subdivision standards (e.g. 40 ha or 100 ha) which have been carried forward from the 1970s and 1980s are typically arbitrary and were only intended as a temporary resource land protection measure.

Whilst the 40 ha and 100 ha lot size minimum may be relevant for some agricultural industries, it is inappropriate to adopt this figure for all agricultural enterprises or across all landforms.

*Industry & Investment NSW recommends that the consent authority verifies that:*

- ❑ all lots proposed by the rural subdivision meet or exceed the specified minimum lot size,
- ❑ the subdivision proposal has been justified against the State Environmental Planning Policy Rural Lands 2008 objectives and the Zone objectives.

### Sufficient resources for sustainable agricultural development.

The area required to sustain an agricultural enterprise will depend on the type of enterprise (e.g. beef cattle, dairying, intensive poultry, horticulture), and the natural resource base (e.g. soils and water) as well as the climatic conditions, available markets and the proximity to sensitive development (e.g. residences on adjoining properties).

To be sustainable, agriculture must operate within the capacity of available resources, protect and restore the natural resource base and prevent onsite and offsite impacts. Each lot should be designed to manage environmental and social impacts while being able to make productive and profitable utilisation of the resources. Each lot should have the ability to manage industry infrastructure, waste utilisation, flood impacts, climate change and climate variability, and the potential to expand or adjust to changing circumstances and markets.

*Industry & Investment NSW recommends that the consent authority verifies that:*

- ❑ each lot has sufficient area and resources required to sustain the dominant commercial agricultural industries suitable to the locality,
- ❑ each lot can manage its onsite and offsite environmental impacts,
- ❑ the justification for further fragmentation given current number of small lots,
- ❑ the appropriate distribution and balance of agricultural resources within lots, e.g. flood refuge, cultivation land, shelter belts, water resources and infrastructure.

Industry and Investment NSW publishes farm size guides for a number of specific agricultural enterprises, which can be useful in assessing the merits of a subdivision proposal.

Guidelines such as [Beef stocking rates and farm size – Hunter region](#) (NSW DPI, 2006) and [Macadamia costs and returns for northern NSW](#) (NSW DPI, 2004) provide a basis for determining the likely scale, sustainability and profitability of beef cattle grazing and horticultural enterprises in coastal regions of NSW. The Industry & Investment NSW website has information on [Minimum lot size methodology](#) that may be used to identify or determine minimum lot sizes. The methodology provides a guide for determining what could be regarded as a commercial farm size for a locality.

The Industry & Investment NSW website also contains additional information on the resources required for sustainable agricultural development including intensive agriculture proposals.



*Most agricultural businesses rely on a diversity of complementary land resources. Photo Andrew Scott.*

### Minimise land use conflict

If the subdivision proposal and resulting land uses are not compatible with surrounding land uses, land use conflict may arise, fuelling community anxiety and straining neighbour relations, as well as removing future primary industry opportunities. Land use conflict issues may force primary industries to significantly alter the timing of routine practice or force the industry to engage in expensive technologies.

A successful subdivision facilitates efficient farm management while reducing the likelihood of land use conflict with neighbouring land users. To be sustainable, agriculture must be able to manage off-site impacts.

Farm subdivision proposals should be designed so that the resulting land uses and practices can meet environmental legislative requirements such as the *Protection of the Environment Operations Act 1997* and the *Pesticides Act 1999*. In some cases this requires the farm to have adequate buffer distances to avoid conflict resulting from on-farm activities.

Consequently to manage offsite impacts the area of the lot may need to be greater than the direct footprint of an enterprise, especially for intensive agricultural enterprises.

The publication [Living and Working in Rural Areas: A handbook for managing land use conflict issues on the NSW North Coast](#) contains a list of common neighbour issues and some suggestions for addressing these issues.

*Industry & Investment NSW recommends that the consent authority verifies that:*

- a land use conflict risk assessment has been undertaken by a suitably qualified practitioner where there is a real risk of neighbourhood issues resulting from the subdivision,
- the subdivision proposal considers the location of dwellings relative to lot boundaries and the proximity to neighbours and surrounding land uses to minimise the risk of land use conflict,
- the subdivision proposal addresses relevant rural land issues such as chemical use, air quality, access, drainage, and managing fire, fencing, weeds and pest animals,
- the proposed subdivision has regard for the existing land uses and industries in the area including forestry, extractive industries, agriculture and the associated operations resulting from these industries.

### The alternatives to subdivision

The current viability or profitability of a property is not a valid basis for farm subdivision. All alternatives to subdivision should be considered before planning the subdivision of a rural property. Farm and rural property subdivision is not necessarily the only option.

There may be several alternatives to the subdivision of a farm or rural property. The available alternatives depend on the intended objectives of the proponent and the motivations of the landholder. Some options may offer a cheaper alternative while others may not be practical due to current investment in

infrastructure and existing management systems. Alternatives include:

- leasing out part or all of the farm,
- agisting stock or share farming,
- reassessing the land use options and management arrangements of the property,
- revising a property plan to assess future options for the farm,
- selling the farm and finding a new property more suitable to the present owner's circumstances.

*Industry & Investment NSW recommends that the consent authority verifies that:*

- the alternatives have been considered,
- the preferred subdivision plan is justified having regard to key subdivision principles set out in this guideline and the statutory planning framework.

### Pre-application enquiries

Rural landholders may have minimal prior experience of the development application process and relevant planning requirements. Encouraging intending applicants to seek pre-lodgement advice from the consent authority can greatly improve the quality of information provided, help to streamline the application process and help to ensure sustainable development of rural lands.

Assistance from council may include:

- providing a copy of the relevant sections of the LEP, DCPs and SEPPs,
- providing a written guide setting out the required supporting information to accompany the DA,
- providing Council's policy on the subdivision of rural properties in that zone or locality,
- a copy of this and other relevant guidelines.

### Strategic planning recommendations

Councils are encouraged to strategically review desired planning outcomes for rural lands considering, in particular, the resources and sustainable development opportunities for primary industry enterprises.

I & I NSW recommends that consent authorities assess minimum lot size for rural lands to ensure that:

- the land resource base on which agriculture depends is protected from fragmentation and alienation;

- ❑ the minimum lot size encourages and supports current and future investment in primary industries;
- ❑ land use conflicts between land uses in rural areas is prevented or minimised;
- ❑ agricultural enterprises have sufficient land resource to manage environmental and social impacts and to be adaptive.

I & I NSW further recommends that consent authorities:

- ❑ Review industry outlooks and resource requirements to identify future land use options and infrastructure needs,
- ❑ Develop complementary economic development strategies and programs to foster agricultural development and food security.

### Additional information

Agricultural Land Classification (Agfact AC.25 NSW Agriculture, 2002)

<http://www.dpi.nsw.gov.au/agriculture/resources/land/class/agricultural>

Beef stocking rates and farm size – Hunter region (NSW DPI, 2006)

<http://www.dpi.nsw.gov.au/agriculture/livestock/beef/management/beef-stocking-farm-size-hunter>

Farm budgets and costs (NSW DPI)

<http://www.dpi.nsw.gov.au/agriculture/farm-business/budgets>

How DPI is involved in land use planning and farm subdivision

<http://www.dpi.nsw.gov.au/agriculture/resources/land/dpi/planning-subdivision>

Living and Working in Rural Areas: A handbook for managing land use conflict issues on the NSW North Coast (NSW DPI, Dec. 2007).

[http://www.dpi.nsw.gov.au/research/alliances/centre\\_for\\_coastal\\_agricultural\\_landscapes/living-and-working-in-rural-areas](http://www.dpi.nsw.gov.au/research/alliances/centre_for_coastal_agricultural_landscapes/living-and-working-in-rural-areas)

Macadamia costs and returns for northern NSW (K. Quinlan, NSW DPI, 2004)

<http://www.dpi.nsw.gov.au/agriculture/horticulture/nu-ts/economics/macadamia-costs-returns>

Minimum lot size methodology

<http://www.dpi.nsw.gov.au/agriculture/resources/land/planning/lot-size>

Policy for the Protection of Agricultural Land (NSW DPI, 2004)

<http://www.dpi.nsw.gov.au/agriculture/resources/land/policies/protection>

Preparing a development application for intensive agriculture in NSW (NSW DPI, May 2006)

<http://www.dpi.nsw.gov.au/agriculture/resources/land/planning/dev-app-intensive>

Some precautions when buying rural land (Agnote NSW DPI, Sep. 2004)

<http://www.dpi.nsw.gov.au/agriculture/livestock/chemical-residue-control2/land>

State Environmental Planning Policy (Rural Lands) 2008

<http://www.legislation.nsw.gov.au/maintop/view/infor-ce/epi+128+2008+cd+0+N>

State Environmental Planning Policy (Rural Lands) 2008 Planning circular

[http://www.planning.nsw.gov.au/planningsystem/pdf/ps08\\_002\\_sepp\\_rural\\_land.pdf](http://www.planning.nsw.gov.au/planningsystem/pdf/ps08_002_sepp_rural_land.pdf)

### Acknowledgements

The following people are thanked for their contribution to this Primefact:

Glenda Briggs, Wendy Goodburn, Mary Kovac, Therese Hulme and Liz Rogers (I & I NSW).

External review and input was provided by Matthew Hutchings and Jon Stone.

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (December 2009). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of Industry & Investment NSW or the user's independent adviser.

Job number 9761 PUB09/69



Planning,  
Industry &  
Environment

Mr Ashley Lindsay  
General Manager  
Clarence Valley Council  
Locked Bag 23  
GRAFTON NSW 2460

Our ref: PP\_2020\_CLARE\_002\_00  
EF 20/23800

Attention: Terry Dwyer

Dear Mr Lindsay

**Subject: Planning Proposal Amendment to clause 4.1B Boundary Adjustment Provisions (REZ2020/0003)**

I am writing to you regarding the above planning proposal that has been submitted to the Department seeking a Gateway determination.

A preliminary assessment of the proposal has highlighted the need for additional information so that a thorough assessment can be made. In this regard, it would be appreciated if Council could submit further details that address the following:

- the wider strategic merit of amending clause 4.1B to permit boundary adjustments for parcels of land that aren't adjoining, as it appears the clause is being amended to suit the needs of one particular industry;
- how the amended clause would operate on a practical basis with the use of some examples; and
- the real need for amending the clause given the legal interpretation of the word 'adjoining'.

Once this information has been submitted to us, a full assessment of the planning proposal will continue.

Should you wish to discuss the matter further, please contact me on 5778 1487.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gina Davis'.

Gina Davis  
**Senior Planner**  
**Northern Region**

**From:** Gina Davis  
**Sent:** Mon, 3 Aug 2020 13:16:49 +1000  
**To:** Terry Dwyer  
**Subject:** RE: Planning Proposal - PP\_2020\_CLARE\_002\_00 - Amendment to clause 4.1B

Hi Terry

Thanks for sending through the examples to help explain the proposed aims and objectives of the proposal.

In reviewing the examples, it would appear that Example 1 (DMU2020/0020) is a proposal that Council could potentially consider already under the existing clause 4.1B as in EPI. 'Adjoining' is not limited to land which is contiguous or directly abuts other land, but may be more broadly interpreted to capture land that is 'sufficiently proximate'. In this regard, I suggest Council consider the following case law in combination with their own independent legal advice to determine whether this type of proposal can already be considered under the current CVLEP clause 4.1B:

1. *Wirrabara Village Pty Limited v The Hills Shire Council* [2018] NSWLEC 1187 [63]-[64];
2. *ACN 115 840 509 Pty Limited v Kiama Municipal Council* (2006) 145 LGERA 147 [31]-[32]; and
3. *Hornsby Shire Council v Malcolm* (1986) 60 LGRA 429 [434].

In relation to the other 2 more complex examples provided (DMU2020/0013 and DMU2020/0014), it would appear that the intent of what is being proposed would be inconsistent with the intent and purpose of clause 4.1B. In this regard, it is important to first consider that an 'adjustment' in the context of a 'boundary adjustment' means a change which is 'slight or marginal', with the resulting lots bearing some resemblance to the lots which existed prior to the boundary adjustment' ( see *Johnson v Coffs Harbour City Council* [2018] NSWLEC 1094 [40]-[42]). It would appear that these two examples do not fall within the parameters of a boundary adjustment under clause 4.1B of the LEP as the proposed changes are more than 'slight or marginal'. Therefore it would appear that even with the removal of the word 'adjoining' from clause 4.1B (as proposed by Council), the result would be a clause which would effectively allow land to be subdivided below the MLS where those lots are not adjoining and where the subdivision involves more than just a mere boundary adjustment. This would appear to be contrary to clause 4.1 of the Standard Instrument LEP and unlikely to be supported.

It would be appreciated if Council could confirm whether it wishes to proceed with the PP. Should the planning proposal proceed, it would need to be amended prior to the Department's consideration to address the above matters and any outstanding matters detailed in letter to council dated 29 June 2020. Please call if you wish to discuss further.

Regards  
Gina

---

**From:** Terry Dwyer <Terry.Dwyer@clarence.nsw.gov.au>  
**Sent:** Tuesday, 28 July 2020 12:51 PM  
**To:** Gina Davis <Gina.Davis@planning.nsw.gov.au>  
**Subject:** Planning Proposal - PP\_2020\_CLARE\_002\_00 - Amendment to clause 4.1B

Hi Gina,

Just following up my email of 15 July 2020 in which I provided some examples of how the amended clause might operate.

Any thoughts, comments or questions at this stage.

Regards,  
Terry Dwyer

Terry Dwyer  
Strategic Planning Coordinator  
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**From:** Terry Dwyer  
**Sent:** Wednesday, 15 July 2020 1:25 PM  
**To:** 'Gina Davis'  
**Subject:** Planning Proposal - PP\_2020\_CLARE\_002\_00 - Amendment to clause 4.1B

Hi Gina,

Further to our conversation yesterday I have provided some examples of how the amended clause might operate based on 3 proposed developments recently the subject of DMU meetings:

1. DMU2020/0020 (Whitbys Lane & Goodwood Island Road) – a relatively simple one involving cane growing land, not proposing additional dwelling “entitlements”.
2. DMU2020/0013 (1415 Brooms Head Road, Taloumbi) – a complex consolidation and boundary adjustment proposal in several stages, ultimately creating additional dwelling “entitlements”.



3. DMU2020/0014 (1241 Brooms Head Road, Taloumbi) – a relatively complex boundary adjustment proposal in a number stages, ultimately creating additional dwelling “entitlements”.

Also provided is a copy of the DMU meeting minutes for each DMU proposal.

Some of the land involved in the DMU2020/0013 and DMU2020/0014 proposals appears to be cane growing land though the proponent has not necessarily put forward an agricultural viability or benefit argument associated with these proposals.

Council on 2 June 2020 wrote to NSW Department of Primary Industries (Orange) with a view gauging its opinion on this proposal at early stage. There has been no response as yet.

In relation the third dot point in your letter it is intended that the proposed amended clause facilitate boundary adjustments between lots that are more significantly separated by road reserve, creek or other feature for instance; whether it be several hundred metres or several kilometres for instance. As discussed the impetus for this planning proposal has been driven by the DMU2020/0020 proposal as evidenced in the Council resolution/Notice of Motion.

As for the first dot point a response will be provided at a later date. However as mentioned above the impetus for this planning proposal has been driven by the DMU2020/0020 proposal as evidenced in the Council resolution/Notice of Motion.

Regards,  
Terry Dwyer

---

**From:** Gina Davis [<mailto:Gina.Davis@planning.nsw.gov.au>]  
**Sent:** Monday, 29 June 2020 4:47 PM  
**To:** Council Email  
**Subject:** Planning Proposal - PP\_2020\_CLARE\_002\_00 - Amendment to clause 4.1B

Attention: Terry Dwyer

Please see letter attached.

Regards

**Gina Davis**  
**Senior Planner, Northern Region**  
**Department of Planning, Industry and Environment**



**Tamworth Regional Office NSW 2340**  
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[gina.davis@planning.nsw.gov.au](mailto:gina.davis@planning.nsw.gov.au)



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**Our Ref:** DB:LMK:429743  
**Contact:** David Baird  
**Contact Tel:** 4640 3694  
**Contact Email:** dbaird@marsdens.net.au

**Your Ref:** SUB2019/0033  
**Attention:** Terry Dwyer

The General Manager  
 Clarence Valley Council  
 Locked Bag 23  
 GRAFTON NSW 2460

11 November 2020

Dear Sir,

**Re: Advice concerning boundary adjustment issues**  
**Ppty: 900-1278 Laytons Range Road, Kangaroo Park**

We refer to the above matter and to Council's instructions.

We confirm that we are instructed to advise Council with respect to three (3) matters which we will detail separately below.

### Background

Clause 4.1B of Clarence Valley Local Environmental Plan 2011 ("CVLEP 2011") was inserted as an amendment to CVLEP 2011 on 10 February 2017.

Clause 4.1B, in context, is located in Part 4 of CVLEP 2011 being that part of the planning instrument that details principal development standards. It is entitled "Boundary adjustments between lots in certain rural, residential and environment protection zones" and is included with other exceptions to the minimum lot size subdivision of land in Part 4 and in this regard relevantly provides:

*"4.1B Boundary adjustments between lots in certain rural, residential and environment protection zones*

- (1) *The objective of this clause is to permit boundary adjustments between 2 or more lots where one or more of those lots is less than the minimum lot size shown on the Lot Size Map in relation to that land.*
- (2) *This clause applies to land in the following zones—*
  - (a) *Zone RU1 Primary Production,*
  - (b) *Zone RU2 Rural Landscape,*

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- (c) *Zone R5 Large Lot Residential,*
  - (d) *Zone E2 Environmental Conservation,*
  - (e) *Zone E3 Environmental Management.*
- (3) *Despite clause 4.1, development consent may be granted for the subdivision of land to which this clause applies by way of an adjustment of boundaries between adjoining lots where the size of at least one of the adjoining lots is less than the minimum lot size shown on the Lot Size Map in relation to the land if the consent authority is satisfied that the subdivision will not result in—*
- (a) *an increase in the number of lots, or*
  - (b) *an increase in the number of lots that have an area that is less than the minimum size shown on the Lot Size Map in relation to that land, or*
  - (c) *an increase in the number of dwellings or opportunities for dwellings on each lot.*
- (4) *In determining whether to grant development consent for the subdivision of land under this clause, the consent authority must consider the following—*
- (a) *if the land is in a rural zone—whether or not the subdivision is likely to have an adverse impact on the agricultural viability of the land,*
  - (b) *whether or not the subdivision is likely to increase the potential for land use conflict,*
  - (c) *whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,*
  - (d) *whether or not the subdivision is likely to have an adverse impact on the environmental values of the land.”*

Of recent times Council has received a number of development applications relying upon clause 4.1B of CVLEP 2011 which are yet to be determined. In particular we understand that Council is yet to determine applications DMU2020/0020 and SUB2019/0033.

Although not yet determined it is understood that these applications have been the subject of “DMU meetings” wherein certain concerns with respect to the applications were raised. It is as a consequence of these meetings that a notice of motion was put forward to an ordinary meeting of the Council on 26 May 2020 when Council resolved to do all things necessary to cause clause 4.1B(3) of

CVLEP 2011 to be amended by deleting the word “*adjoining*” and to make other necessary amendments to CVLEP 2011 to ensure no conflict is caused with clause 4.1B(3) of CVLEP 2001 after the amendment is made.

For the purpose of giving effect to this resolution a Planning Proposal was submitted in June 2020 to the Minister for Planning seeking gateway determination.

Council has been in consultation since with the NSW Department of Planning, Industry and Environment (“**DPIE**”) and a request for further detail was made by DPIE which has not yet been answered in full.

In the meantime however Council is continuing with the assessment of DMU2020/0020 and SUB2019/0033.

We are instructed that DMU2020/0020 relates to an application seeking development consent for a boundary adjustment concerning land at Whitbys Lane and Goodwood Island Road. The land is land upon which sugarcane is grown and the proposal would not create an additional dwelling entitlement. We have not been provided with any other details concerning this application.

SUB2019/0033 concerns an application seeking development consent for a boundary adjustment with respect to land identified as Lot 7 in DP 752845 and Lot 1 in DP 113804 at Laytons Range Road, Kangaroo Creek. The application also relates to a consolidation of Lots 32 and 10 in DP 752845.

With respect to the proposed boundary adjustment Lot 7 is presently 113.3ha in size and Lot 1 is presently 1.1ha. Lot 7 contains a dwelling house.

The proposed boundary adjustment would result in creation of lots known as Lot 701 and Lot 702. Lot 702 would continue to retain the dwelling house and would be of a size of 24.88ha. The newly created Lot 701 would be 89.53ha in size.

It is understood that it is presently the view of the assessing officer at Council that development consent should not be granted with respect to SUB2019/0033 as it fails to comply with clauses 4.1B(3)(c) and possibly clause 4.1B(3)(b).

Through corresponding with DPIE in relation to the planning proposal certain other matters have also been brought to Council's attention concerning what might constitute “*adjoining land*” and a boundary adjustment.

It is in these circumstances that we are asked to advise.

## Advice

1. Council's ability to use clause 4.1B of the Clarence Valley Local Environmental Plan 2011 ("CVLEP 2011") where the lots the subject of an application for boundary adjustment are not immediately adjoining or abutting each other

In our view, when read in context, in order for there to be a boundary adjustment in accordance with clause 4.1B of CVLEP 2011 it is necessary for the lots the subject of the adjustment of boundaries to be immediately adjoining or abutting each other.

In considering the application of clause 4.1B of CVLEP 2011 Council has placed some focus on the meaning of the word "adjoining" as used in clause 4.1B(3). In so doing DPIE has brought to Council's attention a number of cases that consider the meaning of the word "adjoins" or "adjoining".

There is no definition for these words provided in CVLEP 2011 or the *Environmental Planning and Assessment Act 1979* ("EPA Act").

Council has been directed to the case of *Hornsby Shire Council v Malcolm (1986) 60LGRA* wherein the President of the NSW Court of Appeal considered the meaning of the word "adjoins" in the context of clause 11 of *State Environmental Planning Policy No 5* ("SEPP"). Clause 11(2)(a) of the SEPP permitted development for the purpose of housing for aged or disabled persons on land if "the land is within or adjoins land zoned for urban uses".

In this case Kirby P noted that "The word 'adjoins' normally means to abut on, to be in contact with or to lie or be next to: see *Macquarie Dictionary*". His Honour however also noted that "Nor was it contested that the word 'adjoins', in its various forms could mean either physical contiguity or close physical proximity, depending upon the context".

In this case the subject land was separated from land zoned for urban uses by a road and roadside reserve. His Honour found "In the present case there was no separate development between land undoubtedly zoned for urban use and the proposed development. But even if there were no strict abutment, because of the lack of physical contiguity, there is still a sufficient proximity to bring the proposed development within the word 'adjoins' in the context of cl 11(2)(a)".

This case was applied by the Land and Environment Court in the cases of *ACN 115 840 509 Pty Limited v Kiama Municipal Council [2006] NSWLEC 151* and *Wirrabara Village Pty Limited v The Hills Shire Council [2018] NSWLEC 1187* where the Court was satisfied that in the context of the *State Environmental Planning Policy (Seniors Living) 2004* the meaning of "adjoins" could be sufficiently wide enough to incorporate the subject land being "near to", "neighbouring on" or "in sufficient proximity to" land zoned for urban purposes.

Kirby P however was careful to note that the meaning of the word is very much “*depending upon the context*” and “*it is therefore necessary to turn to the context in which the word appears.....*”.

The fact that great care needs to be taken in transposing the meaning of the word “*adjoining*” or “*adjoins*” in the context of different statutes was noted by Chief Justice Preston of the Land and Environment Court in the case of ***Dive v Lin and Liu [2017] NSWLEC 153*** in a case concerning the *Trees (Disputes Between Neighbours) Act 2006* when he noted:

“16. The word “*adjoining*” can mean “*physical contiguity*” (such as *abutment*) but can also extend to “*close physical proximity*”, depending on the context in which it is used: see *Hornsby Shire Council v Malcolm (1986) 60 LGRA 429 at 433*. Words are chameleons that take colour from their context. Different statutes use the word “*adjoining*” for different purposes. Care must be taken, therefore, in transposing the meaning of “*adjoining*” or “*adjoins*” in different statutes to the phrase “*adjoining land*” in the *Trees Act*.”

The word “*adjoining*” is used in clause 4.1B of CVLEP 2011 in the context of being used with respect to “*boundary adjustments*” or “*adjustment of boundaries*”. Furthermore clause 4.1B(3) advises that the adjustment of boundaries is to occur “*between*” adjoining lots.

DPIE referred Council to the case of ***Johnson v Coffs Harbour City Council [2018] NSWLEC 1094***. In this case Commissioner Gray helpfully summarised the cases that set out the relevant principles on the question of whether an application constitutes an application for boundary adjustment or adjustment of boundaries when she stated:

“25 In *Ousley Pty Ltd v Warringah Shire Council*, Talbot J considered a subdivision under the now repealed provisions of *State Environmental Planning Policy 4 – Development Without Consent and Miscellaneous Exempt and Complying Development (SEPP 4)*. Clause 6(b) of SEPP 4 permitted subdivision for the adjustment to a boundary between allotments, and provided that subdivision may be carried out without consent where it was “*for the purpose of making an adjustment to a boundary between allotments, being an adjustment that does not involve the creation of any additional allotment*”.

26 In approaching the question as to whether the proposal constituted an adjustment to a boundary, Talbot J referred to the objectives and purposes of SEPP 4 and reached the conclusion at [16] that “*the reference to “an adjustment to a boundary”... must be construed as being a re-arrangement of a boundary so that no significant changes are made to the configuration of any existing allotments.*” In particular, at [21], Talbot found that there is a “*real element of degree*”, and that:

*"The extent of any changes must pay respect to the existing subdivision design and fit the prescription of an adjustment to a boundary between allotments so that the resulting parcels of land bear some resemblance to the lots which existed before the subdivision."* [emphasis added]

- 27 *In McCabe & Others v Blue Mountains City Council, Jagot J considered the ordinary meaning of the phrase "boundary adjustment" and found as follows:*

*"I do not accept that the "ordinary and grammatical meaning" of the phrase "...for a boundary adjustment" embraces any and all alterations of a boundary that make land suitable for an applicant's requirements. I consider that the primary meaning conveyed by the clause, construed in its immediate and more general context, accords with the notion of an alteration of a boundary by correction or regularisation, whether that correction or regularisation is to reflect actual conditions (such as physical features of the land or its zoning) or to achieve some other requirement or objective (for example, to render the use of land feasible or more practical). Hence, consistent with the observation of Cripps J in Boast v Eurobodalla Shire Council, unreported, NSWLEC, 20110/91, 22 November 1991 at pp 2 – 3, questions of fact and degree are involved."* [emphasis added]

- 28 *Jagot J also agreed with the principle espoused by Talbot J that the resulting parcels of land "should bear some resemblance to the lots which existed before the subdivision" (Talbot J, as cited by Jagot J in McCabe & Others v Blue Mountains City Council at [57]).*

- 29 *Jagot J also considered the purpose of allowing boundary adjustments as an exception to a prohibition on certain subdivisions, and stated:*

*"I infer that the purpose of the provisions is to prohibit subdivision of such land other than in the limited circumstances identified so as not to enlarge, materially or significantly, the overall development potential of such land. Construing cl 34.4(c)(i) so as to permit subdivision by way of any and all alterations of a boundary (whether or not the resulting lots bear any resemblance to the existing lots) provided that no additional lots are created, does not accord well with that purpose."*

- 30 *These principles were applied by Commissioner Tuor in Barnes v Dungog Shire Council [2012] NSWLEC 1021, in which the Commissioner found on the facts of the case that (at [74]):*

*"The subdivision is not for the purpose of a 'boundary adjustment' but the proposed development may accurately be described as the consolidation of Lot 182 DP*



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*1156558 and Lot 4 DP 1033689 , and the subsequent subdivision of the consolidated lot into 2 lots. The purpose of the subdivision appears to be to create a small concessional type allotment so as to enable the erection of an additional dwelling on proposed Lot 40 in the future."*

In this case Commissioner Gray noted that the context of the boundary adjustment clause that was being applied was that "it sits within a part of the planning instrument that deals with principal development standards, and is grouped with a series of exceptions to the minimum lot size for subdivision of land set out in cl 4.1". This is in similar circumstances to the facts at hand concerning Council.

It was in that context and having regard to the cases summarised above that Commissioner Gray accepted that the ordinary meaning of "adjustment" connotes something that is slight or marginal". The Commissioner noted that "The question of whether a particular factual scenario fits within the meaning of 'adjusting' depends on the degree of alteration that is sought in the context of the site as a whole". The Commissioner concluded that "In considering and applying the ordinary meaning of subdivision 'by adjusting the boundary', I am of the view that this considers a notion of alteration of the boundary to reflect physical features or intended uses, but does not encompass any and all alterations. ....it does not encompass any and all alterations of a boundary, and the resulting parcels of land should bear some resemblance to the lots which existed prior to the boundary adjustment".

It is also relevant to note that the boundary adjustment or adjustment of boundaries authorised by clause 4.1B(3) of CVLEP 2011 is "between adjoining lots" (our emphasis added).

The word "between" is defined in the Macquarie Dictionary to mean "in the space separating (2 or more points, objects, etc)" or "connecting: a link between parts".

In the circumstances, when read in the context of a clause authorising a boundary adjustment or adjustment of boundaries it seems to us to be strongly arguable that the reference to "adjoining" lots in clause 4.1B(3) is intended to mean physical contiguity such as abutment.

This is because the boundary that is to be adjusted in no more than a slight, marginal or minor way so as to ensure that no significant changes are made to the configuration of any existing allotments, is between the adjoining lots. That is the boundary is in the space separating the two (2) lots or is connecting the two (2) lots.

In the context of a boundary adjustment it is difficult to foresee a factual circumstance where the boundary to be adjusted is not physically contiguous to each lot.

In our view therefore in order to utilise clause 4.1B(3) for the purpose of a boundary adjustment or adjustment of boundaries it is necessary for the lots the subject of the application to be immediately adjoining or abutting each other.

2. Whether Council is restricted in the use of clause 4.1B of CVLEP 2011 where the lots the subject of the application for boundary adjustment are required to be reduced to a size below the minimum lot size. Furthermore whether a proposal for the consolidation of two (2) lots effects an application for boundary adjustment in the circumstances

It is understood that this question has been posed having regard to the facts relating to development application SUB2019/0033. In this regard it is understood that the minimum size on the Lot Size Map of CVLEP 2011 for the RU1 Primary Production zone is 100ha.

The lots the subject of the application for boundary adjustment pursuant to clause 4.1B(3) of CVLEP 2011 are Lot 7 and Lot 1. Lot 7 is 113.3ha in size and Lot 1 is 1.1ha in size. Accordingly Lot 1 is already below the minimum lot size shown on the Lot Size Map for the RU1 primary production zone.

The proposed boundary adjustment being the boundary between Lot 1 and Lot 7 would create two (2) lots known as Lot 701 and Lot 702. Lot 701 is proposed to be 89.53ha in size and Lot 702 is proposed to be 24.88ha in size. Accordingly both lots would be less than the minimum size on the Lot Size Map of CVLEP 2011 for RU1 Primary Production zoned land.

Clause 4.1B(3)(b) confirms that consent for the subdivision of land by an adjustment of boundaries may be granted only if it will not result in *“an increase in the number of lots that have area that is less than the minimum size shown on the Lot Size Map in relation to that land, .....”*.

Accordingly Council is restricted in the circumstances in its use of clause 4.1B of CVLEP 2011 where the boundary adjustment requires the reduction of a lot to a size below the minimum lot size. In so doing it increases the number of lots that have an area that is less than the minimum size shown on the Lot Size Map in relation to the land so that development consent for the subdivision of land by an adjustment of boundaries must not be granted pursuant to clause 4.1B(3)(b) of CVLEP 2011.

It is noted that the plan accompanying the application for a boundary adjustment shows a proposal to consolidate two (2) adjoining lots. That is the consolidation of Lot 32 and Lot 10 to create one (1) lot identified as Lot 703 which is 145.6 hectares in size.

The proposed consolidation does not relate to lots the subject of the proposal for a boundary adjustment.

The definition of subdivision of land in section 6.2 of the EPA Act expressly excludes the procuring of the registration in the office of the Registrar General of a plan of consolidation within the meaning of section 195 of the *Conveyancing Act 1919*.

Section 195 of the *Conveyancing Act 1919* defines a plan of consolidation to mean “a plan that shows the consolidation of 2 or more existing lots into a single lot, where there is no simultaneous redivision of them into 2 or more new lots.....”. The registration of a plan of consolidation pursuant to the *Conveyancing Act 1919* can take place separately and independently of a boundary adjustment for which development consent is required. In the circumstances of this matter the proposed consolidation is of two (2) lots that are not the subject of a proposal for boundary adjustment and in our view the proposal for the consolidation of two (2) lots has no effect on an application to Council seeking development consent for the adjustment of boundaries between adjoining lots pursuant to clause 4.1B of CVLEP 2011.

3. Whether, on facts provided to us, a proposed boundary adjustment pursuant to clause 4.1B of CVLEP 2011 involves “adjoining lots”. Furthermore what constitutes “more than a minor change in the area of any lot” for the purpose of the subdivision of land by a realignment of boundaries pursuant to clause 2.75 of Subdivision 38 of Division 1 of Part 2 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

It is understood that once more this question is posed having regard to the facts concerning development application SUB2019/0033.

Noting that the application for the boundary adjustment pursuant to clause 4.1B of CVLEP 2011 relates to an adjustment of the boundary between Lot 1 and Lot 7 it seems to us that the proposed boundary adjustment does involve “adjoining lots” in that the boundary of Lot 1 and Lot 7 is physically contiguous. That is the northern most boundary of Lot 1 is the southern most boundary of Lot 7 so that the lots abut each other.

However, having regard to the principles as detailed earlier in part 1 of this advice concerning the case of *Johnson v Coff's Harbour City Council* it is our view that what is proposed is not a boundary adjustment or adjustment of boundaries pursuant to clause 4.1B of CVLEP 2011.

The change to the boundary that is sought and the size of the increase to Lot 701 is so significant that in our view it could not be considered to be an adjustment.

What is proposed is more than the alteration of a boundary by correction or regularisation which is more than slight, marginal or minor and results in parcels of land which bear no resemblance to the lots which existed before the proposed subdivision by way of boundary adjustment.

Subdivision 38 of Division 1 of Part 2 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (“Codes SEPP”) concerns “Subdivision”. Part 2 contains exempt development codes and with respect to Subdivision 38 clause 2.75 relevantly provides:

“2.75 Specified development

*The subdivision of land, for the purpose only of any one or more of the following, is development specified for this code—*

- (a) *widening a public road,*
- (b) *a realignment of boundaries—*
  - (i) *that is not carried out in relation to land on which a heritage item or draft heritage item is situated, and*
  - (ii) *that will not create additional lots or increase the number of lots with a dwelling entitlement or increase the opportunity for additional dwellings, and*
  - (iii) *that will not result in any lot that is smaller than the minimum size specified in an environmental planning instrument in relation to the land concerned (other than a lot that was already smaller than that minimum size), and*
  - (iv) *that will not adversely affect the provision of existing services on a lot, and*
  - (v) *that will not result in any increased fire risk to existing buildings, and*
  - (vi) *if located in Zone RU1, RU2, RU3, RU4, RU6, E1, E2, E3 or E4—that will not result in more than a minor change in the area of any lot, and*
  - (vii) *if located in any other zone—that will not result in a change in the area of any lot by more than 10%,*
- (c) *(Repealed)*
- (d) *rectifying an encroachment on a lot,*
- (e) *creating a public reserve,*
- (f) *excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.”*

Clause 2.75(b)(vi) provides that the subdivision of land by way of a realignment of boundaries within certain zones will be exempt development as long as it will “not result in more than a minor change in the area of any lot”.

No definition is provided for within the Codes SEPP or the EPA Act for “minor” or what might constitute more than a minor change.



There seems to have been no judicial consideration of the meaning of the expression “*more than a minor change*” as contained in clause 2.75(b)(vi).

It seems to us that guidance can be gained from the ordinary meaning of the word “*minor*” in the context of the clause being with respect to the realignment of boundaries. In this regard it seems to us that the same principles as apply to a boundary adjustment or adjustment of boundaries would similarly apply to the realignment of boundaries.

The Macquarie Dictionary defines “*minor*” to mean “*lesser, as in size, extent or importance*”. The word “*lesser*” is defined to mean “*less; smaller as in size, amount, importance etc*”.

Having regard to these definitions and the context within which the word is used being with respect to a realignment of boundaries it seems to us that the expression “*more than a minor change in the area of any lot*” would be intended to mean not more than a smaller, slight or marginal change in the area of any lot in circumstances where no significant changes are made to the configuration of existing allotments so that the resulting parcels of land bear some resemblance to the lots that existed before the subdivision.

What is smaller, slight or marginal is a question of fact and degree. It is not something that is capable of a standard quantification (such as that provided for in clause 2.75(b)(vii)) however it will depend on the facts as they relate to the particular lot. Relevant factors may include the previous size of the lot and its size in comparison with other lots within the subdivision and surrounding land.

Finally we note that Council is concerned that it may be bound by a precedent with respect to earlier assessments and decisions of the Council made concerning applications under clause 4.1B of CVLEP 2011.

Council is not legally bound to follow earlier decisions made by it if they are wrong based upon an incorrect interpretation of the clause.

As was stated by Commissioner Gray in the *Johnson v Coffs Harbour City Council* case:

“48. That the Council has previously taken a more broad interpretation of what constitutes an “*adjusting*” of the boundary is, unfortunately, not relevant to my determination. The interpretation of whether a proposal is a subdivision “*by adjusting the boundary between adjoining lots*” does not give rise to the exercise of discretion. It is instead a question of how the law applies to the facts of the proposal. It is only if the proposal meets the criteria of being a subdivision “*by adjusting the boundary between adjoining lots*” that the question of discretion arises, as it is only then that the proposal becomes permissible with consent.....”

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**11 November 2020**

We trust that the above advice is of assistance and should you have any further questions concerning the same then please do not hesitate to contact the writer.

Yours faithfully

**MARSDENS LAW GROUP**



**DAVID BAIRD**

**Partner**

*Due to the fast evolving situation with Covid-19 and the challenges this has created we have implemented processes to ensure uninterrupted service delivery during these times. In order to ensure our ability to action all matters promptly our office requests that all correspondence and documents be sent to our office electronically if possible.*



## Department of Primary Industries

17 August 2020

OUT20/7938

General Manager  
Clarence Valley Council  
Locked Bag 23  
GRAFTON NSW 2460

Attention: Terry Dwyer  
[terry.dwyer@clarence.nsw.gov.au](mailto:terry.dwyer@clarence.nsw.gov.au)

Dear Sir

**Proposed amendment to clause 4.1B Boundary adjustments between lots in certain rural, residential and environment protection zones of Clarence Valley Council LEP 2011.**

Thank you for the opportunity to provide comment on the above proposal as per your letter dated 2 June 2020. The NSW Department of Primary Industries (NSW DPI) Agriculture provides advice to consent authorities about the protection and growth of agricultural industries and the resources upon which these industries depend.

DPI Agriculture acknowledges the motion passed by Clarence Valley Council relating to the above matter and the support to the proposal given by the Clarence Valley Canegrowers and Sunshine Sugar. DPI recognises the high cost of farmland in the region and that boundary alignments provide an opportunity for farmers to upscale without the additional impost of purchasing an associated dwelling.

The removal of the 'adjoining' requirement from the clause however could create a situation where there is a remaining dwelling on a lot less than the minimum lot size that is not connected to any of the surrounding farmland. When there is no relationship between the farmland and the dwelling lot this can increase land use conflict risk and can lead to land use complaints that can have longer term implications for the residual agriculture. This outcome would be inconsistent with the NSW Right to Farm Policy and DPI's Maintaining Land for Agricultural Industries Policy.

The removal of the 'adjoining' terminology has implications for agriculture across the whole of the LGA and across industries. DPI Agriculture is not supportive of the proposal in its current form however we would welcome further discussions with Clarence Valley Council should you wish to look at specific circumstances. This discussion could form part of a broader discussion on strategies for maintaining land access for the industry to ensure mills can remain viable given the increasing pressures on cane land from other land uses.

Should you wish to organise a meeting on the matter or to discuss further, please contact Agricultural Land Use Planning Officer, Selina Stillman, on 0412 424 397.

Yours sincerely

A handwritten signature in blue ink that reads 'C. Tumney'.

**Christine Tumney**  
**Group Director Agricultural Resources**



**Dwelling house or secondary dwelling affected by natural disaster**

- (1) The objective of this clause is to enable the repair or replacement of lawfully erected dwelling houses and secondary dwelling that have been damaged or destroyed by a natural disaster.
- (2) This clause applies to land in the following zones—
  - (a) [*set out the zones to which the clause is to apply*],
- (3) Despite any other provision of this Plan, development consent may be granted to development on land to which this clause applies to enable a dwelling house or secondary dwelling that has been damaged or destroyed by a natural disaster to be repaired or replaced if—
  - (a) the dwelling house or secondary dwelling was lawfully erected, and
  - (b) the development application seeking the development consent is made to the consent authority no later than 5 years after the day on which the natural disaster caused the damage or destruction.

DRAFT

November 2020

Attachment 2

## Natural Disasters Local Environmental Plan Clause

### Introduction

Clause 5.9 of the Standard Instrument Order (the clause) was introduced to support homeowners whose homes have been damaged or destroyed by natural disasters. The clause applies to development applications (DAs) where development consent is sought to repair or replace a dwelling house or secondary dwelling that was damaged or destroyed by a natural disaster.

The clause was prepared in response to regulatory challenges faced by homeowners seeking to rebuild homes following natural disasters where planning controls in Local Environmental Plans (LEP) have changed over time.

The clause will ensure that development consent can be granted for the repair or replacement of a dwelling that was damaged or destroyed by a natural disaster despite any provisions in the relevant LEP which would otherwise prevent the consent authority from doing so.

The clause intends to eliminate the need for applicants to:

- Prepare formal requests to vary a development standard; or
- Demonstrate the continuance of an existing use in circumstances where dwelling houses or secondary dwellings are no longer permitted with consent in the relevant zone (applicants will need to demonstrate that the existing dwelling was lawfully erected).

### Natural Disasters

Natural disasters are naturally occurring, rapid onset events that cause serious disruption to life or property in a community or region, such as floods, bushfires, earthquakes, storms, cyclones, storm surges, landslides and tsunamis. A natural disaster can include a state of emergency declared under section 33 of the *State Emergency and Rescue Management Act 1989*.

The rebuilding or repair of damage or destruction caused by or because of any of these events is development to which the clause applies.

### Varying Development Standards

The clause states that consent can be granted to the specified development in a zone where the clause applies despite any other provision of the relevant LEP. For this reason, it is not necessary for applicants to submit a request to vary a development standard where a development standard is contravened. DAs will still undergo a merit assessment to ensure that dwelling houses and secondary dwellings are of an appropriate size, location and design in the context of the site.

In situations where key planning controls or development standards have changed over time, removing the need to formally request a variation under clause 4.6 of the relevant LEP will save time and resources for applicants and consent authorities.

### Merit Assessment

For DAs where the clause applies, the consent authority cannot refuse a DA on the basis it does not comply with a development standard or other provision in the applicable LEP.

The proposed development will be assessed on its merits against the relevant considerations under section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and any other applicable legislation.

Any standards or provisions outlined in a State Environmental Planning Policy (SEPP) that are relevant to the DA continue to apply (including any concurrence or referral requirements). Development Control Plan (DCP) provisions also continue to apply.

### Evaluation under section 4.15 of the *Environmental Planning and Assessment Act 1979* where the clause applies

For DAs where the clause applies, LEP provisions themselves must not be used as a reason for refusal. However, if the consent authority considers that the risk, or other environmental impact associated with the proposed development is inconsistent with the relevant considerations of section 4.15, the consent authority can refuse the application on that basis.

#### **Example**

Due to a period of local severe rains, a river floods and destroys two homes. Although this natural event is not subject to an emergency declaration under section 33 of the *State Emergency and Rescue Management Act 1989*, it is still considered to be a natural disaster and accordingly, the natural disasters clause could potentially be applied to rebuild the destroyed dwelling houses.

Council is unable to refuse the DA to rebuild the destroyed dwelling on the basis that it does not comply with a development standard in the applicable LEP – however, council will be able to undertake a merit assessment under section 4.15 of the EP&A Act. If council considers the site is unsuitable for redevelopment under section 4.15(1)(c) due to flooding concerns, then the DA may be rejected on this basis.

### Other Applicable Legislation

The requirements of other applicable legislation referred to in a SEPP, or in the EP&A Act continue to apply to DAs where the clause applies. For example, section 4.14 of the EP&A Act continues to apply for development of bushfire prone land and all relevant requirements of *Planning for Bushfire Protection 2019* must be satisfied.

*State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* and the *Biodiversity Conservation Act 2016* will also continue to apply to development involving clearing of vegetation and development of land with high biodiversity values. Any relevant assessment and offsetting requirements under that Act must also be met.

### Replace and Repair

The clause refers to the *repair* or *replacement* of a lawfully erected dwelling house or secondary dwelling that was damaged in a natural disaster. There is no requirement for the *replacement* or *repair* subject of a DA to be identical to the original dwelling which was destroyed or damaged.

Development consent can be granted for dwelling houses and secondary dwellings that are of a different size, location or design to the original dwelling under the clause. Changes to the design and location of a proposed dwelling may be required to meet the relevant provisions of a DCP, other environmental planning instruments, associated legislation or the requirements of the National Construction Code.

### Lawfully Erected

To be a lawfully erected dwelling house or secondary dwelling, it must have been constructed under a valid development consent, building approval or another lawful planning pathway under the EP&A Act or equivalent historical planning legislation.

## Further Information

For more information:

Web: [www.planningportal.nsw.gov.au/natural-disasters-clause](http://www.planningportal.nsw.gov.au/natural-disasters-clause)

Phone: 1300 73 44 66

Email: [disaster.recovery@planning.nsw.gov.au](mailto:disaster.recovery@planning.nsw.gov.au)

**BRIEFING NOTE****ITEM 6      GRAFTON AND SOUTH GRAFTON FLOOD PLANNING LEVEL****Background**

Floor height criteria for new residential development has applied in Grafton and South Grafton since at least the 1980's.

The Public Works Department (1983) publication, *South Grafton Floodplain Management: Interim Advice to Council*, being Report No. 83036, provided flood levels, development controls and delineation of flood prone areas for the South Grafton floodplain prior to levee augmentation works that were completed in 1996. The 1983 PWD report identified that 1% flood levels for South Grafton were in the order of 8.1m AHD.

The Grafton Local Environmental Plan 1988 contained provisions to require new residential dwelling and residential flat buildings to have a floor height a minimum of 500mm above the 1-in-100-year flood height on certain land in South Grafton. At the time a policy adopted by Grafton City Council required floor levels for habitable floor levels in residential development in North Grafton to be 6.4m AHD.

In May 2000 a flood study and flood management study was prepared by Paterson Consultants for exhibition purposes that considered ponding and flooding conditions post-upgrade of the South Grafton levees and reviewed available floodplain management measures, including minimum floor level controls. In 2004, WBM Oceanics prepared the Lower Clarence River Flood Study Review that formed the basis of the 2007 Grafton and Lower Clarence Floodplain Risk Management Plan. This 2007 Plan indicates 1% flood level inside the levee for Grafton of 6.2m AHD west of Queen St and 4.2m-6.4m AHD east of Queen St, and 6.4m AHD for South Grafton Urban Centre and The Common based on a draft Levee Overtopping Study then in preparation by WBM (2006).

The 2007 Plan contained recommended development control provisions for inclusion into the Clarence Valley DCP in order to manage flood risk associated with new development proposals. In relation to floor and pad levels the 2007 Plan stated that - *The exceptions to the above (that is, habitable floor levels of dwellings should be no lower than the 100 year flood level plus freeboard) would be in regard to infill development in the established urban areas of Grafton and South Grafton (including the Heber Street catchment). These areas have been substantially developed based on historic flood levels, and compliance with the new flood levels may be inappropriate with the streetscape and character of the locality. In these circumstances the historic flood level may be an acceptable minimum. The DCP is to establish guidelines for the implementation of this principle. Further the adopted Plan recommended that, Further flood modelling of potential levee overtopping at Grafton and South Grafton is recommended.*

The DCP criteria for Grafton and South Grafton contained in the CV DCP following the 2007 Plan was as follows -

**Floor & Pad Levels**

<b>1</b>	Unless otherwise specified all floor levels to be no lower than the 5 year flood level plus freeboard unless justified by site specific assessment.
<b>2</b>	<i>Primary habitable floor levels to be no lower than the 100 year flood level plus freeboard. The primary habitable floor levels for infill development in Grafton, South Grafton and the Heber Street Catchment may be reduced to no lower than 6.4, 7.1 and 8.0 metres AHD respectively where the development (i) would be otherwise incompatible in the streetscape; (ii) result in unacceptable visual, overlooking or overshadowing impacts on adjoining properties; or is not part of a larger proposal which does not need to conform with the height and character of existing surrounding development.</i>

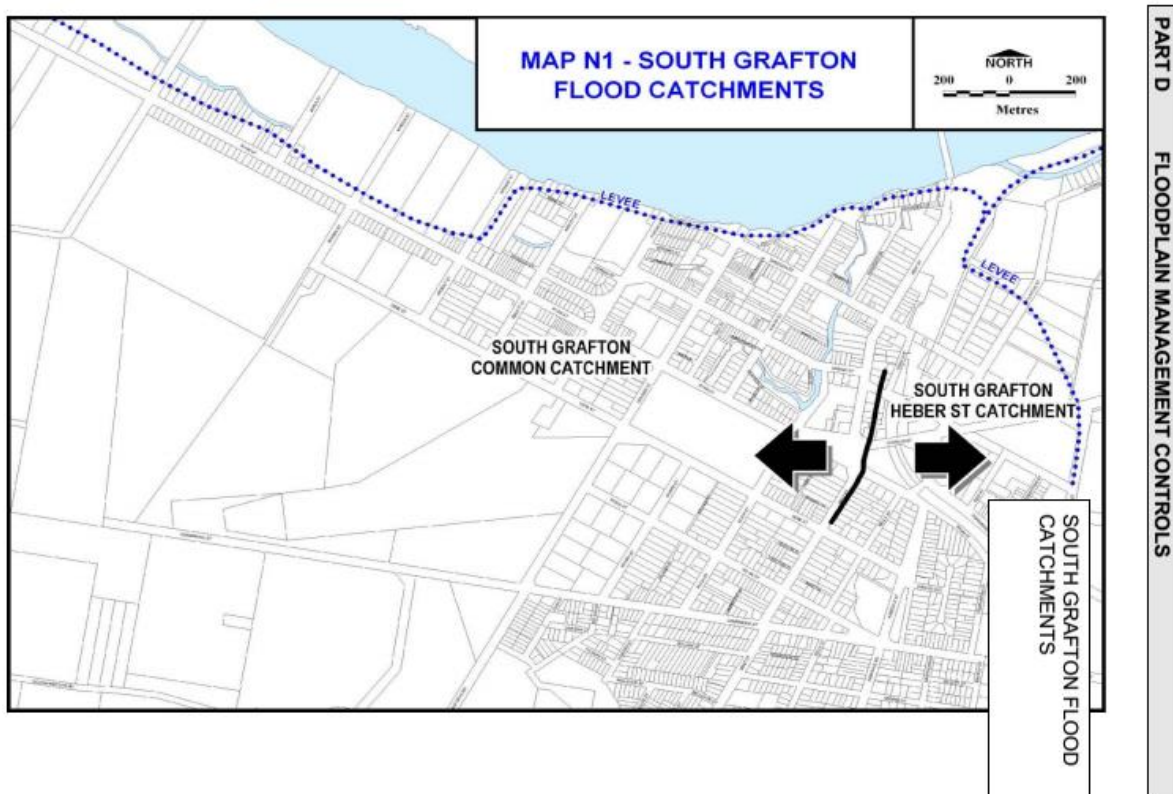
Relevant definitions from the DCP are:

**Primary habitable floor area** means the majority of habitable floor area and in a residential situation includes the majority of bedrooms, main living area, kitchen and first bathroom.

and

**Infill development** is development which is proposed within an established existing urban area and usually involves the development of a vacant residential site, or the removal of an existing residential or retain/commercial building to provide a replacement building for a similar use.

The two sub-catchments for South Grafton are shown in Figure 1 below (extracted from Council's DCP for Development in Residential Zones) –



**Figure 1** – South Grafton sub-catchments on the floodplain as contained in Council's DCP.

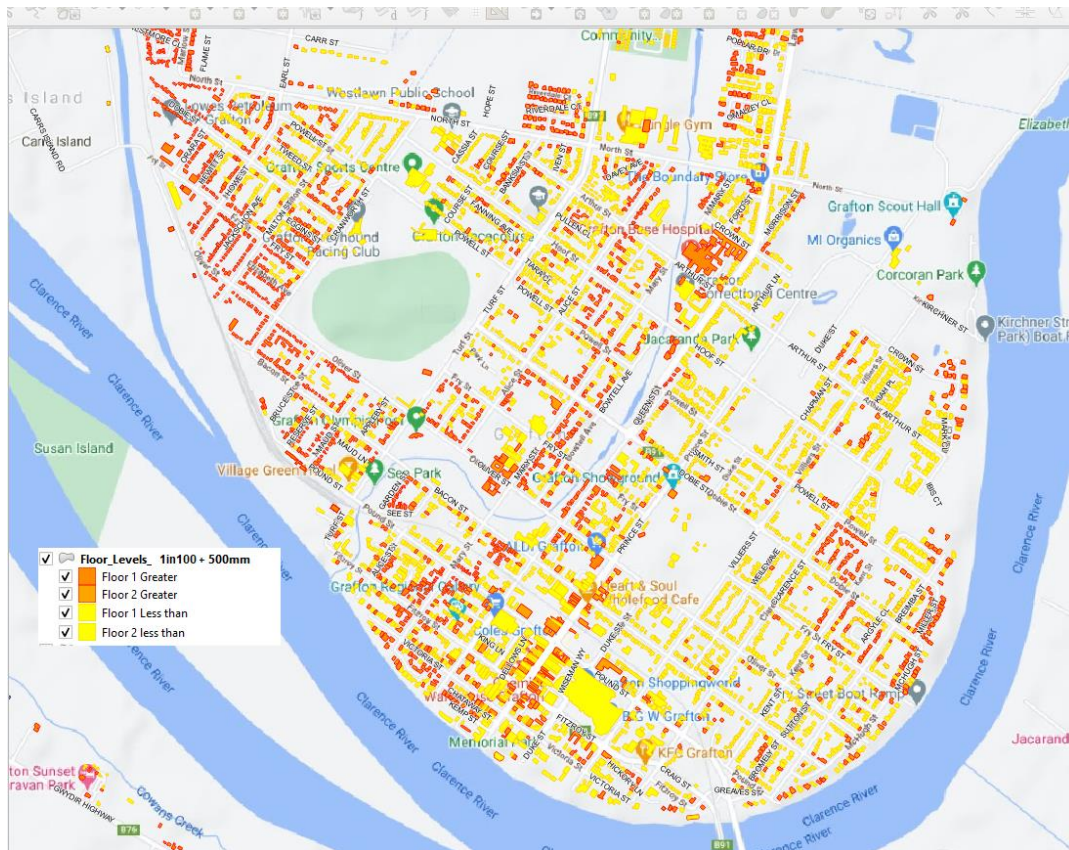
The Grafton and Lower Clarence Floodplain Risk Management Plan was updated to reflect the 2013 flood model in March 2014. The summary of this Plan on Council's website identifies that the 2013 model forms the basis for establishing flood planning levels (or residential floor levels) in accordance with Council's existing floor heights policy, with the exception of North Grafton. In reality, South Grafton was also excluded from this 2014 revision despite the absence of reference to that location. The website states that the '*Flood planning levels in North Grafton will be determined separately through the Floodplain Risk Management process.*' This report and Committee consideration forms part of that process.

Flood mapping contained in the Clarence Valley LEP 2011 was also updated following endorsement of the 2013 model update. To date, the flood planning levels for residential development have not been reviewed for North Grafton or South Grafton. The 2013 Flood Model Update is suggested as



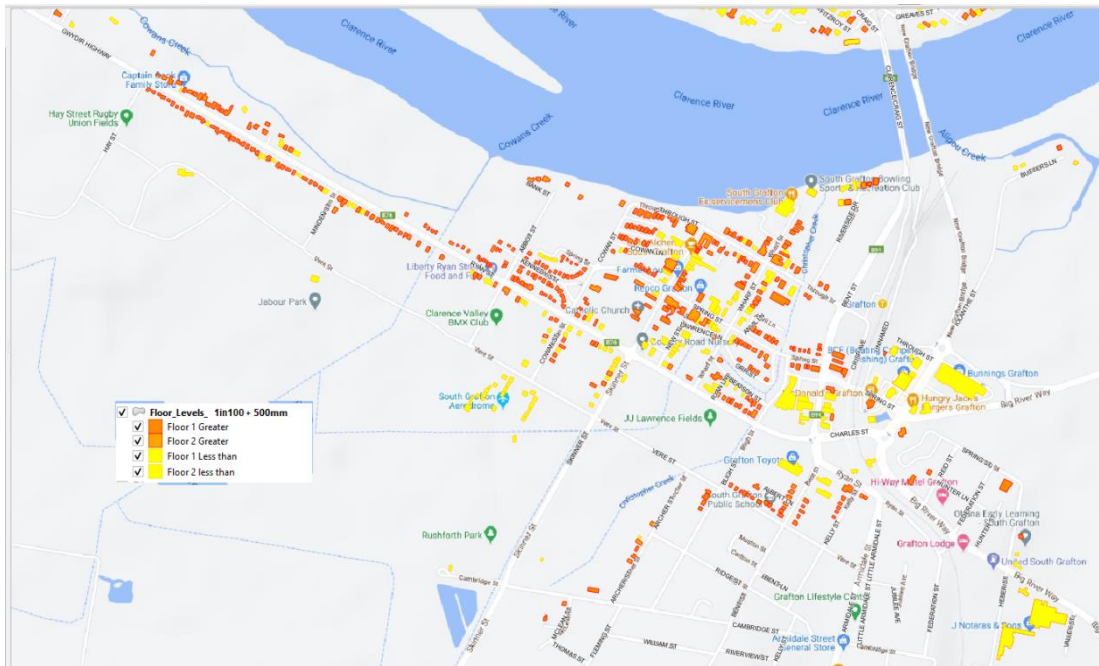
being sufficient to address the 2007 Plan recommendation for further flood modelling. Hence, there is sufficient technical flood data to enable consideration of floor heights. The main issue of contention concerning review of floor height criteria appears to be related to potential impact of streetscape and amenity of neighbouring dwellings as flagged in the adopted DCP provisions.

To inform this discussion Council has obtained floor height survey data for all buildings on the floodplain in Grafton and South Grafton. Figures 2 and 3 below show for Grafton and South Grafton, respectively, buildings with a floor level above 1% flood + 500mm freeboard at the relevant site (orange colour) and less than 1% flood + 500mm freeboard (yellow colour). The highest floor in a building (eg first floor in a two-storey building) has been used to generate this data when applicable. The data needs to be carefully interpreted as some of the buildings that are below the relevant flood planning level are commercial/retail premises that are not subject to standard residential floor height requirements.



**Figure 2** – Built premises with the Grafton levee system showing those with floors above 1% flood + freeboard (coloured orange) and premises below that level (coloured yellow).





**Figure 3** – Built premises with the South Grafton levee system showing those with floors above 1% flood + freeboard (coloured orange) and premises below that level (coloured yellow).

In Grafton, Queen St provides a natural barrier to divide the influence of overtopping flood events. In general, the area west of Queen Street has a relatively uniform flood level in the 1% event (6.45-6.56m AHD) and the map at Figure 2 indicates a reasonable proportion of premises are above the 1% flood + 500mm freeboard. East of Queen Street 1% flood levels are more variable and higher (6.97-7.18m AHD) and as a consequence of these conditions in combination with the historical 6.4m AHD minimum floor height requirement most of the properties in that half of Grafton tend to have habitable floor levels below the 1% event and 500mm freeboard level.

For habitable floor levels to comply with the requirement to be 500mm above the 1% event in Grafton they would be 6.95-7.06m AHD west of Queen St and 7.47-7.68m AHD to the east. These floor levels would be up to 1.28m higher than the 6.4m AHD floor height currently applied in development approvals.

In South Grafton, where current 1% flood levels are generally significantly lower than historical levels and often lower than the current DCP requirements the map at Figure 3 indicates that the majority of premises have floor levels that are higher than the 1% event plus 500mm freeboard. In the South Grafton 'Common' catchment (see Figure 1) 1% flood levels are typically 5.83m AHD south of Ryan St, up to 8.32m AHD in Ryan Street west, 7.8m AHD at the river end of Wharf Street and 6.35m AHD at the river end of Skinner Street. Hence, compliant floor levels using the 500mm above 1% level would be 6.33m AHD, 8.82m AHD, 8.3m AHD and 6.85m AHD, whereas the current DCP requires a minimum floor level of 7.1m AHD for infill development. In the Heber Street catchment (see Figure 1) 1% flood levels are typically 5.83m AHD, requiring compliant floor level at 6.33m AHD, whereas the DCP requires minimum 8.0m AHD. Applying a floor height relative to the 1% flood level at a particular site would appear more reasonable and practical given the change to modelled flood inundation in the 1% event.

Conditions that would be typically applied to development approvals for new residential development on flood prone land in Grafton are as follows:

**Code: AOpt23**

~ The subject property is flood prone and receives a level of flood protection from the Grafton flood levee system. To meet Council's current Floodplain Management Controls the floor level of the primary habitable floor level is to be a minimum of 6.4 metres Australian Height Datum (AHD).

However, you are advised that the latest BMT-WBM 'Lower Clarence Flood Model Update 2013' study indicates that the 1:100 year flood level (1% annual exceedance probability flood level) in the vicinity of the subject site is \*\*\*m Australian Height Datum (AHD) and the extreme flood level is \*\*\*m AHD. Council is currently reviewing the flood planning levels for North Grafton based on consideration of the revised flood model (Council resolution 13.043/14). Until that review is completed and a revised minimum floor level for primary habitable areas of dwellings in North Grafton is determined the current minimum of 6.4m AHD will continue to apply. It is recommended that you take into consideration the findings of the latest BMT-WBM 'Lower Clarence Flood Model Update 2013' when determining the floor level of the primary habitable areas of the subject dwelling.

**Code: CLndFld02**

~ All building construction below 6.4m AHD shall be of flood compatible materials.

This condition would be applied to new residential development in other areas of the lower Clarence:

**Code CLndFld04**

To meet Council's Floodplain Management Controls the floor level of the primary habitable floor level is to be a minimum of xxxxx metres Australian Height Datum (AHD). A certificate indicating the height of habitable floors on the ground floor (related to AHD) is to be forwarded to the Principal Certifying

Authority.

- a In the case of timber floors, on completion of the floor framing;
- b In the case of concrete slabs when formwork is in place but prior to pouring concrete.

This certificate is to be provided by a Registered Surveyor. No further work is to be carried

out on the building until such certificate is provided to the Principal Certifying Authority.

### **Review Options**

1. Adopt consistent floor height criteria for whole of Lower Clarence whereby minimum primary habitable floor levels for residential dwellings are to be no less than the 1% flood level plus freeboard, being an additional 500mm, for all flood prone land including Grafton and South Grafton, as well as requiring flood compatible building materials for any part of a dwelling below the minimum primary habitable floor level applicable to the site of the development;
2. Maintain current approach for primary habitable floor level requirements for Grafton of 6.4m AHD and for South Grafton of 7.1m AHD and 8.0m AHD in the South Grafton 'Common' and Heber Street catchments, respectively.

Option 1 is recommended.

### **Recommendation**

That the CVC Floodplain Risk Management Committee recommend to Council that:

- a. The Committee supports consistent application of development controls to manage impacts of flooding on development across the Clarence Valley;
- b. The floodplain management provisions in all relevant Clarence Valley Development Control Plans are amended to require that:
  - i. all new residential development must have a primary habitable floor level of a minimum of 500mm above the 1% flood height for the site of the development; and
  - ii. flood compatible building materials be used for any part of such premises that are below the level of the minimum primary habitable floor level; and
  - iii. any other necessary amendments to effect these changes are drafted;
- c. That the proposed DCP amendments are publicly exhibited for a period of at least 28 days;
- d. That a report be prepared for Council's consideration as soon as practical after completion of the public exhibition period; and
- e. That advice of Council's resolution on the abovementioned report be referred to the CVC Floodplain Committee for information.



# Clarence Valley Contributions Plan 2011

Prepared by

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Version: CV CP 2011 FINAL

Author: G New, S Liaros

Reviewer: G New



Signed:

Date: 15 December 2011

Distribution: R Donges

#### Summary of Amendments

Summary of Amendment No. 1 (adopted 9/08/16, effective from 29/08/16)	
Clause 1.3.1, clause 2.1, clause 3.2.5, clause 4.1.3	Insert provisions to incorporate the ability to levy developer contributions for time limited workforce accommodation, as a form of residential accommodation.
Summary of Amendment No. 2 (public exhibition)	
Various clauses	<ul style="list-style-type: none"> <li>• Make provision for a s.7.11 contribution for other developments that are largely of a residential nature including manufactured home estates and caravan park developments/conversions proposing long term caravan sites/moveable dwellings</li> <li>• Update "old Act" references in the contributions plan to sections 94 and 94A to the correct references under the more recently amended and updated EP &amp; A Act 1979.</li> </ul>

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## Attachments

Attachment A	Local Infrastructure Service Catchments data
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# 1. Introduction and summary schedules

## 1.1 Overview of this Plan

Future residential and other development in the Clarence Valley LGA will result in a significant increase in Clarence Valley LGA's population.

Existing Local Infrastructure has been generally designed to accommodate the existing population of Clarence Valley. Future development, and the populations that will occupy such development, can only be sustained by a significant investment in new and augmented facilities and services that are usually provided by the Council (such as recreation facilities, roads and community facilities).

New development should therefore make a reasonable contribution toward the provision of new and/or augmented Local Infrastructure to meet this additional demand.

Subdivision 3 of Division 6 of Part 4 of the Environmental Planning and Assessment Act 1979 (**EP&A Act**) authorises a Consent Authority to grant consent to a proposed development subject to a condition requiring a (section 7.11) contribution or a (section 7.12) levy for the provision, extension or augmentation of Local Infrastructure in the area, or toward the recoupment of the cost of existing Local Infrastructure in the area.

Where the Consent Authority is a council or an accredited certifier, such a contribution may be imposed on a development only if it is of a kind allowed by and determined in accordance with a contributions plan, such as this Plan.

This Plan identifies the projected demands for Local Infrastructure arising from expected development. The Plan authorises Council or an accredited certifier to impose conditions on Development Consents or Complying Development Certificates requiring:

- reasonable section 7.11 contributions for Residential Accommodation developments (including residential subdivision) and other developments that are largely of a residential nature including manufactured home estates (MHE) and caravan park developments/conversions proposing long term caravan sites/moveable dwellings in a caravan park; and
- section 7.12 levies for other types of development described in Table 1.2 of this Plan.

This Plan has been prepared in accordance with the EP&A Act and Environmental Planning and Assessment Regulation 2000 (**EP&A Regulation**); and having regard to the latest Practice Notes issued by the NSW Department of Planning.

This Plan sets out:

- the relationship or nexus between the expected development in the area and the Local Infrastructure that is required to meet the demands of that development;
- the general formula used to determine the reasonable section 7.11 contributions required from expected development for different types of Local Infrastructure;
- the contribution rates for the anticipated types of development in the area;
- maps showing the location of the Local Infrastructure items proposed to be provided by Clarence Valley Council supported by a works schedule setting out an estimate of their cost; and
- the administrative and accounting arrangements applying to contributions that are required by this Plan.

## 1.2 Summary of contribution rates

A Summary of the respective section 7.11 and section 7.12 contribution rates is shown in Tables 1.1 and 1.2 on the following pages.

public exhibition  
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**Table 1.1 Contribution rates for Residential Accommodation development (including residential subdivision)**

Public service or amenity and service catchment	Rate per Dwelling House or Lot (\$)	Rate per Self-contained Dwelling in a Seniors Housing development (\$)	Rate per other Residential Accommodation dwelling (\$)	Rate per Workforce accommodation "dwelling"	Rate per MHE dwelling; long term caravan site/moveable dwelling in a caravan park
Community Facilities					
Grafton & Surrounds	\$3,100	\$1,860	\$2,108	\$1,240	\$1860
Maclean & Surrounds	\$3,100	\$1,860	\$2,108	\$1,240	\$1860
Open Space and Recreation Facilities					
Grafton & Surrounds	\$3,100	\$1,860	\$2,108	\$1,240	\$1860
Coastal	\$3,100	\$1,860	\$2,108	\$1,240	\$1860
Isolated Coastal & Rural	\$3,100	\$1,860	\$2,108	\$1,240	\$1860
Plan Management					
Clarence Valley LGA	\$58	\$35	\$39	\$23	\$35

## Notes:

- (1) Also refer to development exclusions identified in clause 2.8
- (2) All rates include contributions toward LGA-wide catchment community and open space and recreation facilities

**Additional note for exhibition:**

- the proposed amendments express the \$ amounts and contribution rates referenced in the 2011 contributions plans in 2011 base values.
- These are indexed and updated every financial year. The table at Attachment 1 of the exhibition summary document provides a 2020 update of all 2011 base contribution rates.

**Table 1.2 Section 7.12 levy rates for development other than Residential Accommodation development**

Development type*	Levy rate
Proposed cost of carrying out the development is up to and including \$100,000	Nil
Proposed cost of carrying out the development is more than \$100,000 and up to and including \$200,000	0.5% of that cost
Proposed cost of carrying out the development is more than \$200,000	1% of that cost

\* Also refer to development exclusions identified in clause 2.8

## 1.3 Calculating a contribution under this Plan

Contribution rates for different development types and locations are shown in the tables in clause 1.2 of this Plan.

A development can only be the subject of either a section 7.11 contribution or a section 7.12 levy, not both.

### 1.3.1 Residential Accommodation development

Under this Plan, section 7.11 contributions shall only apply to Residential Accommodation development, while section 7.12 levies shall apply to other development types. Refer to clause 2.1 of this Plan for the definition of Residential Accommodation development. It is also intended that this plan apply contributions to:

- (i) the less conventional forms of Residential Accommodation such as Workforce accommodation; and
- (ii) other developments that are largely of a residential nature including manufactured home estates (MHE) and caravan park developments/conversions proposing long term caravan sites/moveable dwellings in a caravan park

The total section 7.11 contribution levied for any individual development is the contribution calculated using the rates shown in Table 1.1, less any allowance for assumed infrastructure demand arising from existing developments, if applicable (see below).

The section 7.11 contribution rates shown in Table 1.1 reflect the contribution rates at the date that the Plan commenced. These rates are regularly adjusted for inflation in accordance with the provisions of clause 2.14 of this Plan. Applicants should inquire at the Council for information on the latest contribution rates.

#### **Assumed Local Infrastructure demand relating to existing Residential Accommodation development and other development of a residential nature**

Section 7.11 contributions determined under this Plan will be calculated according to the estimated net increase in Local Infrastructure demand that a particular development is deemed to generate.

For development sites that contains Residential Accommodation development and other development of a residential nature or that has been subdivided for Residential Accommodation development or and other development of a residential nature, Council will take into consideration the existing Local Infrastructure demand (based on the assumed existing population) relating to the development site for the purpose of determining the net increase, at the rates cited in Table 1.3.

**Table 1.3 Assumed Local Infrastructure demand attributable to existing Residential Accommodation developments**

<b>Residential Accommodation development type</b>	<b>Assumed average household occupancy rate</b>
Dwelling houses; single vacant allotments that can be developed for a dwelling house	2.5 persons per dwelling or lot
Other dwellings, including flats, apartments, terrace, semi-detached and townhouse dwellings:	1.7 persons per dwelling
Self-contained Seniors' Housing dwellings	1.5 persons per dwelling
Workforce accommodation	1 person = 0.4 dwelling house equivalent
MHEs and caravan park developments/conversions proposing long term caravan sites/moveable dwellings in a caravan park	1.5 persons per dwelling

### 1.3.2 Other development

The total section 7.12 levy for any individual development is the monetary contribution determined by applying the applicable contribution rate in Table 1.2 to the proposed cost of the development.

There is no allowance for assumed existing infrastructure demand in the calculation of any section 7.12 levy.

## 2. Administration and operation of this Plan

### 2.1 Definitions used in this Plan

In this Plan, the following words and phrases have the following meanings:

**Accredited Certifier** has the same meaning as in the EP&A Act.

**Affordable Housing** has the same meaning as in clause 6 of State Environmental Planning Policy (Affordable Rental Housing) 2009.

**Complying Development** has the same meaning as in the EP&A Act.

**Complying Development Certificate** has the same meaning as in the EP&A Act.

**Consent Authority** has the same meaning as in the EP&A Act but also includes an Accredited Certifier responsible for issuing a Complying Development Certificate.

**Council** means Clarence Valley Council.

**Development** has the same meaning as in the EP&A Act.

development means:

- (a) the use of land, and
- (b) the subdivision of land, and
- (c) the erection of a building, and
- (d) the carrying out of a work, and
- (e) the demolition of a building or work, and
- (f) any other act, matter or thing referred to in section 26 that is controlled by an environmental planning instrument,

but does not include any development of a class or description prescribed by the regulations for the purposes of this definition.

**Development Application** has the same meaning as in the EP&A Act.

**Development Consent** has the same meaning as in the EP&A Act.

**Dwelling** has the same meaning as in the Standard Instrument.

**EP&A Act** means the Environmental Planning and Assessment Act 1979.

**EP&A Regulation** means the Environmental Planning and Assessment Regulation 2000.

**LGA** means local government area.

**Local Infrastructure** means public amenities and public services the provision of which is traditionally the responsibility of local government, but excluding water supply or sewerage services.

**Local Infrastructure Contribution** includes a contribution imposed on a Development Consent by a Consent Authority under section 7.11 or section 7.12 of the EP&A Act.



**manufactured home estate** means land on which manufactured homes are, or are to be, erected (as defined in State Environmental Planning Policy No 36 - Manufactured Home Estates).

**Manufactured home** has the same meaning as in State Environmental Planning Policy No 36 - Manufactured Home Estates, or any subsequent environmental planning instrument that addresses the permissibility of manufactured homes in the Clarence Valley area.

**Minister** means the Minister for Planning and Public Spaces.

**Residential Accommodation** has the same meaning as in the Standard Instrument.

residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following:

- (a) attached dwellings,
- (b) boarding houses,
- (c) dual occupancies,
- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings,
- (i) rural workers' dwellings,
- (j) secondary dwellings,
- (k) semi-detached dwellings,
- (l) seniors housing,
- (m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

**Self-contained Dwelling** means a dwelling or part of a building (other than a hostel), whether attached to another dwelling or not, housing seniors or people with a disability, where private facilities for significant cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing facilities or other facilities for use in connection with the dwelling or part of the building may be provided on a shared basis.

**Seniors Housing** has the same meaning as in the Standard Instrument.

**Standard Instrument** means the Standard Instrument – Principal Local Environmental Plan referred to in clause 3 of the Standard Instrument (Local Environmental Plans) Order 2006 amended from time to time in accordance with section 3.20 of the EP & A Act.

**Workforce accommodation** means any habitable building(s) or place, and associated amenities erected or adapted for the purpose of providing accommodation for employees and/or contractor.

## 2.2 Local Infrastructure addressed by this Plan

This Plan authorises the Consent Authority to levy contributions that will be applied by the Council towards meeting the cost of Local Infrastructure to be provided by or at the cost of the Council within its LGA.

Local Infrastructure is defined for the purposes of this Plan as public amenities and public services that are traditionally the responsibility of Clarence Valley Council, but excluding water supply or sewerage services.

The service catchment for Local Infrastructure may be the local area surrounding a population centre (for example, Grafton, Maclean), or may be the wider region (such as the Clarence Valley LGA). Service catchments used in this Plan are discussed in clause 3.2.4 of this Plan. The infrastructure items included in the works schedule to this Plan includes only capital items and includes those items designed to meet the longer term (2031) growth impacts likely to be experienced in the LGA.

The types of Local Infrastructure which are covered by this Plan are as follows:

- Community facilities, including neighbourhood, community and youth centres, and library and art gallery upgrades
- Open space and recreation facilities, including new and upgraded parks, sportsfields, foreshore and other recreation areas.

## 2.3 Name of this Plan

This Plan is called the Clarence Valley Contributions Plan 2011.

## 2.4 Purposes of this Plan

The primary purpose of the Plan is to authorise:

- the Council, when granting consent to an application to carry out development to which this Plan applies; or
- an Accredited Certifier, when issuing a Complying Development Certificate for development to which this Plan applies,

to require a Local Infrastructure Contribution to be made towards:

- the provision, extension or augmentation of Local Infrastructure; and
- the recoupment of the previous costs incurred in providing existing Local Infrastructure,

within the area to which this Plan applies.

Other purposes of the Plan are:

- to provide the framework for the efficient and equitable determination, collection and management of Local Infrastructure Contributions;
- to determine the demand for Local Infrastructure generated by the incoming population to the area and ensure that development makes a reasonable contribution toward the provision of Local Infrastructure that is required for that population;
- to ensure that the existing community is not unreasonably burdened by the provision of Local Infrastructure required (either partly or fully) as a result of development in the area; and
- to ensure Council's management of Local Infrastructure Contributions complies with relevant legislation and practice notes, and achieves best practice in plan format and management.

## 2.5 Commencement of this Plan

This Plan commences on the date on which public notice was given under clause 31(2) of the EP & A Regulation or the date of specified in that notice if it is a different date.

## 2.6 Land to which this Plan applies

This Plan applies to all land within the Clarence Valley LGA.

## 2.7 Development to which this Plan applies

Except as provided for by clause 2.8, this Plan applies to:

- Residential Accommodation development, insofar as the Plan authorises the imposition of a requirement for a section 7.11 contribution; and
- all other development that has a proposed cost of \$100,000 or more, insofar as the Plan authorises the imposition of a requirement for a section 7.12 levy.

## 2.8 Development exempted from contributions under this Plan

This Plan does not apply to:

- Affordable Housing development;
- Seniors Housing development (other than Self-contained Dwellings forming part of Seniors Housing development); or
- Other development exempted from Local Infrastructure Contributions by way of a Direction made by the Minister for Planning under section 7.17 of the EP & A Act.

## 2.9 Relationship to other contributions plans

This Plan repeals the contributions plans, or components of contributions plans, shown in Table 2.1 below.

**Table 2.1 Contributions plans repealed by this Plan**

Contributions plan	Repeal notes
Copmanhurst Shire Council -Section 94 Contributions Plan	The components of this contributions plan that require a contribution towards Local Infrastructure types apart from roads and quarry operations are repealed.
Copmanhurst Section 94 Plan for Junction Hill - Community Facilities	The contributions plan is repealed in its entirety.
Copmanhurst Shire Council Section 94 Contributions Plan for Community Facilities and Road and Traffic Facilities	The components of this contributions plan that require a contribution towards Local Infrastructure types apart from roads and traffic facilities are repealed.
Copmanhurst Shire Council Section 94 Plan for Bush Fire Facilities and Equipment	The contributions plan is repealed in its entirety.
Nymboida Shire Council - Section 94 Contributions Plan -Community Facilities	The contributions plan is repealed in its entirety.

Contributions plan	Repeal notes
Nymboida Shire Council Section 94 Contributions Plan – Emergency Services Facilities	The contributions plan is repealed in its entirety.
Ulmarra Shire Council -Section 94 Contributions Plan	The components of this contributions plan that require a contribution towards Local Infrastructure types apart from roads are repealed.
Grafton City Council Section 94 Contributions Plan – Section 30 Drainage – Pound & Villiers Streets, Grafton	The contributions plan is repealed in its entirety.
Grafton City Council - Section 94 Contributions Plan for the City of Grafton	The components of this contributions plan that require a contribution towards Local Infrastructure types apart from roads and drainage in residential areas are repealed.
Maclean Shire Council - Section 94 Contributions Plan for Open Space and Community Amenities and Facilities	The contributions plan is repealed in its entirety.
Maclean Shire Council Section 94 Contributions Plan – Drainage Contributions Plan for Yamba Drainage Catchments	The components of this contributions plan that require a contribution from residential development are repealed.
Maclean Shire Council Section 94 Contributions Plan – Carparking in Maclean, Yamba and Iluka CBD's.	The contributions plan is repealed in its entirety.
Maclean Shire Council Section 94 Contributions Plan – Photogrammetric Surveys	The contributions plan is repealed in its entirety.
Maclean Shire Council Section 94 Contributions Plan – Yamba Urban Bypass and Urban Intersections	The components of this contributions plan that require a contribution from industrial development in Yamba are repealed.

This Plan has no effect on any other contributions plan prepared and adopted by the Council under the EP & A Act.

Clause 2.22 of this Plan contains a transitional provision consequent upon the making of this Plan.

## 2.10 Formulas used for determining section 7.11 contribution rates applicable under this Plan

The general formula used to determine the section 7.11 contribution rates applicable under this Plan is set out in clause 4.1.3.

It should be noted that this formula, which divides the Local Infrastructure cost between the persons (or dwellings) that generate the demand for that infrastructure, resulted in a higher rate than Council was willing to impose on developers of Residential Accommodation and other development of a residential nature.

For the purpose of maintaining the section 7.11 contribution rates at an affordable level, the contribution rates included in this Plan (in Table 1.1) are lower than that which could be reasonably justified by sharing the cost amongst all those anticipated to generate a demand for the infrastructure.

## 2.11 Local Infrastructure Contributions may be required as a condition of consent

This Plan authorises Council or an Accredited Certifier, when determining an application for development or an application for a Complying Development Certificate relating to development to which this Plan applies, and subject to other provisions of this Plan, to impose a condition requiring a section 7.11 monetary contribution on that development to enable the provision of Local Infrastructure identified in this Plan.

This Plan also authorises the Council or an Accredited Certifier, when determining an application for development or an application for a Complying Development Certificate relating to development to which this Plan applies, and subject to other provisions of this Plan, to impose a condition requiring the payment of a monetary contribution that is a section 7.12 levy.

This Plan also authorises the Council or an Accredited Certifier to require monetary contributions from development towards recouping the cost of the provision of existing Local Infrastructure that has been provided by the Council for or to facilitate the carrying out of development and which the development will benefit from.

A section 7.12 levy cannot be required in relation to development if a section 7.11 contribution is required in relation to that development.

The types and areas of development affected by **either** section 7.11 contributions or section 7.12 levies, and the contribution rates applying to different development types, are identified in clauses 1.2 and 2.7 of this Plan.

Accredited certifiers should also refer to clause 2.13 of this Plan as to their obligations in assessing and determining applications subject to Local Infrastructure Contributions authorised by this Plan.

Unless otherwise specified, references to monetary contributions in this Plan include both section 7.11 and section 7.12 contribution types.

## 2.12 Dedication of land free of cost may be required as a condition of consent

This Plan authorises the Consent Authority, other than an Accredited Certifier, when granting consent to an application to carry out development to which this Plan applies, to impose a condition under section 7.11(1) of the EP & A Act requiring the dedication of land free of cost to Council towards the provision, extension or augmentation of Local Infrastructure as specified in the works schedule to meet the demands of the development, or the recoupment of the cost of Local Infrastructure previously provided within the area.

This Plan requires the Consent Authority, other than an Accredited Certifier, when determining an application for a Complying Development Certificate relating to development to which this Plan applies, to impose a condition under section 7.11 of the EP&A Act requiring the dedication of land free of cost to contribute towards the provision, extension or augmentation of Local Infrastructure as specified in the works schedule to meet the expected demands of the development, or the recoupment of the cost of Local Infrastructure previously provided within the area.

Wherever land required under this Plan is situated within a development site, the Consent Authority will generally require the developer of that land to dedicate the land required under this Plan free of cost.

The value of this land will be taken into account in determining the total monetary contributions required by the development under this Plan. The value of the land to be dedicated free of cost will be the *market value* of the land determined in accordance with the Land Acquisition (Just Terms) Compensation Act 1991.

## 2.13 Obligations of Accredited Certifiers

### 2.13.1 Complying Development Certificates

This Plan authorises that, in relation to an application made to an Accredited Certifier for a Complying Development Certificate:

- the Accredited Certifier must, if a Complying Development Certificate is issued, impose a condition requiring a Local Infrastructure contribution, if such a contribution is authorised by this Plan; and
- such contribution can only be a monetary contribution required under this Plan; and
- the amount of the monetary contribution that the Accredited Certifier must so impose is the amount determined in accordance with this Plan.

It is the responsibility of the principal certifying authority to accurately calculate and apply the Local Infrastructure Contribution conditions to Complying Development Certificates. Deferred payments of contributions required by a condition of a Complying Development Certificate will not be accepted.

### 2.13.2 Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

### 2.13.3 Construction certificates

It is the responsibility of an Accredited Certifier issuing a construction certificate to certify that any Local Infrastructure Contributions required as a condition of Development Consent or Complying Development Certificate have been paid to the Council prior to the issue of the certificate.

The Accredited Certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 146(b) of the EP & A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where a work in kind, material public benefit, dedication of land and/or deferred payment arrangement has been agreed by the Consent Authority. In such cases Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

## 2.14 Indexation of contribution rates included in this Plan

In accordance with clause 32(3)(b) of the EP & A Regulation, Council may, without the necessity of preparing a new or amending contributions plan, make changes to the section 7.11 contribution rates set out in this Plan to reflect annual variations to the Consumer Price Index (All Groups Index) for Sydney as provided by the Australian Bureau of Statistics.

## 2.15 Indexation of contributions required by a condition imposed under this Plan

A Local Infrastructure Contribution required by a condition of Development Consent imposed in accordance with this Plan will be indexed between the date of the grant of the Development Consent and the date on which the contribution is paid in accordance with the Consumer Price Index (All Groups Index) for Sydney as provided by the Australian Bureau of Statistics.

## 2.16 Timing of payment of monetary contributions required under this Plan

A monetary contribution required to be paid by a condition imposed in accordance with this Plan is to be paid at the time specified in the condition.

Generally, the condition will provide for payment as follows:

- for development involving subdivision but no subdivision works – payment is to be made before the release of a subdivision certificate relating to the development;
- for development involving building, engineering or construction work - payment is to be made before the release of a construction certificate relating to the development; and
- for development not involving subdivision, or building, engineering or construction work – payment is to be made before the development is commenced.

## 2.17 Policy on deferred or periodic payments

The applicant or any other person entitled to act upon a Development Consent containing a monetary contribution condition imposed in accordance with this Plan may apply in writing to the Consent Authority, other than an Accredited Certifier, under section 4.55 of the EP & A Act to modify the condition to provide for the deferred or periodic payment of the contribution.

In deciding whether to approve the request, the Consent Authority may take into consideration, in addition to any other relevant matters, whether:

- Compliance with clause 2.16 is, in the opinion of the Consent Authority, unreasonable in the circumstances of the case; and
- the person making the application has offered an appropriate form of security (being an unconditional bond, bank guarantee or the like) in respect of the deferred or periodic payment; and
- the application, if approved would be likely to prejudice the implementation of the works schedule to this Plan; and
- the applicant is prepared to pay interest on the unpaid contribution to the Council at a rate equivalent to the 90-day Bank Bill Swap Reference Rate.

## 2.18 Works in kind and other material public benefits offered in part or full satisfaction of contribution requirements

### 2.18.1 Offer of a material public benefit made after the imposition of a Local Infrastructure Contribution condition under this Plan

The Consent Authority, other than an Accredited Certifier, may accept an offer made in writing to the Consent Authority by the applicant or any other person entitled to act on a Development Consent containing a Local Infrastructure Contribution condition imposed in accordance with this Plan that provides for:

- the provision of a material public benefit in part or full satisfaction of a condition imposed in accordance with this Plan; or
- the dedication of land free of cost in part or full satisfaction of a condition imposed in accordance with this Plan.

Where the Consent Authority accepts such an offer, it is not necessary for the Development Consent to be amended under section 4.55 of the EP & A Act.



### **2.18.2 Offer of land or a material public benefit made before the imposition of a Local Infrastructure Contribution condition under this Plan**

An applicant for consent to carry out development to which this Plan applies may request that any Development Consent granted to the development is made subject to a condition that the applicant, dedicates land free of cost, carries out work or provides another material public benefit that would satisfy the requirements of this Plan in relation to the development.

The applicant's request:

- may be contained in the relevant Development Application; or
- may constitute an offer to enter into a planning agreement relating to the development accompanied by the draft agreement.

The Consent Authority will consider the request as part of its assessment of the Development Application.

If the Consent Authority decides to grant consent to the development and agrees to a request made in the relevant Development Application, the Consent Authority, may impose a condition under section 4.17 of the EP & A Act requiring the land to be dedicated, the works to be carried out or the material public benefit to be provided wholly or partly in lieu of a requirement imposed by a condition of Development Consent authorised by the Plan that the applicant make a Local Infrastructure Contribution.

If the applicant makes an offer to enter into a planning agreement, and the Consent Authority agrees to enter into the agreement, the arrangements in the planning agreement may wholly or partly replace a requirement imposed by a condition of Development Consent authorised by the Plan that the applicant make a Local Infrastructure Contribution. If the Consent Authority decides to grant consent to the development and agrees to enter into the planning agreement, it may impose a condition under section 7.7 (3) of the EP & A Act requiring the agreement to be entered into and performed.

### **2.18.3 Matters to be considered by the Consent Authority in determining offers of land or material public benefits**

When considering an offer to provide a material public benefit, the Consent Authority will take into account the following:

- the extent to which the proposed land or material public benefit aligns with the objectives of this Plan, particularly the works schedule;
- the extent to which the proposed land or material public benefit duplicates or overlaps with existing Local Infrastructure;
- the extent to which the proposed land or material public benefit will satisfy community demand;
- the extent to which the proposed land or material public benefit is likely to require public funds for operations and maintenance;
- in the case of land offered for open space, recreation or community purposes, whether the proposed land complies with any criteria, specifications or standards established by the Council and that are contained in a policy or strategy that it has adopted;
- the applicant's expressed intention as to ultimate ownership the proposed material public benefit;
- the program for provision of the land or material public benefit;
- the proposed material public benefit conforming to an acceptable standard of workmanship and materials;

- an appropriate defects liability period;
- an agreement as to the cost of the proposed material public benefit which is agreed by both parties; and
- any other matter the Consent Authority, in its discretion, considers pertinent to determining the offer.

## 2.19 Pooling of monetary contributions

This Plan authorises monetary contributions paid for different purposes in accordance with the conditions of various Development Consents authorised by this Plan and any other contributions plan approved by the Council from time to time (whether or not such a plan is one that is repealed by this Plan) to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this Plan are the priorities for works as set out in the works schedule to this Plan.

## 2.20 Accountability and access to information

Council is responsible for the maintenance of an accurate and up-to-date register of all Local Infrastructure Contributions. This register details:

- each Development Consent which contains a Local Infrastructure Contribution condition;
- the nature and extent of the contribution required by the condition; and
- the date on which a Local Infrastructure Contribution required by any such condition was received, and its nature and extent.

The register is available for inspection by any person at Council's offices free of charge at any time during normal office hours.

The Council must also maintain accounting records that indicate:

- the various kinds of Local Infrastructure for which expenditure is authorised by the Plan;
- the monetary contributions received under the Plan, by reference to the various kinds of Local Infrastructure for which they have been received;
- in respect of monetary contributions paid for different purposes, the pooling or progressive application of the contributions for those purposes, in accordance with any requirements of the Plan or any Ministerial direction under the EP&A Act; and
- the amounts spent in accordance with this Plan, by reference to the various kinds of Local Infrastructure for which they have been spent.

## 2.21 Review of Plan without the need for public exhibition

Pursuant to clause 32(3) of the EP & A Regulation, Council may make certain minor adjustments or amendments to the Plan without prior public exhibition and adoption by Council. Minor adjustments could include minor typographical corrections, amendments to rates resulting from changes in the published indexes adopted by this Plan (see clause 2.14).

## 2.22 Savings and transitional arrangements

This Plan applies to both:

- a Development Application or application for a Complying Development Certificate submitted after the date on which this Plan took effect; and
- a Development Application or application for a Complying Development Certificate submitted, but not yet determined, on or before the date on which this Plan took effect.

public exhibition  
DRAFT

## 3. Local Infrastructure demands and costs

### 3.1 Development context

The Clarence Valley LGA is located in the Northern Rivers region of New South Wales, about 600 kilometres north of Sydney and 300 kilometres south of Brisbane. The LGA was created in 2004 with the amalgamation of the Copmanhurst, Grafton, Maclean and Pristine Waters Local Government Areas.

Clarence Valley LGA is predominantly rural, with expanding residential areas and some industrial and commercial land uses, and encompasses some 10,440 square kilometres, of which a significant proportion is National Park, State Forest and nature reserves.

Settlement is based along the main transport spines (historically the Clarence River and now the Pacific Highway) - around the main town of Grafton and the townships of Iluka, Maclean and Yamba. There are also many small villages and localities along the coast and inland.

In the last few decades, population growth has been concentrated in coastal locations, although Grafton has retained its role as a regional centre. Since the early 1990s, the population has grown modestly, rising from about 43,400 in 1991 to about 48,400 in 2006.<sup>1</sup>

As at 2010, the estimated resident population of the Clarence Valley LGA was 52,500.<sup>2</sup> The population of the Clarence Valley LGA has been growing at a rapid average annual rate of 1.2% per year between 2005 and 2010. Factors contributing to this population increase include 'sea change' and 'tree change' in-migration, the influx of intrastate and interstate retirees, and people moving in to the new residential subdivisions on the fringes of urban areas. The increase in population is felt most during summer holiday periods when the coastal areas population is estimated to rise to around 20,000 people.<sup>3</sup>

### 3.2 Expected development and population

#### 3.2.1 Development envisaged by the Regional strategy

Strategic planning of development in the Clarence Valley LGA is guided by the Mid North Coast Regional Strategy (MNCRS) (Department of Planning 2009).

The MNCRS proposes that the 'Clarence' sub region (i.e. the Clarence Valley LGA) will accommodate a minimum of 7,100 extra residential dwellings between 2006 and 2031.<sup>4</sup>

The MNCRS states that settlement will be focused on the major regional centres (which includes Grafton) and the major towns in the Region (such as Maclean), where the most efficient use can be made of existing and new infrastructure:

Opportunities for settlement expansion will be limited to those areas identified within the Strategy's growth area maps or where the proposal meets the Sustainability Criteria set out in Appendix 1 of the MNCRS.<sup>5</sup>

<sup>1</sup> Clarence Valley Council Community Profile, prepared by id.consulting, 2008, pp 3-4

<sup>2</sup> Population Estimates by Local Government Area 2001-2010, Australian Bureau of Statistics Catalogue No. 3218.0

<sup>3</sup> Draft Clarence Valley Open Space Strategic Plan (May 2011), prepared by Parkland Environmental Planners and Strategic Leisure Group, page 10

<sup>4</sup> Mid North Coast Regional Strategy, page 19

<sup>5</sup> Ibid., page 19

The importance of the Region’s natural environment and natural resources to its economy, character, scenery and cultural values is recognised through the planning process and these areas are protected from future urban and rural residential development.<sup>6</sup>

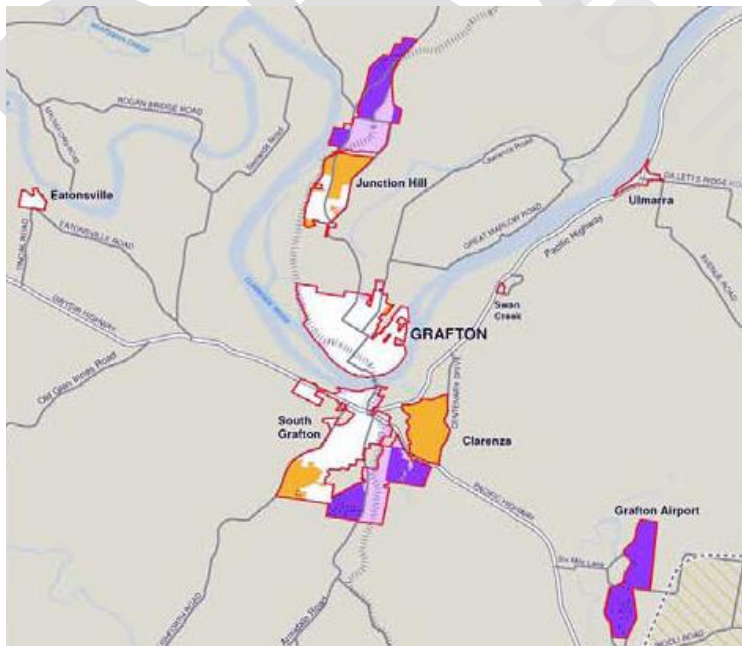
The MNCRS identifies future urban release areas for residential development at West Yamba, Gulmarrad and James Creek in the north; and Junction Hill, Clarenceza and South Grafton in the south. In addition, the MNCRS identifies proposed employment areas focused around Grafton.

Residential and employment ‘growth areas’ included in the MNCRS are shown orange and purple, respectively, in the figures below.



Source: Mid North Coast Regional Strategy, page 50

**Figure 3.1 MNCRS Clarence (North) growth areas**



Source: Mid North Coast Regional Strategy, page 51

**Figure 3.2 MNCRS Clarence (South) growth areas**

<sup>6</sup> Mid North Coast Regional Strategy, page 30

The MNCRS also discusses opportunities for increased dwelling densities in centres such as Grafton and Maclean, and adopts a split of 60 per cent 'detached' and 40 per cent 'attached' for new dwellings in major regional centres and major towns over the lifetime of the Strategy.<sup>7</sup>

The MNCRS states that tourism will also drive some of the demand for new dwellings, whether for specific tourism accommodation or through self catered apartments or holiday homes. The Strategy seeks to direct tourism based demands for dwellings into existing urban areas.<sup>8</sup>

The MNCRS envisages that, in Clarence Valley, Grafton and Maclean will take the majority of future commercial development as those centres have the greatest capacity for redevelopment. According to the MNCRS, fragmentation and out-of-centre retailing 'should be resisted unless compelling reasons exist in order to maintain the healthy retail and service functioning of particular centres in the Region.'<sup>9</sup>

A significant focus of the MNCRS is that it seeks to direct settlement to certain areas and restrict it from other areas. A Strategy objective is to limit development in places constrained by coastal processes, flooding, wetlands, important primary industry land and landscapes of high scenic and conservation value.<sup>10</sup>

As new rural residential developments can conflict with this aim, the MNCRS seeks to direct new rural residential development to areas close to existing settlements away from the coast.

### 3.2.2 Dwelling and population projections

Responding to the planning outline provided by the MNCRS, Council in 2010 prepared projections of Residential Accommodation development and population for the period to 2031.

Table 3.1 shows the Council's 2010 residential development and population projections.

**Table 3.1 Residential development and population projections - Clarence Valley LGA**

	2010-2021 Forecast		2021 - 2031 Forecast	
	New lots / dwellings	Residents in new dwellings	New Lots / dwellings	Residents in new dwellings
Urban residential development				
Angourie	0	0	0	0
Ashby	0	0	0	0
Baryulgil	0	0	0	0
Brooms Head	13	32	0	0
Brushgrove	10	25	5	12
Chatsworth	0	0	0	0
Clarenza	375	926	375	904
Copmanhurst	28	69	28	67
Coutts Crossing	35	86	35	84
Dalmorton	0	0	0	0
Diggers Camp	0	0	0	0
Dundurrabin	0	0	0	0

<sup>7</sup> Mid North Coast Regional Strategy, page 19

<sup>8</sup> Ibid., pages 14,15

<sup>9</sup> Ibid., page 25

<sup>10</sup> Ibid., page 11

	2010-2021 Forecast		2021 - 2031 Forecast	
	New lots / dwellings	Residents in new dwellings	New Lots / dwellings	Residents in new dwellings
Eatonsville	10	25	10	24
Glenreagh	15	37	20	48
Gulmarrad	350	865	350	844
Grafton	200	494	0	0
Ilarwill	5	12	5	12
Iluka	260	642	260	627
Junction Hill	500	1,235	500	1,205
Lawrence	150	371	150	362
Maclean	80	198	86	207
Minnie Water	5	12	0	0
Palmers Island	5	12	0	0
South Grafton	300	741	330	795
Tucabia	5	12	5	12
Townsend	120	296	140	337
Ulmarra	10	25	10	24
West Yamba	500	1,235	600	1,446
Wooli	15	37	15	36
Wooloweyah	5	12	5	12
Yamba	100	247	100	241
Sub-total	3,096	7,647	3,029	7,300
Rural residential development				
Ashby	25	62	25	60
Clarenza	14	35	14	34
Coutts Crossing	90	222	90	217
Elland	5	12	5	12
Glenreagh	20	49	20	48
Grafton	0	0	0	0
Gulmarrad	200	494	200	482
Ilarwill	15	37	15	36
James Creek	25	62	25	60
Lawrence	50	124	50	121
Mountainview	25	62	25	61
Seelands	15	37	15	36
South Grafton	10	25	10	24
Taloumbi	0	0	0	0
Tyndale	10	25	10	24



	2010-2021 Forecast		2021 - 2031 Forecast	
	New lots / dwellings	Residents in new dwellings	New Lots / dwellings	Residents in new dwellings
Waterview Heights	115	284	345	831
Waterview Heights	134	332	115	277
Woodford Island	10	24	10	24
Woombah	125	309	125	301
Sub-total	889	2,195	1,099	2,649
Total Urban and Rural Residential	3,985	9,843	4,128	9,949

Source: Clarence Valley Council

The consolidated projections above show an anticipated dwelling increase of 8,113, and an anticipated population increase of 19,790 over the period to 2031.

Figure 3.3 (over page) shows the spatial distribution of this anticipated population growth to 2031.

### 3.2.3 Characteristics of the future population

It is expected that retirees enjoying or seeking a coastal lifestyle will continue to comprise a high proportion of the additional population in the Clarence Valley LGA over the next 10 to 20 years. Retirees will comprise self-funded retirees with a relatively high disposal income, and retirees that are dependent on the aged pension who have a lower disposable income.

It is also likely that younger people, including itinerant workers, low-income families, and young people on welfare, are likely to continue to be attracted to the area. The main factors influencing the decisions of younger people to move to coastal towns include a more laid-back lifestyle, better access to beaches and natural areas, and being part of a more close-knit community. Affordable housing is also a factor in young people moving to coastal areas in NSW, however property prices in the coastal areas of the Clarence Valley LGA make it unlikely that younger people and families on low incomes could afford to buy their own property in the coastal areas.<sup>11</sup>

<sup>11</sup> Draft Clarence Valley Open Space Strategic Plan (May 2011), prepared by Parkland Environmental Planners and Strategic Leisure Group, page 87

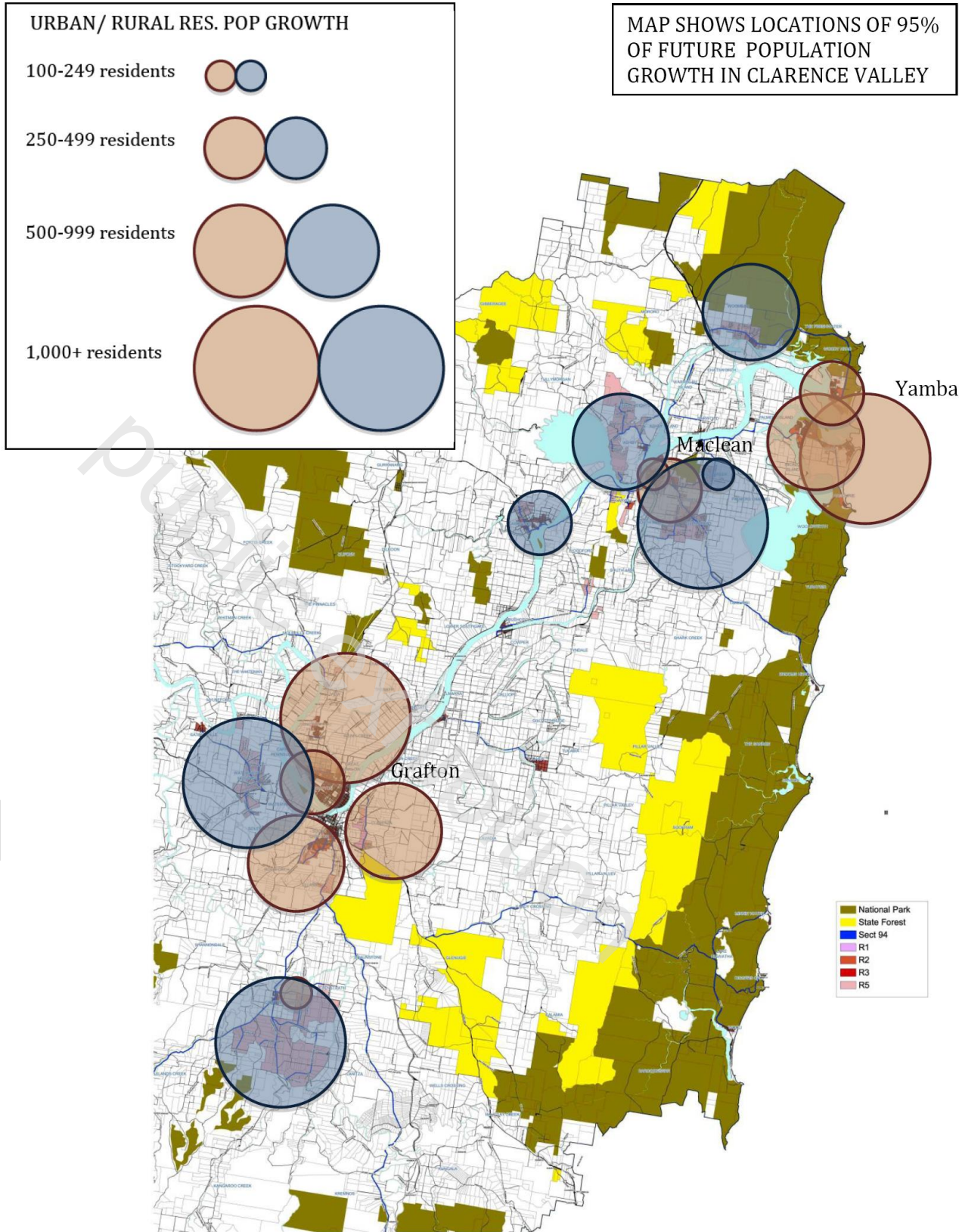


Figure 3.3 Clarence Valley LGA Expected Population Growth 2010-2031

### 3.2.4 Local Infrastructure service catchments

This Plan utilises the above projections for the purpose of understanding and determining demand for Local Infrastructure to be provided by Local Infrastructure Contributions authorised by and collected under the Plan.

The projections have been assessed against the proposed Local Infrastructure to determine how anticipated development best correlates with the service catchments of the facilities proposed to be provided.

This Plan adopts the 2010-2031 planning period for both community facilities and for open space and recreation facilities.

The service catchments for community facilities and for open space and recreation facilities, and their projected additional populations, are shown in Table 3.2.

**Table 3.2 Residential population projections by service catchments**

Infrastructure category	Service catchment	Projected resident population growth 2010-2031
Community Facilities	Grafton and Surrounds	9,498
	Maclean and Surrounds	10,292
	Clarence Valley LGA	19,790
Open Space and Recreation Facilities	Grafton & Surrounds	8,753
	Coastal	9,992
	Isolated Coastal & Rural	1,045
	Clarence Valley LGA	19,790

Detailed breakdowns of the service catchments by Clarence Valley LGA locality are shown in Attachment A to this Plan.

A map showing the location of the service catchments is shown as Figures 3.4 and 3.5 on the following pages. Note that the Clarence Valley LGA service catchment is the amalgam of the component sub-LGA catchments identified in Table 3.2.



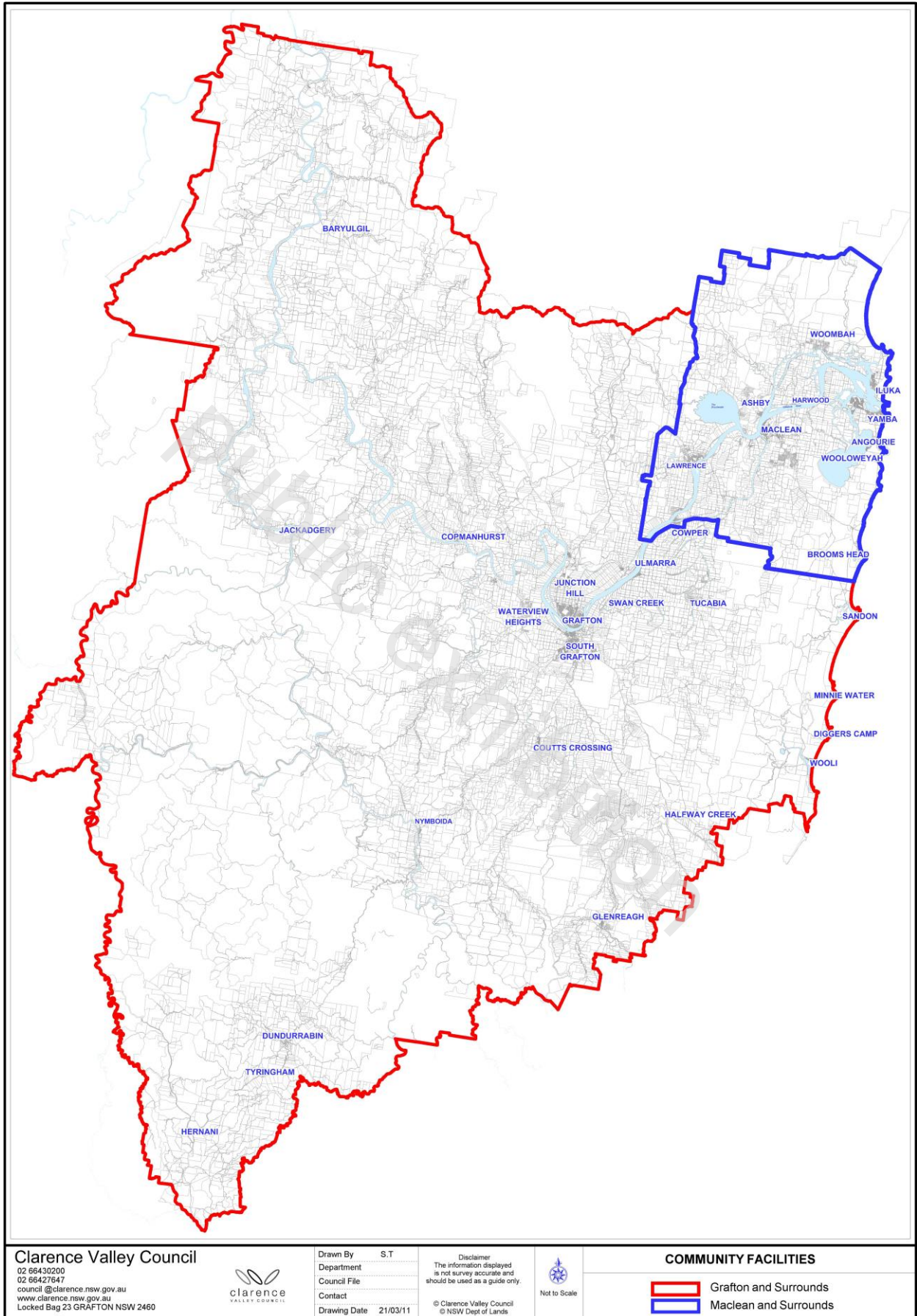


Figure 3.4 Community facilities service catchments

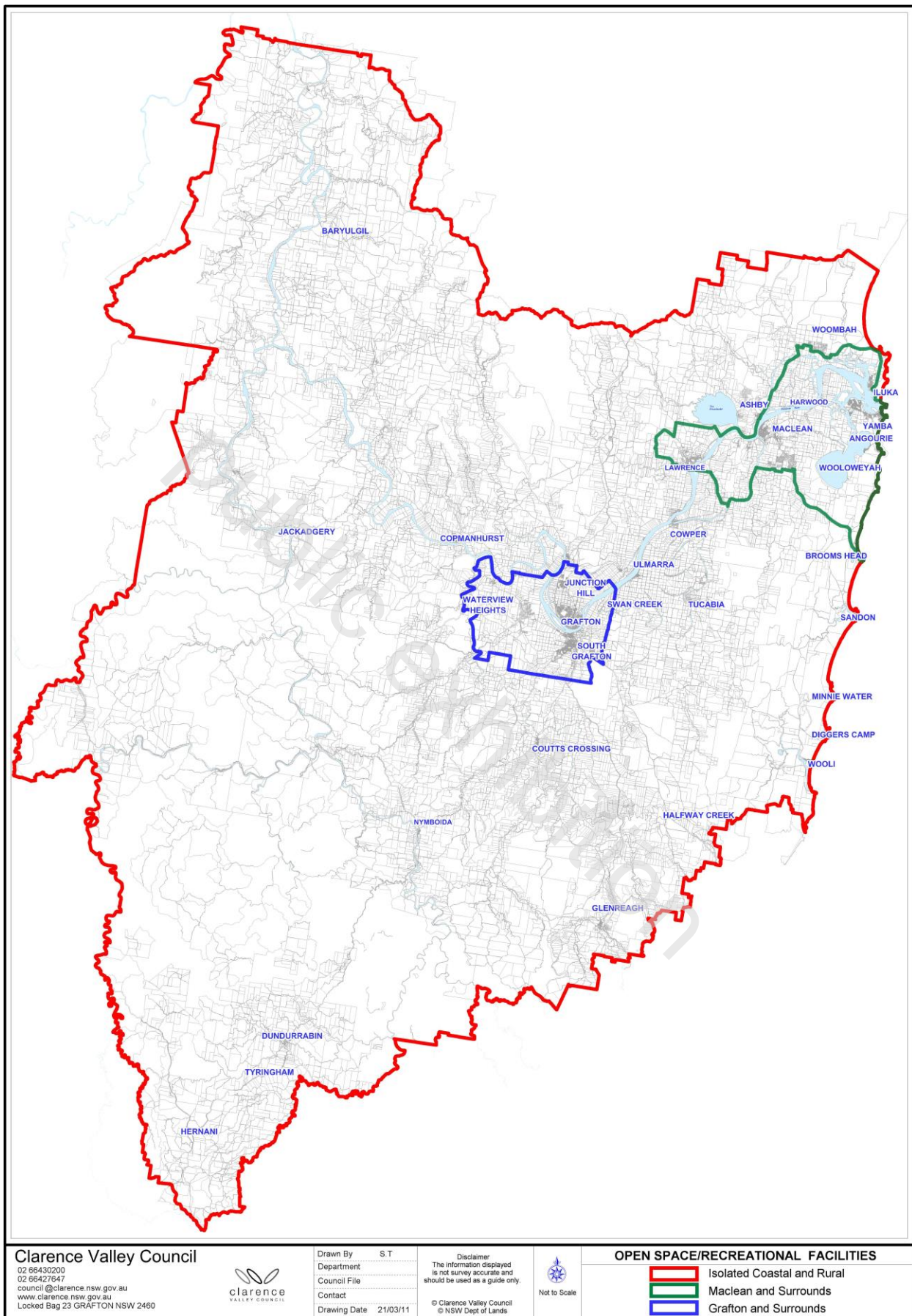


Figure 3.5 Open space and recreation facilities service catchments

### 3.2.5 Household occupancy rates

The likely level of household occupancy within expected future Residential Accommodation development informs the calculation of the contribution rate for various Residential Accommodation development types under this Plan.

At the 2006 Census the gross occupancy rate for all occupied private dwellings in the Clarence Valley LGA was 2.48 persons per dwelling.<sup>12</sup> This is an average rate and it may be expected that detached dwelling house occupancy rates would be higher than this figure, while occupancy rates for higher density dwellings would be lower than this figure.

The population projections discussed in clauses 3.2.2 and 3.2.3 assume gradual reduction in average household size over the planning period, that is:

- a gross occupancy rate of 2.47 for all new dwellings created between Plan commencement and 2021; and
- a gross occupancy rate of 2.41 for all new dwellings created between 2021 and 2031.

Specific types of Residential Accommodation developments levied under this Plan include:

- conventional residential subdivision accommodating detached dwelling houses;
- multi-unit housing including semi-detached, row or terrace house, townhouse, flat, unit or apartment, etc.;
- seniors-living independent living units; and
- workforce accommodation

This Plan determines the section 7.11 contribution rate for conventional residential subdivision accommodating detached dwelling houses, and then assigns an adjustment factor to determine the contributions for other types of Residential Accommodation development levied for under the Plan.

The adjustment factors reflect the occupancy rates documented for dwelling types at the date of the most recent Census (2006), and are shown in Table 3.3 and the adjusted contribution rates for other Residential Accommodation development are shown in Table 1.1.

**Table 3.3 Adjustment factors for section 7.11 contributions based on household occupancy at the 2006 Census**

Residential Accommodation development type	Household occupancy rate (2006)	Adjustment factor
Dwelling houses / separate lots	2.5	$2.5 / 2.5 = 1$
Self-contained Dwellings in a Seniors Housing development	1.5	$1.5 / 2.5 = 0.6$
Other Residential Accommodation dwelling	1.7	$1.7 / 2.5 = 0.68$
Workforce accommodation	1	$1 / 2.5 = 0.4$
MHEs and caravan park developments/conversions proposing long term caravan sites/moveable dwellings in a caravan park	1.5	$1.5 / 2.5 = 0.6$

Source: 2006 Census of Population and Housing, Expanded Community Profile for Clarence Valley LGA

<sup>12</sup> Based on Australian Bureau of Statistics 2006 Census 'Quickstats' showing 48,146 residents usually resident in Clarence Valley LGA, and a total of 19,411 occupied private dwellings in Clarence Valley on census night.



### 3.2.6 Vacant dwellings and seasonal use of dwellings

The household occupancy rates discussed in clause 3.2.4 refer to the use of *occupied* private dwellings. It is recognised that many of the dwellings in Clarence Valley LGA are vacant from time to time and / or are used for seasonal visitation. As a result, the total population of the LGA and gross household occupancy rates (i.e. for all private dwellings) vary throughout the year.<sup>13</sup>

A Local Infrastructure Contribution being a section 7.11 contribution must reasonably relate to the demand for public amenities and services anticipated to be generated by that development. Council also needs to consider the impacts on its services at the time of peak visitation – presumably at these times dwelling vacancy falls to very low levels. The issue of vacant Residential Accommodation development is not immediately relevant to the calculation of Local Infrastructure Contributions in that a council has one opportunity to levy Local Infrastructure Contributions on a development (i.e. at the time of Development Consent). This approach is consistent with the way in which charges for water and sewer infrastructure are determined.

Council's assumption, for the purpose of calculating the contribution, that a proposed dwelling or lot is always occupied is in the circumstances a reasonable precautionary position for the Council to take and is the approach adopted by this Plan.

## 3.3 Summary of development impacts and infrastructure demands

The Clarence Valley LGA has been experiencing urban and rural residential development. This is forecast to continue in the 'growth areas' nominated in the MNCRS, in existing zoned rural residential areas, and as infill development in existing urban centres.

According to projections prepared by the Council in 2010, future urban and rural residential development may result in Clarence Valley LGA's population increasing by approximately 19,790 persons up to 2031.

Future development (including non residential development), and the populations that will occupy such development, can only be sustained by a significant investment in new and augmented public infrastructure, including Local Infrastructure.

Council has identified that expected future development will generate increased demand on, and therefore a need to upgrade the following Local Infrastructure addressed by this Plan; namely:

- community facilities, including neighbourhood, community and youth centres, and library and art gallery upgrades; and
- open space and recreation facilities, including new and upgraded parks, sportsfields, foreshore and other recreation areas.

More detail on the demand for Local Infrastructure, the relationship of the Local Infrastructure with the expected development, and the strategies for the delivery of the Local Infrastructure are included in Part 4 of this Plan.

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<sup>13</sup> Based on ABS Quickstats data, approximately 12.5% of all private dwellings in Clarence Valley LGA were vacant on Census night 2006.



## 4. Local Infrastructure strategies

### 4.1 Infrastructure delivery and cost apportionment

#### 4.1.1 How will the Local Infrastructure be delivered?

Council and Accredited Certifiers will require contributions from developers under this Plan toward provision of the Local Infrastructure identified in this Plan.

The contributions required will generally be in the form of monetary contributions, although contributions of land may be required instead of or in addition to monetary contributions.

Developers may choose to provide, subject to the agreement of the Council, one or more Local Infrastructure items identified in this Plan as works-in-kind or provide another type of material public benefit as means of satisfying Local Infrastructure Contributions required under the Plan. If so, the developer must comply with the other relevant provisions of this Plan, particularly clause 2.18.

The Local Infrastructure plans and schedules included in Parts 4 and 5 of this Plan are based on strategic information. It is likely that, as the planning process for the different development areas proceeds, modified and more cost-effective solutions that still meet the strategy objectives will be developed.

The planning for the location of all facilities has not yet been finalised. All facilities will be developed in a manner that allows the facilities to effectively serve the demand attributable to development envisaged under this Plan.

Council will prepare design concepts for the facilities so that specification and costing of the facilities can be more accurately defined as implementation of this Plan proceeds. This may result in amendment of this Plan.

The costs and indicative timing of individual items for all categories of Local Infrastructure are included in Part 5.

The location of these items, where the location was known at the time this Plan commenced, is shown on maps included in Part 5.

#### 4.1.2 How were the Local Infrastructure costs derived?

Costs for Local Infrastructure items included in this Plan were prepared by Council staff drawing on their experience in planning and delivery of similar infrastructure in the area.

The costs include reasonable allowances for anticipated on-costs associated with survey, design, legal and project management associated with each infrastructure item.

Council involved cost planning professionals and quantity surveyors in preparing costs for certain facilities, particularly the proposed community facilities.

Some infrastructure items included in this Plan were, at the time this Plan was prepared, already provided in advance of development. The costs for these items are also included in Part 5. Costs to be recouped under the Plan are the actual costs incurred by the council in completing the facility, and exclude funds sourced from development contributions or tied grants.

### 4.1.3 How Local Infrastructure costs are apportioned and how are the section 7.11 contribution rates determined?

#### General

The contribution and levy rates for Local Infrastructure addressed by this Plan are shown in clause 1.2 of this Plan.

The section 7.11 contribution rates to be imposed under this Plan, which will be indexed in accordance with clause 2.14 of this Plan, were determined by Council at its meeting of 14 December 2010.

These rates are less than the *maximum* rates that the Council could impose (see following discussion on 'Adoption of affordable section 7.11 contribution rates').

The maximum section 7.11 contribution rates:

- have been based on the costs and demand assessments for the various Local Infrastructure items discussed in Parts 4 and 5 of this Plan; and
- have been determined by dividing the cost of the item by the service or contribution catchment of the item (which is expressed in persons).

In some limited cases, the Local Infrastructure item cost that has been firstly apportioned between the existing and incoming populations before it has been divided by the service catchment. This is the case with certain community facilities items such as library extensions. This process recognises that some facilities are required to meet the demand arising from both existing and incoming populations and ensures that developers do not pay for the costs of facilities that their developments do not incur.

In regard to community facilities, the cost of certain facilities has been apportioned to existing population to the extent that the work is to address some deficiency in service provision. Additionally the cost of some facilities, such as the art gallery expansion and art space, is to be met from development across the LGA, rather than either the Grafton and Surrounds or the Maclean and Surrounds catchments.

In regard to open space and recreation facilities, the comprehensive needs assessments and the proposed program of works addressed both existing and future gaps in provision. Given the conclusion that 'there are some gaps in provision for certain open space settings and facilities in some places in the Clarence Valley'<sup>14</sup> it would be unreasonable to require new development to meet the full cost of the works schedule included in this Plan. This is aside from any consideration of the affordability of the contribution. As a result, a universal apportionment factor of 75% is applied to all open space and recreation works schedule items, representing the assumed portion of demand for all proposed open space and recreation facilities to be generated by expected residential development.

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<sup>14</sup> OS Strategic Plan, page 94

**Determination of reasonable section 7.11 contribution rates**

The formula for calculating maximum reasonable section 7.11 contributions (on a detached dwelling or residential lot basis) for each category of Local Infrastructure included in this Plan is thus:

$$\text{Contribution per detached dwelling or lot (\$)} = \left( \frac{\sum \left( \frac{\$INF \times AF}{P} \right)}{OR} \right)$$

Where:

\$INF = the estimated \$ cost of providing each item of Local Infrastructure in the category. Refer Part 5 (Works Schedules) for more details; the respective categories being Community Facilities and Open Space and Recreation Facilities.

AF = the percentage of the total cost of each item of Local Infrastructure that is attributable to new development (or, the apportionment factor). Refer to Part 5 for details.

P = the service catchment (in persons) attributable to each item of Local Infrastructure. Refer to Part 5 for details.

OR = the assumed household occupancy rate for each detached dwelling or subdivided lot.

**Adoption of affordable section 7.11 contribution rates**

Insertion of the values for formula components that are contained in the works schedule yields the contribution rates shown in Table 4.1.

**Table 4.1 Maximum section 7.11 contributions**

Infrastructure Category and Service Catchment	Local Infrastructure costs that can be attributed to development to occur between 2010 and 2031	Maximum contribution rate* (per additional resident between 2010 and 2031)	Maximum contribution rate per additional standard lot or dwelling house* (Occupancy rate 2.5 persons per dwelling)
Community facilities			
LGA catchment	\$13,317,386		
Grafton and Surrounds catchment	\$8,978,062	\$1,618	\$4,045
Maclean and Surrounds catchment	\$9,730,050	\$1,618	\$4,046
Open space and recreation facilities			
LGA catchment	\$25,199,984		
Grafton & Surrounds catchment	\$4,148,460	\$1,747	\$4,368
Coastal catchment	\$6,433,875	\$1,917	\$4,793
Isolated Coastal & Rural catchment	\$1,485,135	\$2,695	\$6,736

\* Includes contribution rate for LGA catchment facilities

The reasonable contributions determined above were considered by Council to be greater than the rate it considered affordable for new housing development.

To maintain the contribution rate at an affordable level for residential development, the rates proposed to be levied under this Plan are therefore lower.

Council at its meeting of 14 December 2010 adopted the 'per standard lot' contribution rates set out in Table 4.2.

**Table 4.2 Contribution rates adopted by this Plan**

Infrastructure category	Service catchment	Rate per standard lot or dwelling house*
Community Facilities	Grafton & Surrounds	\$3,100
	Maclean & Surrounds	\$3,100
Open Space and Recreation Facilities	Grafton & Surrounds	\$3,100
	Coastal	\$3,100
	Isolated Coastal & Rural	\$3,100

\* Includes contribution rate for LGA catchment facilities

Note for exhibition - refer to additional note for exhibition at Table 1.1, page 1.

**Contribution rates for Workforce accommodation**

The contribution rate for Workforce accommodation proposals will vary depending on the number of persons to be accommodated and the intended life of a Workforce accommodation development. A simple formula for calculating a contribution rate for a proposed Workforce accommodation development based on the current contribution rate per detached dwelling or lot is as follows:

Contribution rate for Workforce accommodation development	=	$(P \times 0.4^*) \times (DT / 20^{\dagger})$ [but not < $(P \times 0.4) \times 30\%$ ]
* = assumed average household occupancy rate for workforce accommodation derived by dividing 1 person into the 2.5 persons per detached dwelling assumed average household occupancy rate.		
† = being the planned life of this Plan.		

Where:

P = No. of persons proposed to be accommodated in the Workforce accommodation development  
 DT = proposed duration/life of Workforce accommodation development (in years)

Note 1 - crediting of contributions against future development on the land being based on contributions only being applied where their quantum exceeds contributions previously paid in accordance with a workforce accommodation development, and if that future quantum is less, no retrospective refund applies. (workforce accommodation in residential zones & SP3 zone only).  
 Note 2 - For workforce accommodation proposed on land that is not zoned residential or SP3 Tourist Council may consider a lesser contribution amount proportionately based on the actual net occupancy of the accommodation, subject to that occupancy being identified and adequately enforced through an agreed management plan through a development consent.

#### 4.1.4 Why are monetary contributions to be sought from non residential development?

Local Infrastructure included in this Plan has been sized to reflect the demand generated by the population attributable to the expected Residential Accommodation development under this Plan.

Certain types of other development - described in this Plan as non residential development - are likely to significantly impact upon the need for Local Infrastructure. In the case of tourism development, the demands are likely to be significant. While tourism brings economic benefits it also leads to environmental and capacity pressures on open space in the LGA at peak visitation times.<sup>15</sup>

Although there will be some demand for some of the Local Infrastructure generated by visitors to the area, and by employees working in the area and living outside the area, this demand has not been able to be precisely quantified.

In order for the Council to be able to meet this (non residential) demand, this Plan authorises the imposition of a flat rate levy on non residential development.

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<sup>15</sup> Draft Clarence Valley Open Space Strategic Plan (May 2011), prepared by Parkland Environmental Planners and Strategic Leisure Group, page 11

## 4.2 Community facilities

The following clauses identify the projected community facility needs and facility requirements of the resident population in development addressed by this Plan.

### 4.2.1 What development will generate the demand for this category of Local Infrastructure?

Residential Accommodation development expected throughout the Clarence Valley LGA is likely to be the major driver of the population increasing to 2031. New non residential development will also impact upon the use and demand for Local Infrastructure.

This development will generate additional demand for community facilities.

### 4.2.2 How was the specific Local Infrastructure determined?

The list of community facilities included in this Plan has drawn on a range of investigations and consultations undertaken by Council.<sup>16</sup> The Clarence Valley Cultural and Community Facilities Plan 2009 (the **CC Facilities Plan**) is a contemporary comprehensive assessment of the LGA's community facility needs. The CC Facilities Plan supports the contents of this Plan.

The CC Facilities Plan considered both Council owned facilities as well as those owned by other agencies or the private sector. The process broadly included an audit of existing facilities, ground truthing, gap analysis based on a needs analysis, a comparison with standards of provision with Queensland, assessment of needs for future populations as well as consideration of good planning practice principles.

Communities of interest were identified to build the hierarchy of facilities and service provision. These were based on clusters of populations and patterns of movement to access these and other services.

The audit of existing facilities identified those available across the Clarence Valley LGA and their position in the hierarchy of centres they serviced - from villages to the entire Clarence Valley LGA.

Based on the Queensland model, a benchmark standard of provision for infrastructure to address needs was developed with reference to local characteristics including distances, road networks, community profiles and current patterns of movement.

A threshold for provision was also determined guided by the principles of social inclusion and community capacity building. It was determined that when a population reaches 40% of its expected growth, the need for specific types of infrastructure should be addressed, preferably in a progressive manner.

A desktop analysis was undertaken based on the current population to determine the extent to which existing infrastructure addressed those identified standards of provision. This exercise was repeated against different scenario future populations. The outcome was a list of infrastructure needs to be addressed in order to address gaps in current delivery and those that will occur as the population continues to grow.

A series of stakeholder consultations was undertaken as a means of testing the outcomes of the desktop analysis. The results largely mirrored each other with the exception of a preference for replication of a very high-order facility which was considered to be excessive for a community of this size, despite the location and transport challenges. The results were also considered with

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<sup>16</sup> For example, the Community Strategic Plan (Valley Vision 2020), Clarence Valley Social Plan 2010 - 2014, Clarence Valley Cultural Plan, Lower Clarence Recreational Needs Assessment, and earlier section 94 contributions plans adopted by the Council.

respect to good planning principles which include consideration of management of infrastructure, co-location, multi-function uses and partnerships in provision.

This Plan assumes a development and population scenario similar to that described in the MNCRS. The CC Facilities Plan assessed existing and future community facilities needs from a number of population scenario standpoints.

### 4.2.3 Existing provision

Table 4.3 discusses the different types of community facilities that the Council has a role in providing, and discusses their existing provision.

**Table 4.3 Council-provided community facilities - Clarence Valley LGA**

Community facility type	Description and current provision
Art gallery	<p>Art galleries typically provide spaces for exhibition of art works, educational programs, art workshops as well as meetings. Galleries are often co-located with libraries, civic facilities and museums.</p> <p>The Grafton Regional Gallery exhibits work of significance beyond that which would be typically displayed in a community gallery. It is co-located with a café / restaurant and therefore also accommodates activities/events other than those associated directly with the Gallery as a means of enhancing income and viability.</p>
Art space	<p>An art space may be used for exhibiting community art works, art workshop delivery as well as smaller performances Includes arts workshop spaces.</p> <p>There are a few private art spaces in the Clarence Valley, but they are not well distributed nor do they meet current need of artists for art space.</p>
Community centre	<p>This is a general facility providing meeting spaces; social, educational and recreational activities; and/or health, support and information for the community. It may be a community centre or a local hall. It may accommodate functions and performances for large numbers of people (around 200 people) and its specific facilities may vary in accordance with local need. It is a place for events and activities delivered for or by community members.</p> <p>Clarence Valley has 1 community centre located in Grafton.</p>
Neighbourhood centre	<p>This is similar in nature to a community centre but has the additional function of providing a space for ad hoc social interaction, access to services and / or their information as well as organized activities and events. A neighbourhood centre may comprise or be co-located with child care facilities, health services, recreation infrastructure and the like.</p> <p>Clarence Valley has a neighbourhood centre in South Grafton which provides a broad range of services, and one in Yamba which has elements of both a community and neighbourhood centre.</p>
Library	<p>Libraries operate at a range of service levels and their individual level of functionality reflects their position within a network of library services.</p> <p>Contemporary branch libraries provide access to both text and online resources for learning, interests and recreation; spaces for service and program delivery for target groups such as older people, children, young adults, people with a disability, people from culturally diverse backgrounds; general meeting spaces as well as those for groups with special interests; areas for study; and access to the internet.</p> <p>Clarence Valley has five libraries:</p> <ul style="list-style-type: none"> <li>▪ a larger library with expanded programs in Grafton,</li> <li>▪ three smaller local branches in the main centres in the north of the LGA, and</li> </ul>



Community facility type	Description and current provision
Youth centre	<ul style="list-style-type: none"> <li>▪ a mobile branch that provides limited services to smaller villages.</li> </ul> <p>This is a community centre specialising in meeting the needs of young people. The facility usually houses a youth worker or program coordinator to deliver on site and outreach youth programs and services. Youth centres may be accommodated within multipurpose community facilities but require a specific focus that encourages and welcomes young people; provides opportunities for structured and unstructured social interaction; provides access to information and services in a youth-friendly manner; and promotes a positive image of young people.</p> <p>Clarence Valley has no dedicated youth facility, but Council is currently developing a relocatable model of providing infrastructure to service five areas.</p>

Source: Council data

#### 4.2.4 What Local Infrastructure is included in this Plan?

With respect to future needs, the CC Facilities Plan, at clause 6.5.2 states:

Based on consideration of all facilities available in the Clarence Valley, if the population grows by the amount anticipated by the Mid North Coast Regional Strategy, the following will be needed.

- Grafton SLA [or Statistical Local Area]: 2 art spaces, a library, a community centre, a neighbourhood centre and 2 youth centres;
- Coast SLA: 1 art space, 2 community centres and 2 youth centres;
- Balance SLA: 1 art space; and
- Clarence Valley LGA: 1 regional art gallery, 1 civic centre, 1 performing arts centre and 2 museums.

A summary of the new / augmented facilities included in this Plan is as follows:

- an art gallery expansion to be constructed in two (2) stages;
- an art space;
- 2 new community centres to meet the demand in the Grafton and Maclean growth areas, respectively;
- 2 new neighbourhood centres to meet the demand in the Grafton and Maclean growth areas, respectively;
- 2 new youth spaces to meet the demand in the Grafton and Maclean growth areas, respectively;
- a new performing arts centre in a location yet to be determined; and
- additional library floor space to meet the needs of incoming populations.

The contributions plan works schedule differs slightly from the recommendations of the CC Facilities Plan in an attempt to contain the costs of infrastructure to be met by new development (for example, museum space has the potential to be absorbed into community centres).

The complete list of facilities is included in Part 5 of this Plan. Details of the proposed provision and the nexus with future residential development are shown in Table 4.4.

**Table 4.4 Proposed community facilities and nexus with development**

Community facility type	Proposed provision and nexus with future residential development
Art gallery	The CC Facilities Plan indicates that there is strong community demand for these facilities. Although there are several private galleries in the Coast SLA, the existing

Community facility type	Proposed provision and nexus with future residential development
Art space	<p>Regional Art Gallery in Grafton is an important community gathering place as reflected through its volunteer base, advisory committee, Friends of the Gallery and Gallery Foundation. The character of the future community is not likely to be significantly different to the existing community and so the demand for this type of space is expected to increase.</p> <p>It is therefore proposed to expand the existing gallery and Council has already purchased a property directly behind in Robinson Avenue.</p> <p>The expansion is proposed to have an area of approximately 570 square metres.</p> <p>Current estimates suggest that the cost of the expansion will be approximately \$6 million.</p> <p>An art space has been identified as being required to meet the population growth in both the Grafton &amp; Surrounds and Maclean &amp; Surrounds service catchments.</p> <p>The specific location for this facility is yet to be determined. First consideration is being given to redevelopment of under-utilised space in order to maximize the space achieved. However, it may be necessary to construct a new facility depending on the range of factors that limit cost efficient and effective modifications.</p> <p>There are no recognised standards that guide the size of such facilities. Preliminary assessment indicates an area of about 150 square metres would be required.</p> <p>Current estimates suggest the total cost will be just over \$1 million.</p>
Community centre	<p>A community centre is required to meet population growth in each of the Grafton and Maclean service catchments. A community centre currently exists in Grafton, but future population growth indicates the need for an additional facility based on the applied standards of provision.</p> <p>The facilities will be located in one of the key growth areas. Specific locations are yet to be determined but will consider the location of other community facilities. This will be guided by consultation with each community.</p> <p>There are no recognised standards that guide the size of such facilities. Preliminary assessment indicates an area of about 700 square metres would be required to accommodate multi-functional activity spaces, kitchen and food preparation areas, meeting rooms, performance areas, amenities and storage.</p>
Neighbourhood centre	<p>A community centre is required to meet population growth in each of the Grafton and Maclean service catchments. A neighbourhood centre currently exists in South Grafton, but future population growth indicates the need for an additional facility based on the applied standards of provision.</p> <p>The facilities will be located in one of the key growth areas. Specific locations are yet to be determined but will consider the location of other community facilities. This will be guided by consultation with each community.</p> <p>There are no recognised standards that guide the size of such facilities. In both catchments approximately 460 square metres has been identified as a size that could reasonably accommodate multi-functional activity spaces, kitchen and food preparation areas, meeting rooms, amenities and storage.</p>
Library	<p>An audit of Council's library service based on NSW State Library standards <sup>17</sup> has been undertaken by an experienced library professional<sup>18</sup>.</p> <p>The audit enabled the identification of the current shortfall in meeting the needs of the current populations as well as those needs to be generated by future population growth:</p>

<sup>17</sup> Heather Nesbitt Planning 2005, People Places: a guide for public library buildings in NSW, 2<sup>nd</sup> edition

<sup>18</sup> Roger Henshaw Consulting Services 2009, Clarence Valley Branch Library Infrastructure Review

Community facility type	Proposed provision and nexus with future residential development
	<ul style="list-style-type: none"> <li>▪ Maclean Library currently meets the standard level of provision of space and therefore future expansion will be due solely to population growth.</li> <li>▪ Yamba Library does not currently meet the standard for the current population. Approximately 51% of the costs of expansion can be attributed to future population growth.</li> <li>▪ Iluka Library does not currently meet the standard for the current population. Approximately 77% of the costs of expansion can be attributed to future population growth.</li> </ul> <p>The review of library needs for the Grafton and Surrounds population has identified that up to 2031 there will be a need for a further 345 square metres based on NSW State Library standards. Council is proposing to construct a new library on the site of the current library in Grafton, but this facility expansion is designed to mainly address existing space deficiencies.</p> <p>Options for providing the additional floor space attributable population growth include further future expansion of the Grafton facility, or provision of one or more additional library locations in the Grafton area.</p>
Performing arts centre	<p>Clarence Valley LGA does not have properly equipped performing arts space. The site for the future performing arts centre would be determined as part of a feasibility study for the project. One candidate site is at Townsend Park in conjunction with augmented recreation facilities in that location.</p> <p>The need for a performing arts centre was identified in the CC Facilities Plan. The costs of providing such a facility should be met by the entire resident population of the LGA rather than just the population attributable to new development.</p>
Youth centre	<p>A youth space is required to meet population growth in each of the Grafton and Maclean service catchments. While no dedicated facilities exist at this time, current population levels do not justify their provision based on the applied standards of provision. Only when further population growth occurs, as is anticipated, is the need sufficient to justify provision of dedicated facilities.</p> <p>The expressed current need for these facilities is being addressed through small scale provision of recreational infrastructure and re-locatable facilities in five centres across the Valley. Four are spread through the Grafton &amp; Surrounds catchment and the fifth in the Maclean &amp; Surrounds catchment. These will provide limited access to the range of activities that would normally be provided in fixed and youth dedicated infrastructure. Therefore, they will not address the need already identified as a result of future growth.</p> <p>The facilities will be designed to serve the key growth areas. However, key growth areas in each catchment are dispersed. For example, growth in Grafton &amp; Surrounds catchment will occur in Clarenza, South Grafton and Junction Hill. Therefore further consultation with each community will be required to determine the exact nature of the provision of facilities that best suit those communities as they grow and develop.</p> <p>There are no recognised standards that guide the size of such facilities. In each catchment approximately 350 square metres has been identified as a size that could reasonably accommodate multi-functional activity spaces, small kitchen, amenities and storage.</p>

Source: Council data

The facilities identified in the CC Facilities Plan were determined on the basis of the three (3) Statistical Local Area (SLA) catchments as used by the Australian Bureau of Statistics.

As indicated in clause 3.2.4, the two (2) contributions catchments in this Plan reflect the service area of the facilities to be provided.

As a result the following changes arise with respect to the facilities identified in the previous clause:

- The 'Coast SLA' facilities are to be funded by development, and provided in, the Maclean and Surrounds catchment;
- One substantial art space and expansion to the art gallery is to be provided to meet demand arising from both the Maclean and Surrounds catchment and the Grafton and Surrounds catchment;
- Rather than one library at Grafton and associated mobile services as proposed in the CC Facilities Plan, it is proposed to expand library facilities at Grafton, Maclean, Yamba and Iluka.

It is noted that the needs for civic centres do not particularly arise as a result of development activity and so are to be funded through other means.

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## 4.3 Open space and recreation facilities

The following clauses identify the projected open space and recreation facility needs and facility requirements of the resident population in development addressed by this Plan.

Open space and recreation facilities are defined as follows:

- *Open spaces* are land and water settings that are used for functions such as personal and social recreation, sport, access, flora and fauna conservation, and visual amenity.
- *Recreation facilities* are natural or built physical resources which are used for recreational pursuits, or provided to enable the delivery of recreation services.<sup>19</sup>

This Plan addresses the provision of open space and recreation facilities designed to serve a district or LGA population catchment. The local recreation needs associated with the development of discreet urban release areas (such as Junction Hill, Clarenza or West Yamba) are proposed to be subject to the requirements of a further contributions plan, or the requirements of a planning agreement negotiated between the Council and the developers of land within those urban release areas.

### 4.3.1 What development will generate the demand for this category of Local Infrastructure?

Residential Accommodation development expected throughout the Clarence Valley LGA is likely to be the major driver of the population increasing to 2021. New non residential development will also impact upon the use and demand for Local Infrastructure.

This development will generate additional demand for open space and recreation facilities.

### 4.3.2 What research informed the needs assessments?

Council commissioned two key documents that document the trends, needs and requirements for the provision of open space and recreation facilities in the LGA until at least 2021:

- Draft Clarence Valley Open Space Strategic Plan (May 2011), prepared by Parkland Environmental Planners and Strategic Leisure Group (the **OS Strategic Plan**)
- Draft Clarence Valley Sports Facilities Plan (June 2011), prepared by Strategic Leisure Group (the **Sports Facilities Plan**)

The above documents support the content of this Plan, particularly the works schedule included in Part 5. The works schedule has also drawn on specific actions contained in:

- Action plans and improvement plans contained in Plans of Management that have been prepared under the Local Government Act 1993 for the parks and reserves managed by the Council.
- Actions included in the Disability Action Plan 2011-2016 for Clarence Valley.

Existing and future needs for recreation and open space in the Clarence Valley LGA were assessed using the following sources of information:

- Census information.
- Community consultations associated with earlier recreation planning studies.
- Discussions with Council staff.
- Survey of schools, facility managers, community and recreation groups, and registered clubs in May 2010.

<sup>19</sup> OS Strategic Plan, pp1-2

- National and State data on participation in recreation activities.<sup>20</sup>

More detail on the methodology used to assess the future open space and recreation needs that underpins the works schedule included in Part 5 of this Plan is included in Section 4.6 of the OS Strategic Plan.

### 4.3.3 Existing provision

The underlying basis for the Council seeking contributions from new development towards the provision of open space and recreation facilities is expressed in the following statements from the OS Strategic Plan:

The existing supply of open space in the Clarence Valley is diverse, given its range of urban and rural settlements, and coastal and river settings.

There are some gaps in provision for certain open space settings and facilities in some places in the Clarence Valley.

The Clarence valley population is expected to increase from 48,000 people in 2006 to 58,000 people in 2021.

Key new release areas are expected at Clarenza, Junction Hill, and West Yamba. To a lesser extent growth is expected to occur in Grafton, South Grafton, Coutts Crossing, Waterview Heights, Iluka, Woombah, Maclean-Townsend-Gulmarrad, and Brushgrove-Lawrence-Harwood.

Retirees are expected to comprise an increasing proportion of the incoming future population.

Demand for recreation opportunities is expected to increase in line with increases in the numbers of residents and tourists.<sup>21</sup>

On a straight quantity basis, the Clarence Valley LGA is well supplied with public open space, primarily due to the numerous National Parks, Nature Reserves and State Forests located within the LGA. Council has the responsibility for managing 740 parks, reserves, cemeteries and sportsgrounds.<sup>22</sup>

Table 4.5 shows the 2011 provision of different categories of open space that is under the care, control and management of the Council.

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<sup>20</sup> OS Strategic Plan, page 69

<sup>21</sup> Ibid., page 94

<sup>22</sup> Ibid., page 33

**Table 4.5 Categories of existing open space by locality - Clarence Valley LGA**

Locality / small area	Area (in ha) by Category				Total
	Park	Sports-ground	Natural Areas	General Community Use	
Grafton	24.6	20.8	0	2.4	47.9
South Grafton	24.2	56.5	0	7.9	88.6
Grafton Surrounds	43.0	57.9	25.7	25.0	151.6
Iluka-Woombah	9.3	45.8	89.7	5.1	150.0
Yamba-Angourie-Wooloweyah	84.1	30.4	206.9	15.9	337.3
Maclean-Townsend-Gulmarrad	9.7	22.8	37.2	36.8	106.5
Rural Coast	130.0	52.3	265.7	10.7	458.8
Rural South-West	9.0	1.3	20.4	5.9	36.6
Rural North-West	31.1	0	30.8	77.2	139.2
Total	365.1	287.8	676.6	187.0	1,516.5
% of total	24%	19%	45%	12%	100%

Source: OS Strategic Plan p37

The categories of developed open space (Park and Sportsground) - or passive and active types of open space - are most relevant to planning for the additional needs of new communities. In 2011, the Council provided for 652.9 ha of developed urban open space, which equated to a rate of provision of about 12.4 ha per 1,000 residents. This rate of provision is well in excess of traditional numeric standards.<sup>23</sup>

The general quality of Council-owned and managed recreation facilities and open space was considered in 2011 to be "adequate" to "very good", however some deficiencies were identified.

The OS Strategic Plan discusses the condition and provision of a range of open space settings including informal recreation areas, family-friendly areas, picnic and barbecue facilities, gardens, dog exercise areas, outdoor performance and market spaces, walking tracks and paths, children's playgrounds, youth facilities and facilities for other target groups.<sup>24</sup>

The Sports Facilities Plan discusses the condition and provision of sportsgrounds facilities that are available in the LGA in terms of a local, district, and LGA wide service provision.<sup>25</sup>

Additionally, the LGA's water, coastal and foreshore areas are highly valued and used recreation facilities in their own right. This is particularly the case for visitors to the LGA.<sup>26</sup>

The array of sports facilities provided by locality is shown in Table 4.6.

<sup>23</sup> OS Strategic Plan, page 13

<sup>24</sup> OS Strategic Plan, Section 3.3

<sup>25</sup> Sports Facilities Plan, Table 2

<sup>26</sup> OS Strategic Plan, pp 61, 64, 81



Table 4.6 Summary of sporting facilities provision by locality

Locality / small area	Facilities							
	Fields	Outdoor courts	Tennis courts	Pools	Indoor sports courts	Equestrian	Water sport	Other
Grafton	11	20	17	1 (50m)	3	2	2 sailing 1 rowing	11 squash 1 motor sport 1 dog racing Golf (9)
South Grafton	14	2	2	1 (25m)	0	1	0	2 lawn bowls 1 BMX Golf (18)
Grafton Surrounds	10	0	8	1 (20m)	0	1	0	1 athletics 1 croquet 2 squash Golf (9 Hole) 1 Cycling (criterion) 2 shooting
Iluka-Woombah	5	1	2	0	0	0	0	Golf (18) 2 Lawn Bowls
Yamba-Angourie-Wooloweyah	10	1	8	1 (25m)	2	0	2	Golf (18) 2 squash 4 lawn bowls 25m "rock pool" near surf club.
Maclean-Townsend-Gulmarrad	13	9	6	1 (50)	3	1	0	Golf (18) 3 lawn bowls 1 Dirt Bikes
Rural Coast	4	0	4	0	0	0	0	Golf (9) 2 lawn bowls
Rural South-West	0	0	2	1 (18m)	0	0	0	1 canoe (private)
Rural North-West	0	0	1	0	0	0	0	
Total	67	33	50	6	8	5	5	

Source: Sports Facilities Plan, Table 3

In general terms the OS Strategic Plan and Sports Facilities Plan found that:

- Some particular deficiencies notwithstanding, the existing Clarence Valley community is well provided for in terms of open space, sport and recreation facilities.
- Planned population growth will impact on the existing use and enjoyment of those facilities. There is likely to be unmet demand and pressure on existing open spaces in the LGA and there is therefore a need for the Council to plan and respond to the existing and future needs.
- The projected population increase means an equitable supply of open space throughout the Valley, particularly in developing and new release areas, will become increasingly important.
- In terms of meeting the future district and LGA-wide recreation needs, priority should be given to improving the quality and usability of existing open space areas and recreation facilities rather than acquiring more land for open space.

#### 4.3.4 How was the specific Local Infrastructure determined?

The Council’s proposed approach to the delivery of open space and recreation facilities in the LGA is expressed in its vision for open space, i.e.

A linked network of accessible, high quality and diverse open space and sporting and recreation facilities that are able to meet the wide range of needs and desires for recreational and other experiences of residents and visitors.<sup>27</sup>

The principles and objectives that have been adopted by the Council for the planning, design, provision and management of its open space and recreation facilities (including the specification of the facilities included in this Plan) are described in Sections 5.5 and 5.6 of the OS Strategic Plan. Key planning objectives and principles are discussed in Table 4.7 below.

**Table 4.7 OS Strategic Plan objectives and principles for open space and recreation facilities**

Objective - Open spaces will be...	Planning principles
Adequate	Provide facilities and services at a level commensurate with need. Standards or benchmarks are considered as minimum best practice in determining need. A needs-based approach is used taking into account planning principles, demographic characteristics and forecast populations, expressed needs, and consultation. Options for ensuring open space is adequate for the community include acquisition, dedication, or rationalisation of land.
Quality	Recreation facilities and spaces should be of a high standard, particularly regional and district facilities.
Diverse	Use the Recreation Opportunity Spectrum approach in strategic planning to ensure the widest possible range (within funding constraints) or open space and recreation opportunities is provided.
Attractive	Invite feedback on what users of open space like about the space or facility, and suggestions for improvements.
Multi-purpose	Flexible approach to the design of facilities, and a commitment to shared use to cater for a range of activities. This includes discouraging exclusive use of facilities where appropriate.
Equitable	Recreation facilities in the Clarence Valley should be affordable. There should be a geographical spread of recreation opportunities across the Clarence Valley, including a hierarchy of regional, district and local facilities and spaces. Support isolated areas with declining or small populations by providing co-located ‘self contained’ open space and

<sup>27</sup> OS Strategic Plan, page 94

Objective - Open spaces will be...	Planning principles
	recreation facilities. A spread of facilities will ensure towns and villages are somewhat self-contained.
Accessible	Recreation facilities and open spaces are ideally located in prominent locations that are easily accessible by public transport and pedestrian and cycle access, have high visibility, and links to other facilities. Groups that are not currently well serviced or require specific attention should be focused on to encourage participation in sport or recreation. This includes girls and women, people with a disability, and Aboriginal and Torres Strait Islander people. Sporting grounds should of a reasonable size to cater for a number of activities. Recreation facilities should be designed to be universally accessible to all, irrespective of their level of physical ability.
Flexible	Explore shared use arrangements, including the potential for a mix of commercial and community uses/hirers. There should be a regional approach to the allocation and use of school sporting facilities. School facilities, such as sportsgrounds and halls, that are available to community groups to use should be designed and located so that they are easily accessible to the public. Existing facilities should be used effectively, such as use of sporting grounds for games as well as training mid-week or on both days of a weekend within carrying capacity.  Plan for activities as well as space. It is important that the design of open space takes into account the proposed purposes through careful planning and engagement with end users, and that the design is flexible to allow adaptation as needs change over time. Emphasis should be placed on flexible participation in recreation, such as opportunities for casual participation in an activity, and flexible days and times.
Recreation, social, educational and cultural places	Recognise that open space serves several functions, and all potential functions must be considered in planning, design and management.
Safe	Design and maintain open space according to Crime Prevention Through Environmental Design (CPTED) principles.
Sustainable	Plan, design, use and maintain open space in a sustainable way, being mindful of climate change, water sensitive urban design, carrying capacities and other sustainability considerations.
Natural	Retain natural settings in public ownership where possible. Integrate natural settings as a feature of future development of land incorporating natural settings.
Well managed	Council to act as an open space provider and advocate, according to industry best practice management. Council to work in partnership with user groups and other stakeholders to manage open space.

Source: OS Strategic Plan Table 5.3

The items, staging and priorities included in this Plan's works schedule emanates from the comprehensive assessments contained in the OS Strategic Plan and Sports Facilities Plan. Key components of the methodology that has informed the works schedule include the following:

- An overall consideration of the current supply and current and future demand for open space and recreation facilities to determine what gaps are likely to be experienced in the future, and how these gaps can be addressed.
- Synthesis of assessment of the following:
  - ⇒ existing provision and distribution of open space and recreation facilities;
  - ⇒ rates of existing provision of open space based on population;
  - ⇒ target levels of recreation facility provision, particularly sporting facilities;
  - ⇒ demographic characteristics;

- ⇒ demand for open space and recreation expressed by residents, and by sporting and community groups;
- ⇒ recreation participation trends in NSW and Australia;
- ⇒ professional experience in other places including rapidly growing NSW coastal LGAs;
- ⇒ contemporary and best practice asset management objectives and systems; and
- ⇒ Council's financial capacity to deliver and maintain open space and recreation facilities.<sup>28</sup>
- A priority or preference for making smarter use of existing assets, including the following specific considerations:
  - ⇒ embellishment and / or augmentation of existing spaces and facilities and multi-purpose shared use of open space and recreation facilities in preference to acquiring land for open space;
  - ⇒ converting or adapting existing open space;
  - ⇒ integrating the provision of a wide range of recreation facilities and programs;
  - ⇒ co-locating recreation opportunities with other community and commercial services;
  - ⇒ providing an equitable mix of outdoor and indoor recreation facilities;
  - ⇒ rationalising underused or poorly located facilities; and
  - ⇒ incorporating environmental resources as open space.<sup>29</sup>
- The consolidated assessments of needs and strategy responses on a locality basis contained in Section 2.2.1 of the Sports Facilities Plan and Table 6.2 of the OS Strategic Plan.
- Application of the principles and objectives described in Table 4.7 above.

#### 4.3.5 What Local Infrastructure is included in this Plan?

A summary of the new / augmented facilities included in this Plan is as follows:

- New and upgraded swimming facilities
- Seats, shelters, picnic / barbecue facilities, landscaping, access paths and cycleways, exercise circuits, car parking and other improvements to existing parks
- New amenities, lighting, fencing, re-surfacing and drainage to existing sportsgrounds to enhance carrying capacity and usability
- New sportsfields and outdoor courts (tennis, netball) on existing underdeveloped open space
- Renewal, reconfiguration or expansion of existing fields and courts
- New or upgraded playgrounds, skateparks and other children / youth oriented facilities
- 'Clarence River Way' projects (foreshore park paths and other embellishments)
- Improvements to existing athletics facilities
- Improvements to existing equestrian facilities
- Upgraded coastal recreation facilities including boardwalks, access paths, jetties
- New and upgraded existing indoor sports facilities
- Improvements to existing showgrounds
- New dog training and off-leash facilities

<sup>28</sup> OS Strategic Plan, page 111 and Sports Facilities Plan, ss 2.5.6, 2.6.1

<sup>29</sup> OS Strategic Plan, page 112

The complete list of facilities is included in Part 5 of this Plan.

### Notes on catchments

The needs assessments in the OS Strategic Plan and Sports Facilities Plan were carried out either on an LGA or smaller area basis. The small areas used for analysis are identified in Tables 4.5 and 4.6. Plans for future facilities related to these small areas, yet service catchments will vary depending on the type of open space or recreation facility.

In the case of sporting facilities, the Sports Facilities Plan proposes a three-tier service hierarchy of local, district and LGA-wide facilities. For non-sports open space, the definition of future requirements is based around the different 'community land' categories (parks, natural areas, etc.).

So as to determine reasonable section 7.11 contributions for development expected across the different parts of the LGA, this Plan seeks to harmonise these varying planning approaches by adopting the following contributions catchments:

- Facilities serving the whole LGA population will be funded by the Clarence Valley LGA catchment;
- Facilities serving local and district populations will be funded by those local and district populations amalgamated to form the following catchments:
  - ⇒ 'Grafton and Surrounds'
  - ⇒ 'Coastal'
  - ⇒ 'Isolated Coastal and Rural'

The localities that comprise the above local/district catchments are listed in Attachment A to this Plan.

## 4.4 Plan preparation and administration

This clause identifies the activities associated with the preparation and administration of this Plan and describes the anticipated costs of those activities.

Preparation and administration of contributions plans by councils incur significant costs.

Council staff are required to:

- prepare and review contributions plans;
- account for contributions receipts and expenditure; and
- coordinate the implementation of contributions plans and works, including involvement in negotiating works-in-kind and material public benefit agreements.

Consultant studies are also commissioned by Council from time to time that directly result in review, update or preparation of contributions plans. Tasks undertaken by independent professionals include determining the value of land to be acquired, the design and cost of works, as well as the review of development and demand assumptions of the contributions plan. Council is also required to engage the services of legal professionals from time to time to assist it in the administration of this Plan.

It is reasonable that the costs associated with preparing and administering this Plan be recouped from contributions from development.

Costs associated with the ongoing administration and management of the contributions plan will be levied on all applications which require a Local Infrastructure Contribution.

Costs included in this Plan for these purposes are determined as follows:

- The estimate of administration costs is equivalent to the current annual salary and on-costs (at the time the Plan is adopted) for a Local Infrastructure Contributions administration officer working 1 day per week, converting to an annual figure and extending this annual figure over the life of the plan:
  - ⇒ Salary (2011) = \$71,853 + 25% on costs = \$89,816
  - ⇒ Car = \$15,000
  - ⇒ Salary plus car = \$104,816
  - ⇒ Convert to one day per week = \$20,963
  - ⇒ Capitalise to account for 20 years of the plan = \$419,265
- Costs of consultant assistance used to prepare this Plan (\$40,000).

The total capitalised amount (\$459,265) is then divided by the anticipated additional resident population over the life of the Plan to arrive at a per person contribution rate, i.e.

$$\$459,265 / 19,790 \text{ persons} = \$23.20 \text{ per person}$$

This figure is then multiplied by 2.5 to arrive at the per dwelling house or per lot rate, i.e.

$$\$23.20 \times 2.5 \text{ persons per dwelling or lot} = \$58 \text{ per dwelling house or lot (rounded)}$$

Note for exhibition - refer to additional note for exhibition at Table 1.1, page 1.

## 5. Works schedules and maps

Included in this Part are:

- Works schedules for community facilities and open space and recreation facilities items proposed to be provided using contributions collected under this Plan.
- Maps showing the proposed location of these items.

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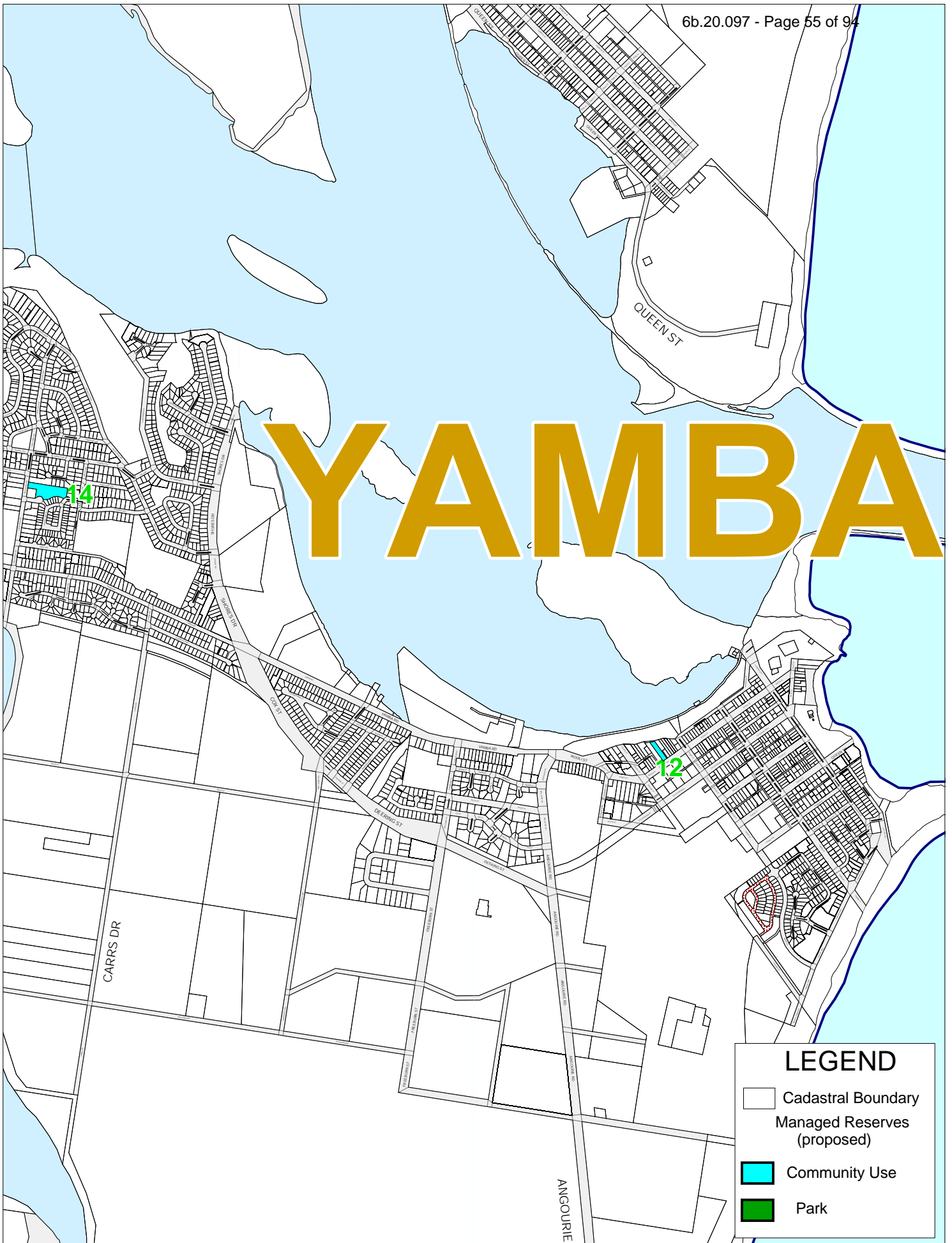


## Clarence Valley Contributions Plan 2011 Community Facilities Works Schedule

Item	Facility Description	Estimated Base Cost	Survey, Design, Legal and Management Costs	Borrowing Costs	Total Estimated Cost	Apportionment Factor	Maximum cost that could be met by Development	Contribution Catchment (persons)	Contribution Rate (per person) (1)	Priority (clause 2.19)	Staging
<b>CAPITAL WORKS Local Government Area Service Catchment</b>											
1	Art Space	\$ 3,297,432	\$ 530,887	\$ -	\$ 3,828,319	100%	\$ 3,828,319	19,790	\$ 193.45	B	before 2021
2	Art Gallery expansion Stage 1	\$ 2,173,774	\$ 338,854	\$ -	\$ 2,512,628	69%	\$ 1,742,377	19,790	\$ 88.04	D	before 2031
2.1	Art Gallery expansion Stage 2	\$ 3,051,894	\$ 391,542	\$ -	\$ 3,443,435	69%	\$ 2,387,844	19,790	\$ 120.66	D	before 2031
3	Performing arts centre	\$ 19,600,000	incl	\$ -	\$ 19,600,000	27%	\$ 5,358,846	19,790	\$ 270.79	D	before 2031
<b>Total</b>		<b>\$ 28,123,100</b>	<b>\$ 1,261,283</b>	<b>\$ -</b>	<b>\$ 29,384,382</b>		<b>\$ 13,317,386</b>		<b>\$ 673</b>		
<b>CAPITAL WORKS Grafton &amp; Surrounds Service Catchment</b>											
4	Community centre	\$ 2,893,800	\$ 405,132	\$ -	\$ 3,298,932	100%	\$ 3,298,932	9,498	\$ 347.33	B	before 2021
5	Neighbourhood centre	\$ 1,860,300	\$ 260,442	\$ -	\$ 2,120,742	100%	\$ 2,120,742	9,498	\$ 223.28	C	before 2026
6	Youth Space	\$ 1,446,900	\$ 202,566	\$ -	\$ 1,649,466	100%	\$ 1,649,466	9,498	\$ 173.66	D	before 2031
7	Grafton & Surrounds library floor space requirement	\$ 1,468,402	incl	\$ -	\$ 1,468,402	100%	\$ 1,468,402	9,498	\$ 154.60	D	before 2031
7.1	Grafton & Surrounds library floor space fitout	\$ 440,520	incl	\$ -	\$ 440,520	100%	\$ 440,520	9,498	\$ 46.38	D	before 2031
<b>Total</b>		<b>\$ 8,109,922</b>	<b>\$ 868,140</b>	<b>\$ -</b>	<b>\$ 8,978,062</b>		<b>\$ 8,978,062</b>		<b>\$ 945</b>		
<b>CAPITAL WORKS Maclean &amp; Surrounds Service Catchment</b>											
8	Community Centre	\$ 2,893,800	\$ 405,132	\$ -	\$ 3,298,932	100%	\$ 3,298,932	10,292	\$ 320.53	A	before 2016
9	Neighbourhood Centre	\$ 1,860,300	\$ 260,442	\$ -	\$ 2,120,742	100%	\$ 2,120,742	10,292	\$ 206.06	C	before 2026
10	Youth Space	\$ 1,446,900	\$ 202,566	\$ -	\$ 1,649,466	100%	\$ 1,649,466	10,292	\$ 160.27	B	before 2021
11	Maclean Library expansion	\$ 1,421,784	\$ 391,542	\$ -	\$ 1,813,326	77%	\$ 1,396,261	10,292	\$ 135.66	B	before 2021
12	Yamba Library expansion	\$ 1,910,220	\$ 267,431	\$ -	\$ 2,177,651	31%	\$ 675,072	10,292	\$ 65.59	C	before 2026
13	Iluka Library expansion	\$ 797,940	\$ 111,712	\$ -	\$ 909,652	56%	\$ 509,405	10,292	\$ 49.50	D	before 2031
14	Treelands Drive Community Centre	\$ 70,545	\$ -	\$ 9,628	\$ 80,173	100%	\$ 80,173	10,292	\$ 7.79	A	completed
<b>Total</b>		<b>\$ 10,401,489</b>	<b>\$ 1,638,824</b>	<b>\$ 9,628</b>	<b>\$ 12,049,941</b>		<b>\$ 9,730,050</b>		<b>\$ 945</b>		





## Notes:

- 1 Contribution rate per person is the maximum section 94 contribution that could be levied by the Council on a per additional person basis. Council however has determined, on development affordability grounds, that contributions under this Plan are capped at \$3,100 per dwelling.





**LEGEND**

-  Cadastral Boundary
-  Managed Reserves (proposed)
-  Community Use
-  Park







★Wherrett Park

# MACLEAN

111

★Maclean Showground

**LEGEND**

-  Cadastral Boundary
-  Managed Reserves (proposed)
-  Community Use
-  Park










**GRAFTON**

**SOUTH GRAFTON**

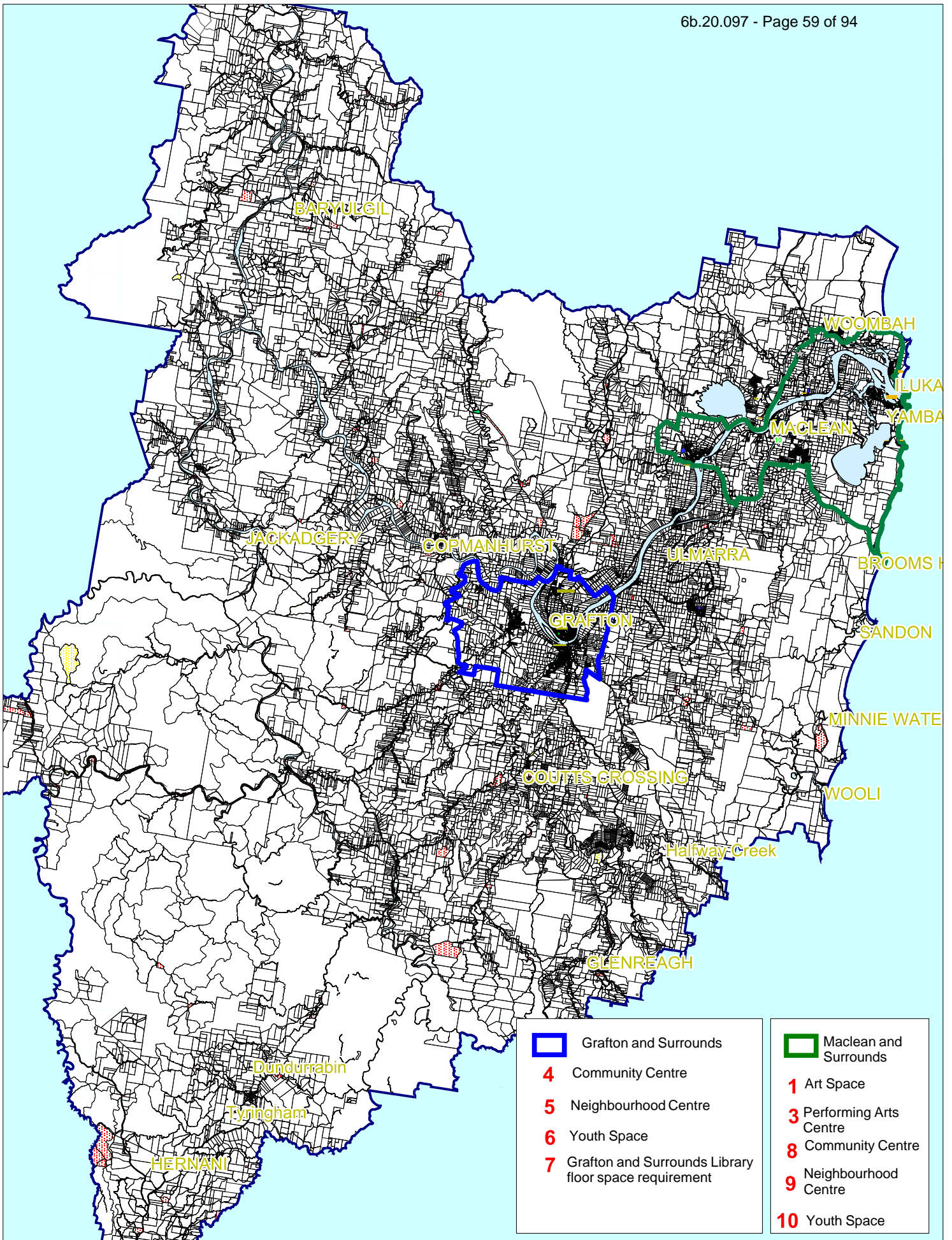
**LEGEND**

-  Cadastral Boundary
-  Managed Reserves (proposed)
-  Community Use



Clarence Valley Council  
Community Facilities - Grafton  
Contribution Plan 2011 Map 26





Clarence Valley Council  
 Community Facilities  
 Contribution Plan 2011 Map 27





## Clarence Valley Contributions Plan 2011 Open Space and Recreation Facilities Works Schedule

Item	Locality	Facility / Park Description	Proposed Work	Estimated Base Cost	Survey, Design, Legal and Management Costs	Borrowing Costs	Total Estimated Cost	Apportionment Factor	Maximum cost that could be met by Development	Contribution Catchment (persons)	Contribution Rate (per person) (1)	Priority (clause 2.19)	Staging
<b>CAPITAL WORKS</b>													
<b>Local Government Area Service Catchment</b>													
1	Grafton	Cycleways and tracks	Cycleways and tracks	\$ 1,000,000	\$ 140,000	\$ -	\$ 1,140,000	75%	\$ 855,000	19,790	\$ 43.20	B/C	before 2024
2	Grafton	Grafton Aquatic Centre	Develop spectator facilities and capacity as a competition event pool	\$ 240,000	\$ 33,600	\$ -	\$ 273,600	75%	\$ 205,200	19,790	\$ 10.37	B	before 2020
3	Grafton	Market Square	Provision of additional shelters over alternate tables, entrance statements, bubbler, and additional (formal and informal) seating	\$ 60,000	\$ 8,400	\$ -	\$ 68,400	75%	\$ 51,300	19,790	\$ 2.59	B	before 2020
3.1	Grafton	Market Square	Support facilities for spectators enhancement at events at Market Square	\$ 300,000	\$ 42,000	\$ -	\$ 342,000	75%	\$ 256,500	19,790	\$ 12.96	C	before 2024
4	Grafton	Corcoran Park	Implement expansion design - Stage 1	\$ 75,000	\$ 10,500	\$ -	\$ 85,500	75%	\$ 64,125	19,790	\$ 3.24	A	before 2016
4.1	Grafton	Corcoran Park	Implement expansion design - Stage 2	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	19,790	\$ 2.16	B	before 2020
4.2	Grafton	Corcoran Park	Implement expansion design - Stage 3	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	19,790	\$ 2.16	C	before 2024
5	Grafton	Westward Park	Convert grass courts to 3 more hard courts to have a minimum of 10 hard courts with competition standard lights	\$ 420,000	\$ 58,800	\$ -	\$ 478,800	75%	\$ 359,100	19,790	\$ 18.15	C	before 2024
5.1	Grafton	Westward Park	Develop formal approach to parking with consideration of off-street parking and shared parking space to serve the Pool and the netball courts for larger events and peak competition days.	\$ 120,000	\$ 16,800	\$ -	\$ 136,800	75%	\$ 102,600	19,790	\$ 5.18	E	before 2032
5.2	Grafton	Westward Park	Develop show court spectator facilities with shade	\$ 180,000	\$ 25,200	\$ -	\$ 205,200	75%	\$ 153,900	19,790	\$ 7.78	D	before 2028
6	Grafton	Fisher Park	Sports Complex Upgrade	\$ 85,000	\$ -	\$ 59,659	\$ 144,659	75%	\$ 108,494	19,790	\$ 5.48	A	in progress
6.1	Grafton	Fisher Park	Upgrade and reseal car park surface and facilities	\$ 132,000	\$ 18,480	\$ -	\$ 150,480	75%	\$ 112,860	19,790	\$ 5.70	B	in progress
6.2	Grafton	Fisher Park	Regrade oval, and install irrigation system	\$ 120,000	\$ 16,800	\$ -	\$ 136,800	75%	\$ 102,600	19,790	\$ 5.18	A	in progress
7	Grafton	Jacaranda Park	Regional playground and children's road safety bike track	\$ 500,000	\$ 70,000	\$ -	\$ 570,000	75%	\$ 427,500	19,790	\$ 21.60	C	before 2024
8	Grafton	Implement Clarence River Way Projects	Improvements in accordance with the Grafton Waterfront Precinct Plan	\$ 7,000,000	\$ 980,000	\$ -	\$ 7,980,000	75%	\$ 5,985,000	19,790	\$ 302.43	A/E	before 2032
9	Grafton	Grafton Riverbank	Implementation of Clarence River Way Wharves Development Plan	\$ 250,000	\$ 35,000	\$ -	\$ 285,000	75%	\$ 213,750	19,790	\$ 10.80	A/B	before 2020
10	Junction Hill	Barnier Park Junction Hill	Master plan should identify best location for a shared toilets and change hub (either as upgrade to existing or new to replace old facilities). Athletics and related fields.	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	19,790	\$ 1.30	A	before 2016
10.1	Junction Hill	Barnier Park Junction Hill	Improve athletics track with expansion to 400m track and improvement of the grass running surface, subsoil drainage and related facilities (plan being developed for track expansion to regional capacity)	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	19,790	\$ 2.16	B	before 2020
10.2	Junction Hill	Barnier Park Junction Hill	Upgrade drainage to No 1 soccer field	\$ 60,000	\$ 8,400	\$ -	\$ 68,400	75%	\$ 51,300	19,790	\$ 2.59	B	before 2020
10.3	Junction Hill	Barnier Park Junction Hill	Lighting of track and central field to allow for night training should also be considered in the medium term	\$ 200,000	\$ 28,000	\$ -	\$ 228,000	75%	\$ 171,000	19,790	\$ 8.64	C	before 2024
10.4	Junction Hill	Barnier Park Junction Hill	New/expanded amenities	\$ 250,000	\$ 35,000	\$ -	\$ 285,000	75%	\$ 213,750	19,790	\$ 10.80	D	before 2028
10.5	Junction Hill	Barnier Park Junction Hill	Two new tennis/multi purpose hardcourts	\$ 250,000	\$ 35,000	\$ -	\$ 285,000	75%	\$ 213,750	19,790	\$ 10.80	E	before 2032
11	South Grafton	McKittrick Park	Cricket Sightcreens	\$ 40,000	\$ 5,600	\$ -	\$ 45,600	75%	\$ 34,200	19,790	\$ 1.73	B	before 2020
11.1	South Grafton	McKittrick Park	Provide new storage shed	\$ 10,000	\$ 1,400	\$ -	\$ 11,400	75%	\$ 8,550	19,790	\$ 0.43	A	before 2016
11.2	South Grafton	McKittrick Park	Upgrade kitchen access and roller doors with improved facilities	\$ 15,000	\$ 2,100	\$ -	\$ 17,100	75%	\$ 12,825	19,790	\$ 0.65	A	before 2016
11.3	South Grafton	McKittrick Park	Upgrade perimeter fencing	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	19,790	\$ 4.32	C	before 2024
11.4	South Grafton	McKittrick Park	Develop further spectator and hospitality facilities (spectator, etc)	\$ 410,000	\$ 57,400	\$ -	\$ 467,400	75%	\$ 350,550	19,790	\$ 17.71	C	before 2024
12	South Grafton	Hawthorne Park	Cross Country Pony Club Course	\$ 40,000	\$ 5,600	\$ -	\$ 45,600	75%	\$ 34,200	19,790	\$ 1.73	C	before 2024
12.1	South Grafton	Hawthorne Park	Complete dressage arena and spectator facilities	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	19,790	\$ 2.16	A	before 2016
12.2	South Grafton	Hawthorne Park	Upgrade electrical supply to the precinct to allow for better event management. No major facility investment should be undertaken until a new master plan is developed.	\$ 96,000	\$ 13,440	\$ -	\$ 109,440	75%	\$ 82,080	19,790	\$ 4.15	A	before 2016
12.3	South Grafton	Hawthorne Park	A precinct master plan for the whole reserve which identifies future development priorities and shared parking and camping zones as well as minimising investment in built amenities. Possible expansion of field sport uses also needs consideration.	\$ 40,000	\$ 5,600	\$ -	\$ 45,600	75%	\$ 34,200	19,790	\$ 1.73	A	before 2016
12.4	South Grafton	Hawthorne Park	General upgrades from POM review and upgrade	\$ 300,000	\$ 42,000	\$ -	\$ 342,000	75%	\$ 256,500	19,790	\$ 12.96	C	before 2024
12.5	South Grafton	Hawthorne Park	Additional stabling/facilities	\$ 80,000	\$ 11,200	\$ -	\$ 91,200	75%	\$ 68,400	19,790	\$ 3.46	A	before 2016
12.6	South Grafton	Hawthorne Park	Covered training area (dressage arena sized) location yet to be determined	\$ 400,000	\$ 56,000	\$ -	\$ 456,000	75%	\$ 342,000	19,790	\$ 17.28	C	before 2024
12.7	South Grafton	Hawthorne Park	Upgrade visitor area/camping/facilities - Stage 1	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	19,790	\$ 2.16	A	before 2016
12.8	South Grafton	Hawthorne Park	Upgrade visitor area/camping/facilities - Stage 2	\$ 200,000	\$ 28,000	\$ -	\$ 228,000	75%	\$ 171,000	19,790	\$ 8.64	D	before 2028
13	South Grafton	Implement Clarence River Way Projects	South Grafton Upgrades	\$ 1,000,000	\$ 140,000	\$ -	\$ 1,140,000	75%	\$ 855,000	19,790	\$ 43.20	A/E	before 2032
14	Lawrence, Maclean, Harwood	Lawrence, Maclean, Harwood	Clarence River Way projects	\$ 750,000	\$ 105,000	\$ -	\$ 855,000	75%	\$ 641,250	19,790	\$ 32.40	A/B	before 2020
15	Maclean	Cycleways and tracks	Cycleways and tracks	\$ 1,000,000	\$ 140,000	\$ -	\$ 1,140,000	75%	\$ 855,000	19,790	\$ 43.20	B/C	before 2024
16	Yamba	Cycleways and tracks	Cycleways and tracks	\$ 500,000	\$ 70,000	\$ -	\$ 570,000	75%	\$ 427,500	19,790	\$ 21.60	B/C	before 2024
17	Iluka	Cycleways and tracks	Cycleways and tracks	\$ 500,000	\$ 70,000	\$ -	\$ 570,000	75%	\$ 427,500	19,790	\$ 21.60	B/C	before 2024
18	Lower Clarence	Implement Clarence River Way Projects	Foreshore improvements and upgrades	\$ 3,000,000	\$ 420,000	\$ -	\$ 3,420,000	75%	\$ 2,565,000	19,790	\$ 129.61	A/E	before 2032
19	Maclean	Wherrett Park	Overall Master Plan Needed as no current POM - parking and shared access and parking hubs; field redesign and drainage; development of toilets and change facilities shared for field areas; more shade and landscaping.	\$ 32,000	\$ 4,480	\$ -	\$ 36,480	75%	\$ 27,360	19,790	\$ 1.38	A	before 2016
19.1	Maclean	Wherrett Park Netball Courts	2 new hardcourts	\$ 240,000	\$ 33,600	\$ -	\$ 273,600	75%	\$ 205,200	19,790	\$ 10.37	B	before 2020
19.2	Maclean	Wherrett Park	Field redesign for better drainage and sharing of space near netball courts	\$ 288,000	\$ 40,320	\$ -	\$ 328,320	75%	\$ 246,240	19,790	\$ 12.44	B	before 2020
19.3	Maclean	Wherrett Park	Exercise circuit stations	\$ 200,000	\$ 28,000	\$ -	\$ 228,000	75%	\$ 171,000	19,790	\$ 8.64	C	before 2024
19.4	Maclean	Wherrett Park	Footpaths to perimeter of Barry Watts Field	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	19,790	\$ 1.30	D	before 2028



Item	Locality	Facility / Park Description	Proposed Work	Estimated Base Cost	Survey, Design, Legal and Management Costs	Borrowing Costs	Total Estimated Cost	Apportionment Factor	Maximum cost that could be met by Development	Contribution Catchment (persons)	Contribution Rate (per person) (1)	Priority (clause 2.19)	Staging
19.5	Maclean	Wherrett Park	New cricket shed	\$ 35,000	\$ 4,900	\$ -	\$ 39,900	75%	\$ 29,925	19,790	\$ 1.51	A	before 2016
19.6	Maclean	Wherrett Park	Power upgrade for new lighting and indoor sports centre	\$ 96,000	\$ 13,440	\$ -	\$ 109,440	75%	\$ 82,080	19,790	\$ 4.15	A	before 2016
19.7	Maclean	Wherrett Park	Redevelopment of toilets and change facilities and increased shade cover to service hospital fields and soccer fields	\$ 252,000	\$ 35,280	\$ -	\$ 287,280	75%	\$ 215,460	19,790	\$ 10.89	C	before 2024
19.8	Maclean	Wherrett Park	Extend skate park	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	19,790	\$ 4.32	E	before 2032
19.9	Maclean	Wherrett Park	Indoor Sports Centre	\$ 600,000		\$ 409,931	\$ 1,009,910	75%	\$ 757,433	19,790	\$ 38.27	A	completed
19.10	Maclean	Wherrett Park	Indoor Sports Centre Fitout	\$ 50,000		\$ -	\$ 50,000	75%	\$ 37,500	19,790	\$ 1.89	A	before 2016
20	Maclean	McLachlan Park	Redevelopment of park - unallocated works	\$ 200,000	\$ 28,000	\$ -	\$ 228,000	75%	\$ 171,000	19,790	\$ 8.64	A	before 2016
21	Maclean	Maclean Showground	Lighting upgrade	\$ 96,000	\$ 13,440	\$ -	\$ 109,440	75%	\$ 82,080	19,790	\$ 4.15	B	before 2020
21.1	Maclean	Maclean Showground	Stage 1 Maclean Showground improvements (lighting upgrade)	\$ 150,000	\$ 21,000	\$ -	\$ 171,000	75%	\$ 128,250	19,790	\$ 6.48	C	before 2024
21.2	Maclean	Maclean Showground	Stage 2 Maclean Showground improvements (road improvement)	\$ 150,000	\$ 21,000	\$ -	\$ 171,000	75%	\$ 128,250	19,790	\$ 6.48	D	before 2028
22	Maclean	Maclean Cameron Park	Redesign of park including new toilets	\$ 400,000	\$ 56,000	\$ -	\$ 456,000	75%	\$ 342,000	19,790	\$ 17.28	A	before 2016
23	Maclean	Maclean Pool	Heat 50m pool and widen grass area to car park	\$ 250,000	\$ 35,000	\$ -	\$ 285,000	75%	\$ 213,750	19,790	\$ 10.80	B	before 2020
23.1	Maclean	Maclean Pool	Provide covered inside/outside facility to pool	\$ 500,000	\$ 70,000	\$ -	\$ 570,000	75%	\$ 427,500	19,790	\$ 21.60	C	before 2024
24	Yamba	Implement Stages of Yamba Coastal Walk	Foreshore track and ancillary improvements and upgrades	\$ 500,000	\$ 70,000	\$ -	\$ 570,000	75%	\$ 427,500	19,790	\$ 21.60	A/C	before 2024
25	Yamba	Ngayundi Yamba Sports Complex	Mobile grandstand seating	\$ 70,000	\$ 9,800	\$ -	\$ 79,800	75%	\$ 59,850	19,790	\$ 3.02	B	before 2020
25.1	Yamba	Ngayundi Yamba Sports Complex	Car parking seal and landscaping near existing amenities	\$ 250,000	\$ 35,000	\$ -	\$ 285,000	75%	\$ 213,750	19,790	\$ 10.80	B	before 2020
25.2	Yamba	Ngayundi Yamba Sports Complex	Car parking seal and landscaping near new amenities	\$ 250,000	\$ 35,000	\$ -	\$ 285,000	75%	\$ 213,750	19,790	\$ 10.80	C	before 2024
25.3	Yamba	Ngayundi Yamba Sports Complex	Landscaping improvements	\$ 20,000	\$ 2,800	\$ -	\$ 22,800	75%	\$ 17,100	19,790	\$ 0.86	A	before 2016
25.4	Yamba	Ngayundi Yamba Sports Complex	Junior field internal fence	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	19,790	\$ 1.30	A	before 2016
25.5	Yamba	Ngayundi Yamba Sports Complex	Establishment of at least one additional rectangular field	\$ 150,000	\$ 21,000	\$ -	\$ 171,000	75%	\$ 128,250	19,790	\$ 6.48	B	before 2020
25.6	Yamba	Ngayundi Yamba Sports Complex	Lighting upgrade for western end of park	\$ 150,000	\$ 21,000	\$ -	\$ 171,000	75%	\$ 128,250	19,790	\$ 6.48	C	before 2024
25.7	Yamba	Ngayundi Yamba Sports Complex	Review feasibility of plans for field sport stadium development as part of master plan process. Priority actions include additional toilets, change and canteen facilities in new facility.	\$ 400,000	\$ 56,000	\$ -	\$ 456,000	75%	\$ 342,000	19,790	\$ 17.28	A	before 2016
25.8	Yamba	Ngayundi Yamba Sports Complex	Seal four outside netball courts and provide for two grass netball courts	\$ 288,000	\$ 40,320	\$ -	\$ 328,320	75%	\$ 246,240	19,790	\$ 12.44	C	before 2024
25.9	Yamba	Ngayundi Yamba Sports Complex	Seal additional four outside netball courts to have 8 in total	\$ 300,000	\$ 42,000	\$ -	\$ 342,000	75%	\$ 256,500	19,790	\$ 12.96	E	before 2032
25.1	Yamba	Ngayundi Yamba Sports Complex	Priority actions include improving existing toilets and change facilities. A central and shared facility to service all the fields on the southern side of the access road is recommended for future AFL/football/touch/cricket use.	\$ 204,000	\$ 28,560	\$ -	\$ 232,560	75%	\$ 174,420	19,790	\$ 8.81	A	before 2024
25.11	Yamba	Ngayundi Yamba Sports Complex	Playing surface upgrade to improve drainage and resilience is a high priority as fields used by several sports. Extend existing subsoil drainage and surface /turf improvements.	\$ 120,000	\$ 16,800	\$ -	\$ 136,800	75%	\$ 102,600	19,790	\$ 5.18	B	before 2020
25.12	Yamba	Ngayundi Yamba Sports Complex	Lighting upgrades to south west area suitable for night training/competition	\$ 288,000	\$ 40,320	\$ -	\$ 328,320	75%	\$ 246,240	19,790	\$ 12.44	C	before 2024
25.13	Yamba	Ngayundi Yamba Sports Complex	New playground equipment	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	19,790	\$ 4.32	C	before 2024
25.14	Yamba	Ngayundi Yamba Sports Complex	Widening of heated pool and min. 25m length	\$ 200,000	\$ 28,000	\$ -	\$ 228,000	75%	\$ 171,000	19,790	\$ 8.64	A	before 2016
25.15	Yamba	Ngayundi Yamba Sports Complex	Covered roof over pool with inside/outside option	\$ 400,000	\$ 56,000	\$ -	\$ 456,000	75%	\$ 342,000	19,790	\$ 17.28	B	before 2020
25.16	Yamba	Ngayundi Yamba Sports Complex	Raymond Laurie Sports Centre	\$ 560,000	-	\$ 420,430	\$ 980,430	75%	\$ 735,323	19,790	\$ 37.16	A	completed
26	Ulmarra, Brushgrove	Ulmarra, Brushgrove	Clarence River Way projects	\$ 500,000	\$ 70,000	\$ -	\$ 570,000	75%	\$ 427,500	19,790	\$ 21.60	A/B	before 2020
27	Various	Implement Clarence River Way Projects	Unallocated projects	\$ 400,000	\$ 56,000	\$ -	\$ 456,000	75%	\$ 342,000	19,790	\$ 17.28	A/E	before 2032
<b>Total</b>				<b>\$ 28,852,000</b>	<b>\$ 3,857,980</b>	<b>\$ 890,020</b>	<b>\$ 33,599,979</b>		<b>\$ 25,199,984</b>		<b>\$ 1,273</b>		
		<b>CAPITAL WORKS</b>											
		<b>Grafton &amp; Surrounds Service Catchment</b>											
28	Grafton	Silver Jubilee Park	Upgrade fencing and integration with Silver Jubilee Park improvements	\$ 40,000	\$ 5,600	\$ -	\$ 45,600	75%	\$ 34,200	8,753	\$ 3.91	D	before 2028
28.1	Grafton	Silver Jubilee Park	Location of rotunda/s or shelters (in the theme of nearby shelters) to accommodate picnicking, barbeques and community-based driver/passenger services	\$ 40,000	\$ 5,600	\$ -	\$ 45,600	75%	\$ 34,200	8,753	\$ 3.91	C	before 2024
29	Grafton	Strontian Park	Seal car park, provide shelter and BBQ	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	8,753	\$ 9.77	D	before 2028
30	Grafton	JJ Lawrence Fields	Upgrade POM and Master planning	\$ 28,000	\$ 3,920	\$ -	\$ 31,920	75%	\$ 23,940	8,753	\$ 2.74	A	before 2016
30.1	Grafton	JJ Lawrence Fields	Lighting for additional training area and other sports uses including Oztag, touch and soccer	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	8,753	\$ 2.93	A	before 2016
30.2	Grafton	JJ Lawrence Fields	Relocate synthetic cricket wickets out of revised layout plan	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	8,753	\$ 4.88	A	before 2016
30.3	Grafton	JJ Lawrence Fields	New lighting for training and play	\$ 300,000	\$ 42,000	\$ -	\$ 342,000	75%	\$ 256,500	8,753	\$ 29.30	C	before 2024
30.4	Grafton	JJ Lawrence Fields	Continue to develop secondary capacity for football and cricket in the precinct catering for training and some lower level/ junior competition	\$ 310,000	\$ 43,400	\$ -	\$ 353,400	75%	\$ 265,050	8,753	\$ 30.28	D	before 2028
30.5	Grafton	JJ Lawrence Fields	Replace old basketball courts with a single multi marked court for local recreation use (subject to a master plan prepared in consultation with the community)	\$ 72,000	\$ 10,080	\$ -	\$ 82,080	75%	\$ 61,560	8,753	\$ 7.03	D	before 2028
30.6	Grafton	JJ Lawrence Fields	Upgrade surround facilities, park furniture and landscaping	\$ 80,000	\$ 11,200	\$ -	\$ 91,200	75%	\$ 68,400	8,753	\$ 7.81	B	before 2020
30.7	Grafton	JJ Lawrence Fields	Provide car parking facilities	\$ 200,000	\$ 28,000	\$ -	\$ 228,000	75%	\$ 171,000	8,753	\$ 19.54	C	before 2024
30.8	Grafton	JJ Lawrence Fields	Bollard treatment to restrict vehicles from playing areas and to define active sporting and recreational uses	\$ 200,000	\$ 28,000	\$ -	\$ 228,000	75%	\$ 171,000	8,753	\$ 19.54	B	before 2020
30.9	Grafton	JJ Lawrence Fields	Provision of playground facilities	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	8,753	\$ 9.77	C	before 2024
30.10	Grafton	JJ Lawrence Fields	Provision of skate park and related infrastructure/activity	\$ 200,000	\$ 28,000	\$ -	\$ 228,000	75%	\$ 171,000	8,753	\$ 19.54	C	before 2024
31	Grafton	Rushforth Park	New canteen and amenities	\$ 450,000	\$ 63,000	\$ -	\$ 513,000	75%	\$ 384,750	8,753	\$ 43.96	A	before 2016
31.1	Grafton	Rushforth Park	New lighting to Fields 2 and 3	\$ 388,000	\$ 54,320	\$ -	\$ 442,320	75%	\$ 331,740	8,753	\$ 37.90	B	before 2020

Item	Locality	Facility / Park Description	Proposed Work	Estimated Base Cost	Survey, Design, Legal and Management Costs	Borrowing Costs	Total Estimated Cost	Apportionment Factor	Maximum cost that could be met by Development	Contribution Catchment (persons)	Contribution Rate (per person) (1)	Priority (clause 2.19)	Staging
31.2	Grafton	Rushforth Park	New shade and spectator seating	\$ 84,000	\$ 11,760	\$ -	\$ 95,760	75%	\$ 71,820	8,753	\$ 8.21	B	before 2020
31.3	Grafton	Rushforth Park	Install lighting for car parking and club area (security)	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	8,753	\$ 2.93	A	before 2016
31.4	Grafton	Rushforth Park	Upgrade drainage to fields 2 and 3	\$ 60,000	\$ 8,400	\$ -	\$ 68,400	75%	\$ 51,300	8,753	\$ 5.86	B	before 2020
31.5	Grafton	Rushforth Park	Develop as competition venue for football (soccer). Install signage and way finding signs to and within the site.	\$ 10,000	\$ 1,400	\$ -	\$ 11,400	75%	\$ 8,550	8,753	\$ 0.98	A	before 2016
32	Grafton	North Park	Basic perimeter fencing to restrict vehicles, grading and seeding site for junior play	\$ 55,000	\$ 7,700	\$ -	\$ 62,700	75%	\$ 47,025	8,753	\$ 5.37	A	before 2016
32.1	Grafton	North Park	New spectator seating, shade, etc	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	8,753	\$ 4.88	D	before 2028
32.2	Grafton	North Park	In association with Frank McGuren field as part of a future rugby league precinct - shade, water and lighting to be provided; playing surface upgrade; new public toilets/change rooms	\$ 420,000	\$ 58,800	\$ -	\$ 478,800	75%	\$ 359,100	8,753	\$ 41.03	C	before 2024
33	Grafton	Frank McGuren Field	Improve spectator and operational facilities as grant or other external funding becomes available	\$ 180,000	\$ 25,200	\$ -	\$ 205,200	75%	\$ 153,900	8,753	\$ 17.58	B	before 2020
33.1	Grafton	Frank McGuren Field	Surface upgrade and irrigation	\$ 120,000	\$ 16,800	\$ -	\$ 136,800	75%	\$ 102,600	8,753	\$ 11.72	A	before 2016
34	Grafton	Hay Street Rugby	Upgrade playing surface	\$ 120,000	\$ 16,800	\$ -	\$ 136,800	75%	\$ 102,600	8,753	\$ 11.72	B	before 2020
34.1	Grafton	Hay Street Rugby	Provide/upgrade of spectator seating and carparking	\$ 252,000	\$ 35,280	\$ -	\$ 287,280	75%	\$ 215,460	8,753	\$ 24.62	C	before 2024
35	Junction Hill	Junction Hill Skatepark	Upgrade and possibly extend	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	8,753	\$ 9.77	C	before 2024
36	Junction Hill	Trenayr Park Junction Hill	General Improvements - possible dog training (alt. Volkers Park Grafton) and junior sport	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	8,753	\$ 9.77	C	before 2024
37	Brushgrove	Brushgrove Island End	Disabled access picnic shelter	\$ 15,000	\$ 2,100	\$ -	\$ 17,100	75%	\$ 12,825	8,753	\$ 1.47	C	before 2024
37.1	Brushgrove	Brushgrove Island End	Parking & all-weather pathway construction	\$ 20,000	\$ 2,800	\$ -	\$ 22,800	75%	\$ 17,100	8,753	\$ 1.95	D	before 2028
38	Brushgrove Reserve	Brushgrove Reserve	Brush grove practice nets upgrade nets with full slabs	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	8,753	\$ 2.93	B	before 2020
39	Seelands	Solitude Park	Car parking area	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	8,753	\$ 2.93	C	before 2024
39.1	Seelands	Solitude Park	New playground equipment	\$ 70,000	\$ 9,800	\$ -	\$ 79,800	75%	\$ 59,850	8,753	\$ 6.84	B	before 2020
39.2	Seelands	Solitude Park	Basic toilet facilities	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	8,753	\$ 4.88	C	before 2024
40	Seelands	Clarence View Reserve Seelands	Playground equipment	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	8,753	\$ 4.88	B	before 2020
41	Ulmarra	Ulmarra Small Park	New canteen - Stage 1	\$ 44,000	\$ 6,160	\$ -	\$ 50,160	75%	\$ 37,620	8,753	\$ 4.30	A	before 2016
42	Ulmarra	Ulmarra Small Park	Canteen fit out - Stage 2	\$ 20,000	\$ 2,800	\$ -	\$ 22,800	75%	\$ 17,100	8,753	\$ 1.95	B	before 2020
43	Ulmarra	Ulmarra Bailey Park	Disabled access, path, associated facilities and handrail along floodwall from boat ramp to BBQ area	\$ 80,000	\$ 11,200	\$ -	\$ 91,200	75%	\$ 68,400	8,753	\$ 7.81	B	before 2020
44	Waterview Heights	Caramana Park	Sportsground and facilities upgrade	\$ 144,000	\$ 20,160	\$ -	\$ 164,160	75%	\$ 123,120	8,753	\$ 14.07	C	before 2024
44.1	Waterview Heights	Caramana Park	Seal and formalise car park	\$ 80,000	\$ 11,200	\$ -	\$ 91,200	75%	\$ 68,400	8,753	\$ 7.81	B	before 2020
44.2	Waterview Heights	Caramana Park	Drainage works to oval, outside squash and tennis courts	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	8,753	\$ 4.88	A	before 2016
<b>Total</b>				<b>\$ 4,852,000</b>	<b>\$ 679,280</b>	<b>\$ -</b>	<b>\$ 5,531,280</b>		<b>\$ 4,148,460</b>		<b>\$ 474</b>		
		<b>CAPITAL WORKS</b>											
		<b>Coastal Service Catchment</b>											
45	Angourie	Angourie Reserve	Upgrade picnic shelter at Green Point	\$ 40,000	\$ 5,600	\$ -	\$ 45,600	75%	\$ 34,200	9,992	\$ 3.42	A	before 2016
45.1	Angourie	Angourie Reserve	Construct boardwalk between Angourie and Spookys	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	9,992	\$ 8.56	B	before 2020
46	Iluka	Charlie Ryan Park	Disabled access picnic shelters	\$ 40,000	\$ 5,600	\$ -	\$ 45,600	75%	\$ 34,200	9,992	\$ 3.42	A	before 2016
46.1	Iluka	Charlie Ryan Park	New disabled access toilet facilities	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	9,992	\$ 8.56	A	before 2016
46.2	Iluka	Charlie Ryan Park	Foreshore facilities	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	9,992	\$ 4.28	C	before 2024
46.3	Iluka	Charlie Ryan Park	Extend Rowing Shed	\$ 60,000	\$ 8,400	\$ -	\$ 68,400	75%	\$ 51,300	9,992	\$ 5.13	A	before 2016
47	Iluka	Iluka Sports Ground	Stage 1 Upgrade from Master plan, regrade, laser level and irrigation	\$ 300,000	\$ 42,000	\$ -	\$ 342,000	75%	\$ 256,500	9,992	\$ 25.67	A	before 2016
47.1	Iluka	Iluka Sports Ground	Sports Pavilion/Amenities	\$ 400,000	\$ 56,000	\$ -	\$ 456,000	75%	\$ 342,000	9,992	\$ 34.23	C	before 2024
47.2	Iluka	Iluka Sports Ground	Upgrading and formalising access, fencing and parking	\$ 108,000	\$ 15,120	\$ -	\$ 123,120	75%	\$ 92,340	9,992	\$ 9.24	C	before 2024
48	Iluka	Iluka Beach Reserve	New toilet (major renovation) Iluka Beach c/pk disabled	\$ 200,000	\$ 28,000	\$ -	\$ 228,000	75%	\$ 171,000	9,992	\$ 17.11	C	before 2024
48.1	Iluka	Iluka Beach Reserve	New access track and viewing platform	\$ 20,000	\$ 2,800	\$ -	\$ 22,800	75%	\$ 17,100	9,992	\$ 1.71	A	before 2016
49	Iluka	Iluka Skate Park	New skate park - location to be confirmed	\$ 250,000	\$ 35,000	\$ -	\$ 285,000	75%	\$ 213,750	9,992	\$ 21.39	A	before 2016
50	Iluka	Wingfield Park	Facilities - seating, shade and furniture	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	9,992	\$ 4.28	A	before 2016
51	Iluka	Extend Walkway to Beach	New walkway along road past Moriartys	\$ 500,000	\$ 70,000	\$ -	\$ 570,000	75%	\$ 427,500	9,992	\$ 42.78	B	before 2020
52	Maclean	McLachlan Park	Construct appropriate works adjacent to Fishermen's Road to manage water flow and reduce sediment load into the river	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	9,992	\$ 2.57	B	before 2020
52.1	Maclean	McLachlan Park	Provide and maintain terracing to allow for improved utilization of the reserve	\$ 60,000	\$ 8,400	\$ -	\$ 68,400	75%	\$ 51,300	9,992	\$ 5.13	A	before 2016
52.2	Maclean	McLachlan Park	Provide bench seating stepped into the	\$ 20,000	\$ 2,800	\$ -	\$ 22,800	75%	\$ 17,100	9,992	\$ 1.71	A	before 2016
52.3	Maclean	McLachlan Park	Provide for a semi-circular area to be excavated to ground level, incorporating terracing, in the central section of the area of reserve adjacent to the heritage buildings to allow for small gatherings	\$ 20,000	\$ 2,800	\$ -	\$ 22,800	75%	\$ 17,100	9,992	\$ 1.71	A	before 2016
52.4	Maclean	McLachlan Park	Provide, improve and maintain disability access to the reserve	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	9,992	\$ 4.28	A	before 2016
52.5	Maclean	McLachlan Park	Provide all-ability access points & continuous path of travel along riverside of the reserve adjacent to John & Argyle Streets	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	9,992	\$ 8.56	A	before 2016
52.6	Maclean	McLachlan Park	Provide lighting that is complimentary to the heritage character of the adjacent precinct	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	9,992	\$ 2.57	B	before 2020
53	Maclean	Maclean Lookout	Provide & upgrade pathways with the most appropriate construction method according to conditions	\$ 20,000	\$ 2,800	\$ -	\$ 22,800	75%	\$ 17,100	9,992	\$ 1.71	B	before 2020
54	Townsend	Vacant Townsend Park Development	Master plan	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	9,992	\$ 2.57	A	before 2016
54.1	Townsend	Vacant Townsend Park Development	Unallocated facilities - car parking, amenities/kiosk, and related facilities	\$ 564,000	\$ 78,960	\$ -	\$ 642,960	75%	\$ 482,220	9,992	\$ 48.26	B/C	before 2024
55	Wooloweyah	Honeyman Park	Bitumen seal on access road	\$ 80,000	\$ 11,200	\$ -	\$ 91,200	75%	\$ 68,400	9,992	\$ 6.85	C	before 2024

Item	Locality	Facility / Park Description	Proposed Work	Estimated Base Cost	Survey, Design, Legal and Management Costs	Borrowing Costs	Total Estimated Cost	Apportionment Factor	Maximum cost that could be met by Development	Contribution Catchment (persons)	Contribution Rate (per person) (1)	Priority (clause 2.19)	Staging
55.1	Wooloweyah	Honeyman Park	Playing surface to be softened and improved with aeration and a regrade. This should be undertaken only in response to any community demand for training / sport use of the field.	\$ 48,000	\$ 6,720	\$ -	\$ 54,720	75%	\$ 41,040	9,992	\$ 4.11	D	before 2028
55.2	Wooloweyah	Honeyman Park	Construct tennis practice wall	\$ 40,000	\$ 5,600	\$ -	\$ 45,600	75%	\$ 34,200	9,992	\$ 3.42	C	before 2024
55.3	Wooloweyah	Honeyman Park	Install exercise circuit.	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	9,992	\$ 4.28	E	before 2032
55.4	Wooloweyah	Honeyman Park	Wooloweyah tennis court formalise recently cleared area on the eastern side of the courts retaining wall turf shade	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	9,992	\$ 2.57	A	before 2016
55.5	Wooloweyah	Honeyman Park	New half court basketball/multi court	\$ 72,000	\$ 10,080	\$ -	\$ 82,080	75%	\$ 61,560	9,992	\$ 6.16	B	before 2020
56	Woombah	Woombah Carpark	Woombah car park upgrade	\$ 40,000	\$ 5,600	\$ -	\$ 45,600	75%	\$ 34,200	9,992	\$ 3.42	C	before 2024
57	Yamba	Turners Beach	Surf Club storage area for boards, small craft	\$ 80,000	\$ 11,200	\$ -	\$ 91,200	75%	\$ 68,400	9,992	\$ 6.85	A	before 2016
58	Yamba	Flinders Park Reserve	New footpaths & retaining walls for access to lower levels	\$ 300,000	\$ 42,000	\$ -	\$ 342,000	75%	\$ 256,500	9,992	\$ 25.67	B	before 2020
58.1	Yamba	Flinders Park Reserve	Viewing/deck at lower access way to Yamba Main Beach	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	9,992	\$ 4.28	A	before 2016
58.2	Yamba	Flinders Park Reserve	Include landscaped 'blisters' into parking along Clarence Street adjacent to Flinders Park.	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	9,992	\$ 4.28	D	before 2028
58.3	Yamba	Flinders Park Reserve	Provide children's playground structures in appropriate location	\$ 120,000	\$ 16,800	\$ -	\$ 136,800	75%	\$ 102,600	9,992	\$ 10.27	C	before 2024
58.4	Yamba	Flinders Park Reserve	Upgrade designated formal pedestrian access using stairs, ramps, pathways & tracks along coast where appropriate	\$ 200,000	\$ 28,000	\$ -	\$ 228,000	75%	\$ 171,000	9,992	\$ 17.11	B	before 2020
58.5	Yamba	Flinders Park Reserve	Provide disabled access to Whiting Beach	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	9,992	\$ 2.57	A	before 2016
58.6	Yamba	Flinders Park Reserve	Provide area for multi-cultural events/performances	\$ 80,000	\$ 11,200	\$ -	\$ 91,200	75%	\$ 68,400	9,992	\$ 6.85	C	before 2024
59	Yamba	Ford Park	Disabled access picnic shelters	\$ 10,000	\$ 1,400	\$ -	\$ 11,400	75%	\$ 8,550	9,992	\$ 0.86	A	before 2016
59.1	Yamba	Ford Park	Exercise stations	\$ 300,000	\$ 42,000	\$ -	\$ 342,000	75%	\$ 256,500	9,992	\$ 25.67	B	before 2020
59.2	Yamba	Ford Park	Provide children's playground facility adjacent to Fred Phillips Park	\$ 70,000	\$ 9,800	\$ -	\$ 79,800	75%	\$ 59,850	9,992	\$ 5.99	C	before 2024
59.3	Yamba	Ford Park	Provide jetty/wharf for small boat access to the reserve	\$ 200,000	\$ 28,000	\$ -	\$ 228,000	75%	\$ 171,000	9,992	\$ 17.11	C	before 2024
59.4	Yamba	Ford Park	Amphitheatre at western end of Ford Park	\$ 150,000	\$ 21,000	\$ -	\$ 171,000	75%	\$ 128,250	9,992	\$ 12.84	B	before 2020
60	Yamba	Kolora Lake Reserve	Provide and maintain a platform over the water extending from the retaining wall at the central section of the western bank to avoid erosion	\$ 150,000	\$ 21,000	\$ -	\$ 171,000	75%	\$ 128,250	9,992	\$ 12.84	B	before 2020
60.1	Yamba	Kolora Lake Reserve	Provide & maintain a toilet facility on the central section of the northern side of the reserve	\$ 150,000	\$ 21,000	\$ -	\$ 171,000	75%	\$ 128,250	9,992	\$ 12.84	D	before 2028
60.2	Yamba	Kolora Lake Reserve	Construct & maintain a walk/cycleway to link with Yamba Road, Witonga Drive & Gumnut Rd on the southern, western and northern edge of the reserve	\$ 150,000	\$ 21,000	\$ -	\$ 171,000	75%	\$ 128,250	9,992	\$ 12.84	C	before 2024
61	Yamba	South Head Reserve	Provide small area of car parking, constructed with semi-permeable paving, along Ocean Street adjacent to stairs to enable access to the Reserve	\$ 40,000	\$ 5,600	\$ -	\$ 45,600	75%	\$ 34,200	9,992	\$ 3.42	B	before 2020
61.1	Yamba	South Head Reserve	Picnic shelters	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	9,992	\$ 2.57	C	before 2024
62	Yamba	William Agar Park	Provide safe boardwalk access around Ager Park to Pipi Beach to get pedestrians of the road	\$ 80,000	\$ 11,200	\$ -	\$ 91,200	75%	\$ 68,400	9,992	\$ 6.85	A	before 2016
63	Yamba	Dolphin Park	New Pippi Beach toilets	\$ 150,000	\$ 21,000	\$ -	\$ 171,000	75%	\$ 128,250	9,992	\$ 12.84	B	before 2020
63.1	Yamba	Dolphin Park	Dolphin p/k gas bbq	\$ 5,000	\$ 700	\$ -	\$ 5,700	75%	\$ 4,275	9,992	\$ 0.43	A	before 2016
64	Yamba	Norfolk Park	Norfolk Park to be developed for the community	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	9,992	\$ 8.56	C	before 2024
65	Yamba	Lions Park	Major upgrade of toilet facilities	\$ 60,000	\$ 8,400	\$ -	\$ 68,400	75%	\$ 51,300	9,992	\$ 5.13	A	before 2016
65.1	Yamba	Lions Park	Upgrade of playground	\$ 80,000	\$ 11,200	\$ -	\$ 91,200	75%	\$ 68,400	9,992	\$ 6.85	A	before 2016
66	Yamba	Hakea Park	Hakea p/k Crystal Waters construct basket ball half court or similar	\$ 20,000	\$ 2,800	\$ -	\$ 22,800	75%	\$ 17,100	9,992	\$ 1.71	A	before 2016
67	Yamba	Wattle Park	Provide perimeter paths and related improvements	\$ 120,000	\$ 16,800	\$ -	\$ 136,800	75%	\$ 102,600	9,992	\$ 10.27	D	before 2028
67.1	Yamba	Wattle Park	Car park area along road	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	9,992	\$ 8.56	B	before 2020
70	Yamba	Yamba Bay	Provide walk/cycleway adjacent to Ford Park and Clarence River - 2 Stages	\$ 300,000	\$ 42,000	\$ -	\$ 342,000	75%	\$ 256,500	9,992	\$ 25.67	D	before 2028
70.1	Yamba	Yamba Bay	Provide walk/cycleway on the western section of the reserve to allow implementation of the Yamba Bay Walk	\$ 300,000	\$ 42,000	\$ -	\$ 342,000	75%	\$ 256,500	9,992	\$ 25.67	D	before 2028
70.2	Yamba	Yamba Bay	Provide seating at appropriate locations	\$ 20,000	\$ 2,800	\$ -	\$ 22,800	75%	\$ 17,100	9,992	\$ 1.71	B	before 2020
70.3	Yamba	Yamba Bay	Provide picnic facilities at appropriate locations	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	9,992	\$ 2.57	C	before 2024
71	Yamba	Yamba Oval	Second floor to player facility/amenities and upgrade to amenities (includes lift)	\$ 248,000	\$ 34,720	\$ -	\$ 282,720	75%	\$ 212,040	9,992	\$ 21.22	C	before 2024
71.1	Yamba	Yamba Oval	Lighting upgrade	\$ 150,000	\$ 21,000	\$ -	\$ 171,000	75%	\$ 128,250	9,992	\$ 12.84	B	before 2020
71.2	Yamba	Yamba Oval	No.2 Oval surface improvements and drainage	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	9,992	\$ 8.56	A	before 2016
<b>Total</b>				<b>\$ 7,525,000</b>	<b>\$ 1,053,500</b>	<b>\$ -</b>	<b>\$ 8,578,500</b>		<b>\$ 6,433,875</b>		<b>\$ 644</b>		
	<b>CAPITAL WORKS</b>												
	<b>Isolated Coastal and Rural Service Catchment</b>												
73	Ashby	Ashby Reserve	Maintain tennis courts with possible consideration of converting one to multi-use	\$ 72,000	\$ 10,080	\$ -	\$ 82,080	75%	\$ 61,560	1,045	\$ 58.91	E	before 2032
74	Ashby	Ashby	Consider options for provision of sports field or kickabout space in reserve or acquisition of additional land to provide a field (approx 1.6 Ha)	\$ 144,000	\$ 20,160	\$ -	\$ 164,160	75%	\$ 123,120	1,045	\$ 117.82	D	before 2028
75	Brooms Head	Brooms Head Reserve	Upgrade playground	\$ 60,000	\$ 8,400	\$ -	\$ 68,400	75%	\$ 51,300	1,045	\$ 49.09	B	before 2020
75.1	Brooms Head	Brooms Head Reserve	As community demand emerges undertake basic works to configure to desired field sport	\$ 144,000	\$ 20,160	\$ -	\$ 164,160	75%	\$ 123,120	1,045	\$ 117.82	E	before 2032
76	Chatsworth Island	Chatsworth Island Village Foreshore Rese	Chatsworth Island construct 4-6 picnic tables with shelters along river bank to replace old tables	\$ 60,000	\$ 8,400	\$ -	\$ 68,400	75%	\$ 51,300	1,045	\$ 49.09	B	before 2020
77	Coutts Crossing	Coutts Crossing Wajard Park	Light fields - training	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	1,045	\$ 81.82	A	before 2016



Item	Locality	Facility / Park Description	Proposed Work	Estimated Base Cost	Survey, Design, Legal and Management Costs	Borrowing Costs	Total Estimated Cost	Apportionment Factor	Maximum cost that could be met by Development	Contribution Catchment (persons)	Contribution Rate (per person) (1)	Priority (clause 2.19)	Staging
77.1	Coutts Crossing	Coutts Crossing Wajard Park	Construct and seal car park	\$ 100,000	\$ 14,000	\$ -	\$ 114,000	75%	\$ 85,500	1,045	\$ 81.82	C	before 2024
77.2	Coutts Crossing	Coutts Crossing Wajard Park	Construct playground area	\$ 70,000	\$ 9,800	\$ -	\$ 79,800	75%	\$ 59,850	1,045	\$ 57.27	C	before 2024
77.3	Coutts Crossing	Coutts Crossing Wajard Park	Playing surface upgrade	\$ 60,000	\$ 8,400	\$ -	\$ 68,400	75%	\$ 51,300	1,045	\$ 49.09	A	before 2016
78	Coutts Crossing	Pioneer Park	General Improvements	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	1,045	\$ 40.91	C	before 2024
79	Harwood	Harwood Oval	Support continued development as oval sports precinct. Priority improvement is shade and toilets/ change rooms.	\$ 72,000	\$ 10,080	\$ -	\$ 82,080	75%	\$ 61,560	1,045	\$ 58.91	C	before 2024
80	Lawrence	Lawrence Memorial Park	Upgrade toilet block	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	1,045	\$ 40.91	B	before 2020
80.1	Lawrence	Lawrence Memorial Park	Walking track improvements/extension	\$ 20,000	\$ 2,800	\$ -	\$ 22,800	75%	\$ 17,100	1,045	\$ 16.36	C	before 2024
80.2	Lawrence	Lawrence Memorial Park	Place shelters over existing picnic tables	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	1,045	\$ 24.55	C	before 2024
81	Lawrence	Lawrence Sportsman Creek	Upgrade existing picnic facilities	\$ 15,000	\$ 2,100	\$ -	\$ 17,100	75%	\$ 12,825	1,045	\$ 12.27	C	before 2024
82	Lawrence	Lawrence Sports Complex	Playing surface renovation	\$ 70,000	\$ 9,800	\$ -	\$ 79,800	75%	\$ 59,850	1,045	\$ 57.27	B	before 2020
82.1	Lawrence	Lawrence Sports Complex	New lighting	\$ 144,000	\$ 20,160	\$ -	\$ 164,160	75%	\$ 123,120	1,045	\$ 117.82	D	before 2028
82.2	Lawrence	Lawrence Sports Complex	New amenities	\$ 156,000	\$ 21,840	\$ -	\$ 177,840	75%	\$ 133,380	1,045	\$ 127.64	E	before 2032
83	Lawrence	Lawrence Wetland	Construct bird hide	\$ 50,000	\$ 7,000	\$ -	\$ 57,000	75%	\$ 42,750	1,045	\$ 40.91	C	before 2024
84	Minnie Water	Minnie Water Foreshore Reserve	Provide disabled access to toilets at Melaleuca Park	\$ 20,000	\$ 2,800	\$ -	\$ 22,800	75%	\$ 17,100	1,045	\$ 16.36	A	before 2016
84.1	Minnie Water	Minnie Water Foreshore Reserve	New BBQ Facilities	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	1,045	\$ 24.55	B	before 2020
84.2	Minnie Water	Minnie Water Foreshore Reserve	Upgrade tree of knowledge area	\$ 20,000	\$ 2,800	\$ -	\$ 22,800	75%	\$ 17,100	1,045	\$ 16.36	B	before 2020
85	Nymboida	Nymboida James Cartmill Park Reserve	Fence reserve and general improvements	\$ 10,000	\$ 1,400	\$ -	\$ 11,400	75%	\$ 8,550	1,045	\$ 8.18	B	before 2020
86	Tucabia	Tucabia Victoria Park	BBQ and shelter upgrade	\$ 40,000	\$ 5,600	\$ -	\$ 45,600	75%	\$ 34,200	1,045	\$ 32.73	A	before 2016
87	Wooli	Wooli Sports Ground	Move fence to road to enable sportfield to be used	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	1,045	\$ 24.55	A	before 2016
88	Wooli	Wooli South Terrace	New picnic shelter, BBQ on South Terrace	\$ 30,000	\$ 4,200	\$ -	\$ 34,200	75%	\$ 25,650	1,045	\$ 24.55	C	before 2024
89	Glenreagh	Shannon Park	Extend/upgrade amenities	\$ 80,000	\$ 11,200	\$ -	\$ 91,200	75%	\$ 68,400	1,045	\$ 65.45	B	before 2020
89.1	Glenreagh	Shannon Park	Additional BBQ	\$ 10,000	\$ 1,400	\$ -	\$ 11,400	75%	\$ 8,550	1,045	\$ 8.18	B	before 2020
<b>Total</b>				<b>\$ 1,737,000</b>	<b>\$ 243,180</b>	<b>\$ -</b>	<b>\$ 1,980,180</b>		<b>\$ 1,485,135</b>		<b>\$ 1,421</b>		

## Notes:

- 1 Contribution rate per person is the maximum section 94 contribution that could be levied by the Council on a per additional person basis. Council however has determined, on development affordability grounds, that contributions under this Plan are capped at \$3,100 per dwelling.

# JUNCTION HILL

- Locations to be confirmed**
- 1** Grafton Cycleways and Tracks
  - Grafton - implement
  - 8** Clarence River Way Project
  - 9** Grafton - Grafton Riverbank
  - 13** South Grafton - Implement Clarence River Way Project

# GRAFTON

# SOUTH GRAFTON

## LEGEND

-  Cadastral Boundary
- Managed Reserves (proposed)
-  Sportsground
-  Park



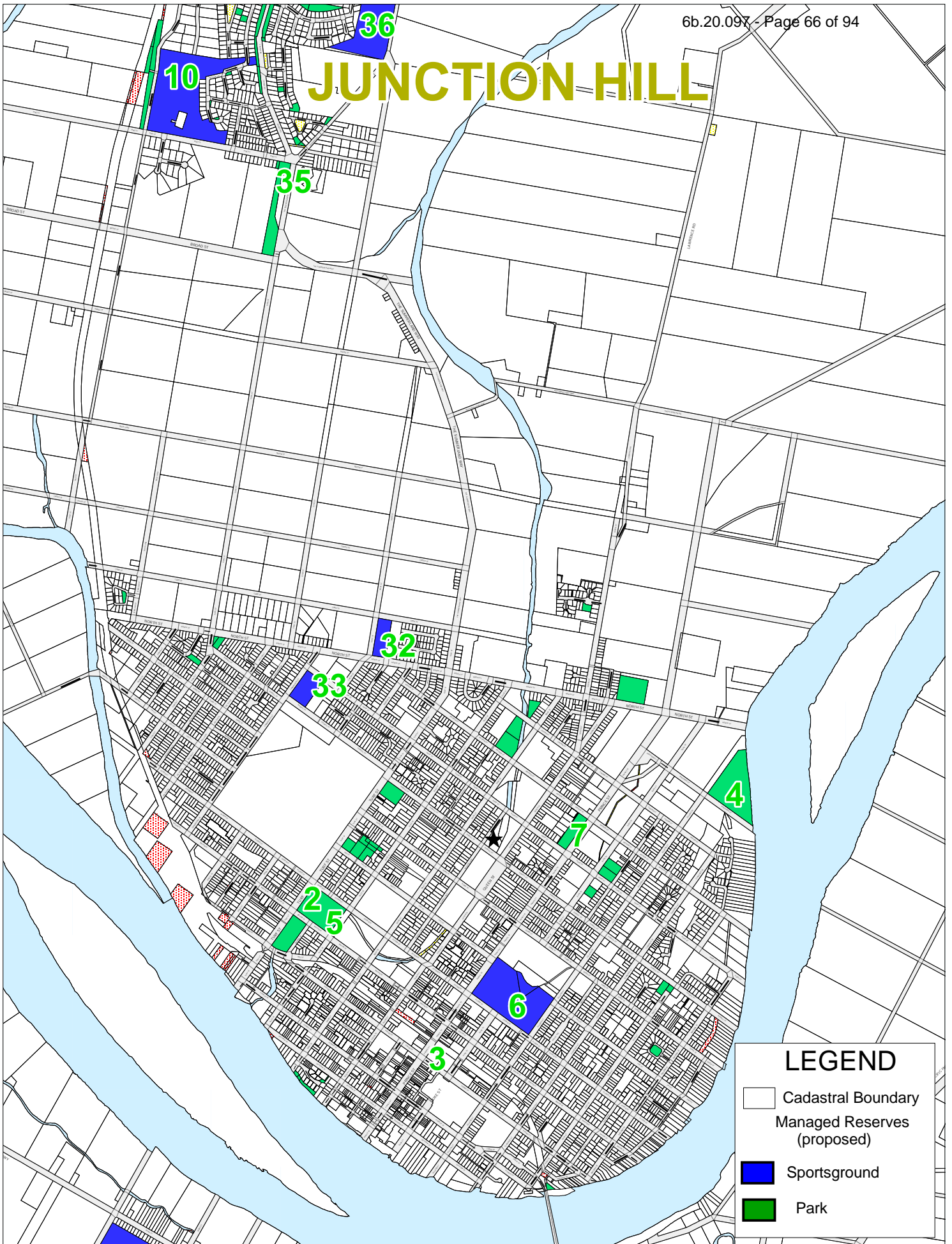
Clarence Valley Council

Open Space Recreation Facilities - Grafton Region

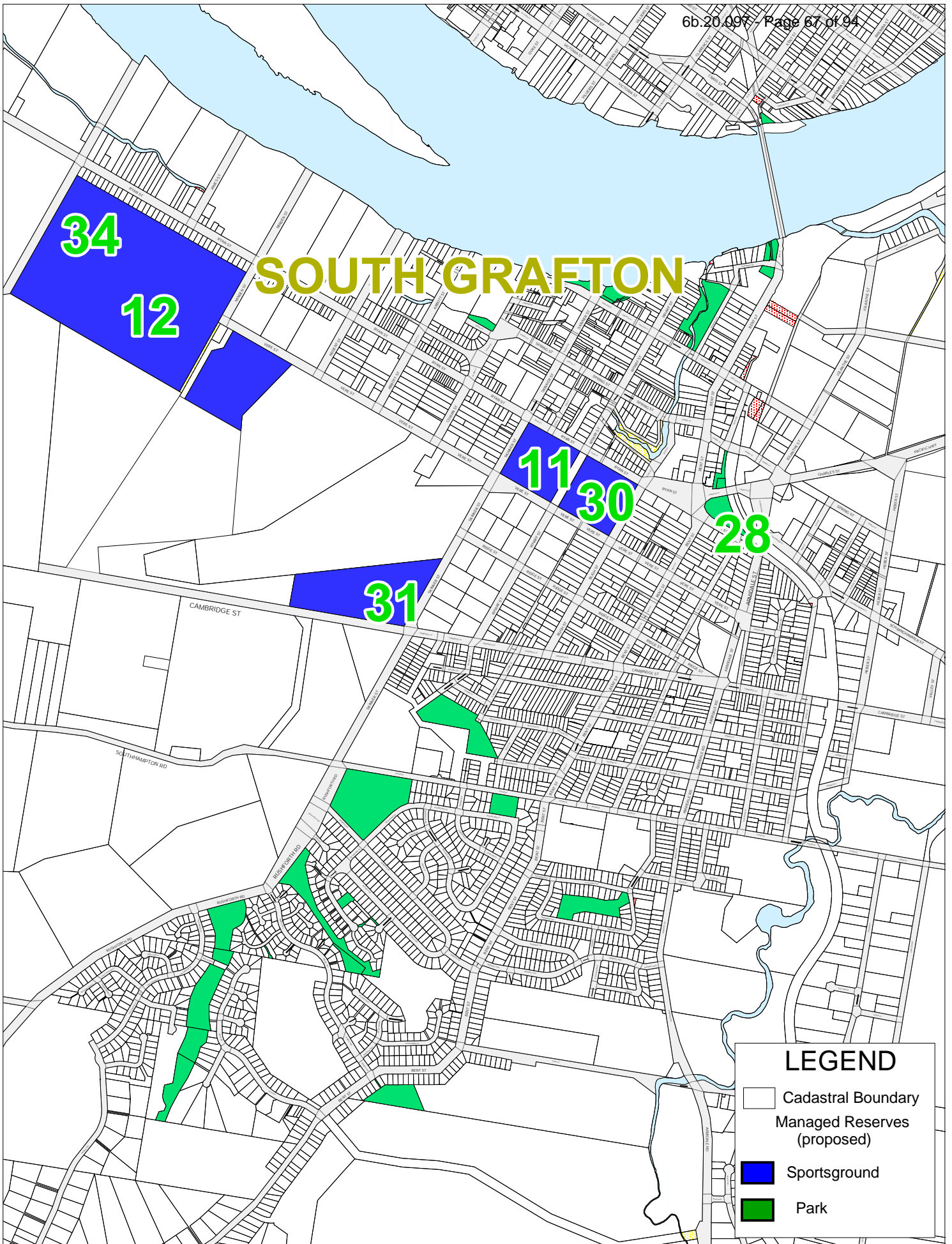
Contribution Plan 2011 Map 1







# JUNCTION HILL







### LEGEND

-  Cadastral Boundary
-  Managed Reserves (proposed)
-  Sportsground
-  Park



Clarence Valley Council  
 Open Space Recreation Facilities - South Grafton  
 Contribution Plan 2011 Map 3







**LEGEND**

- Cadastral Boundary
- Sportsground
- Park

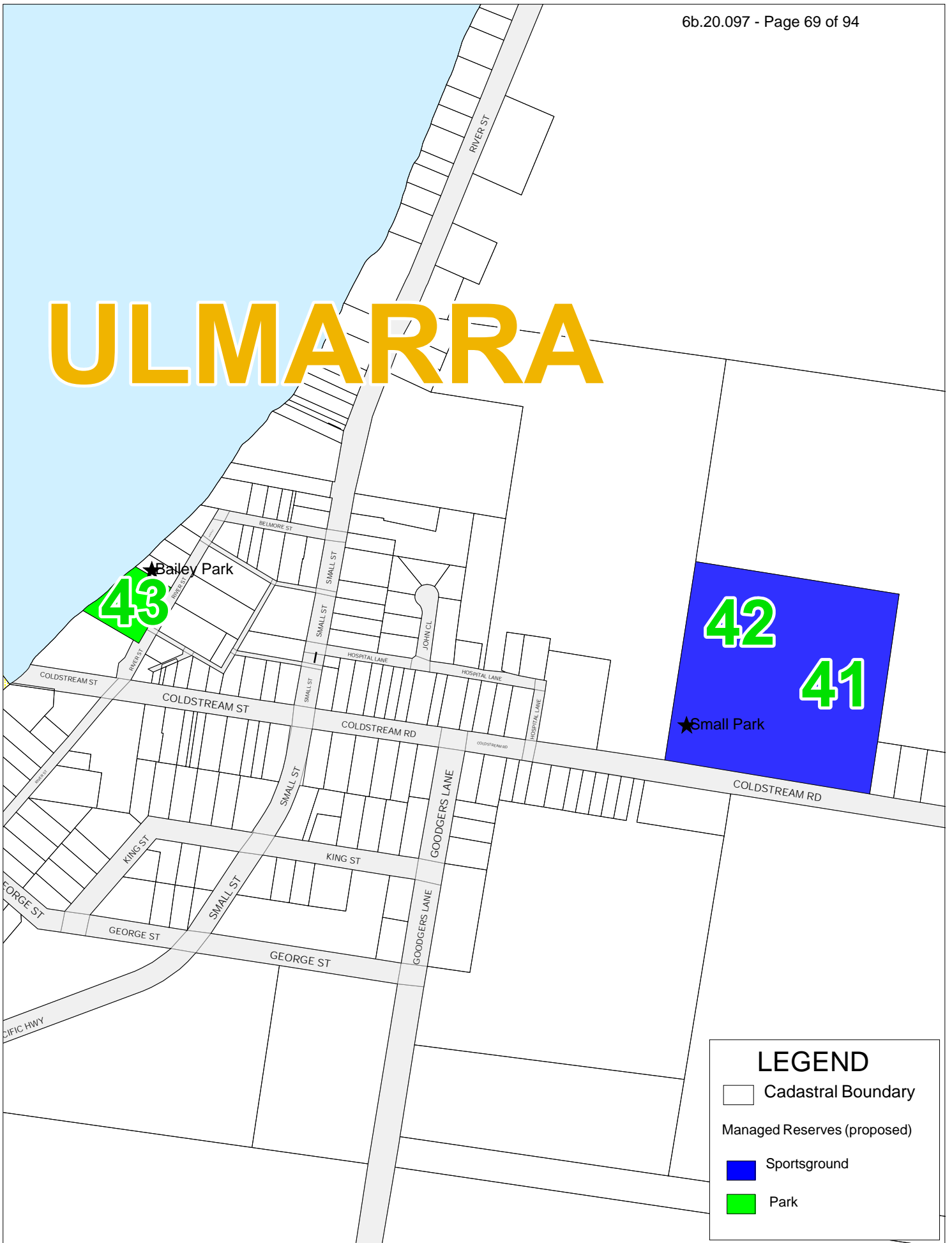
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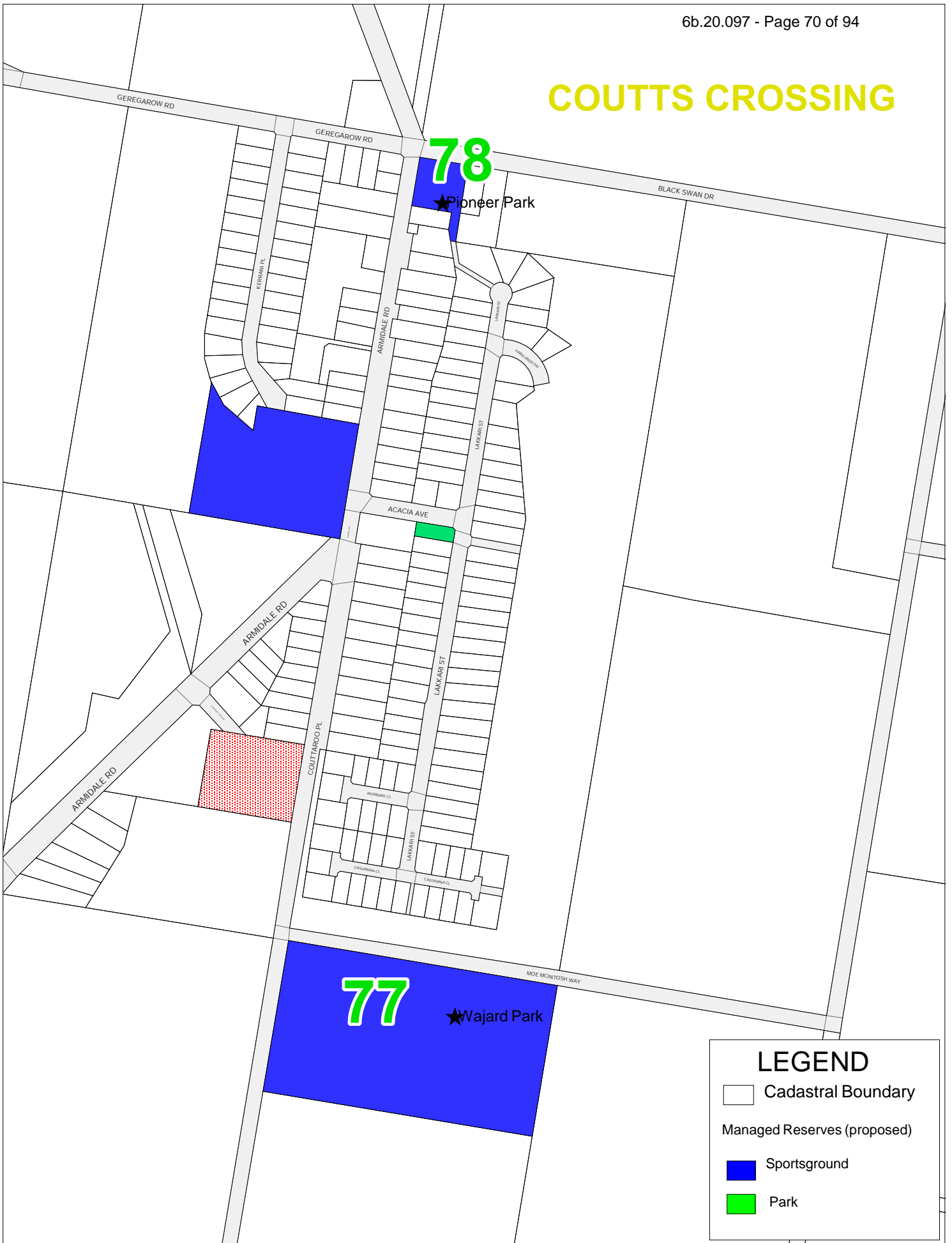
Clarence Valley Council  
Open Space Recreation Facilities - Seelands  
Contribution Plan 2011 Map 4



# ULMARRA



# COUTTS CROSSING

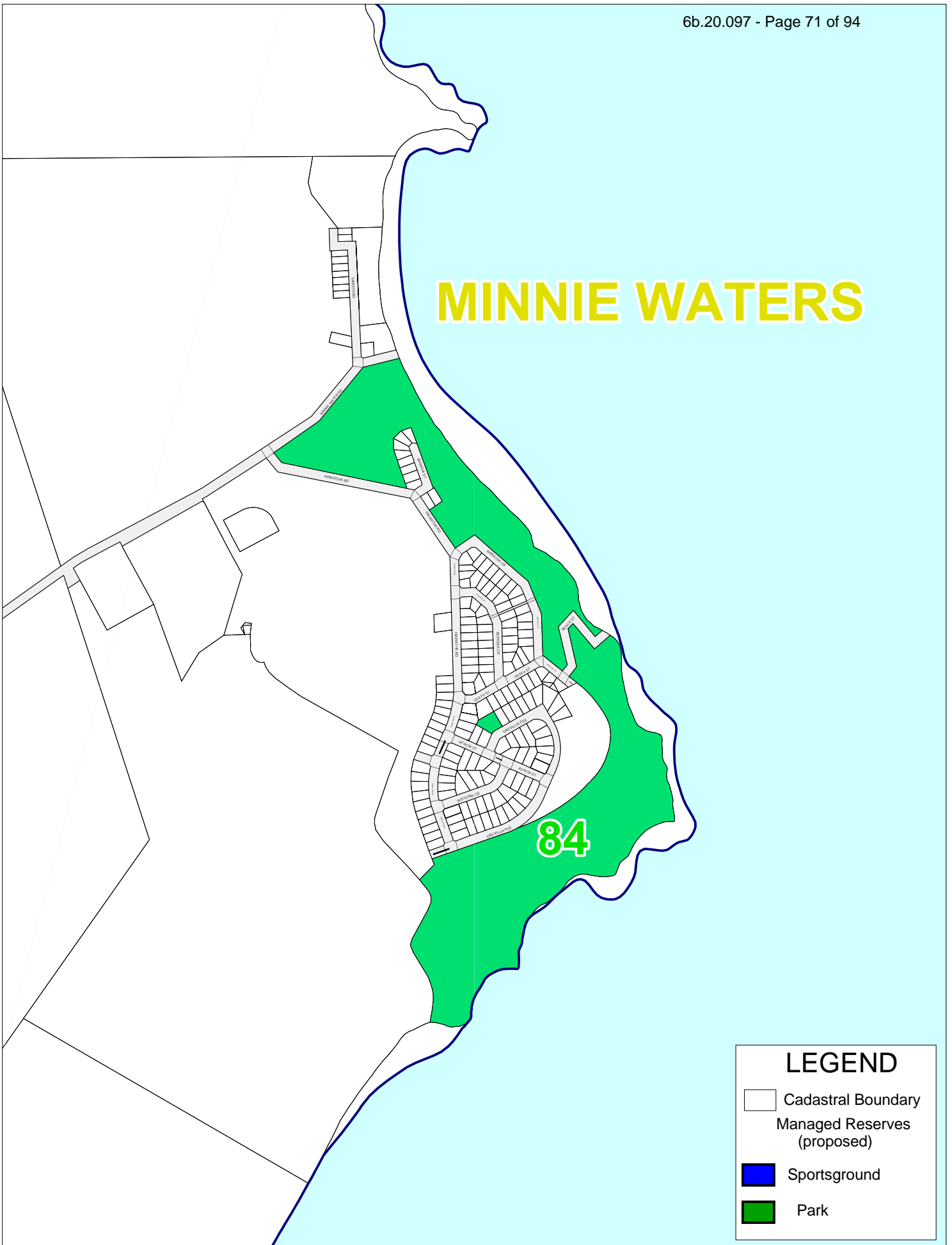


**LEGEND**

- Cadastral Boundary
- Managed Reserves (proposed)
- Sportsground
- Park



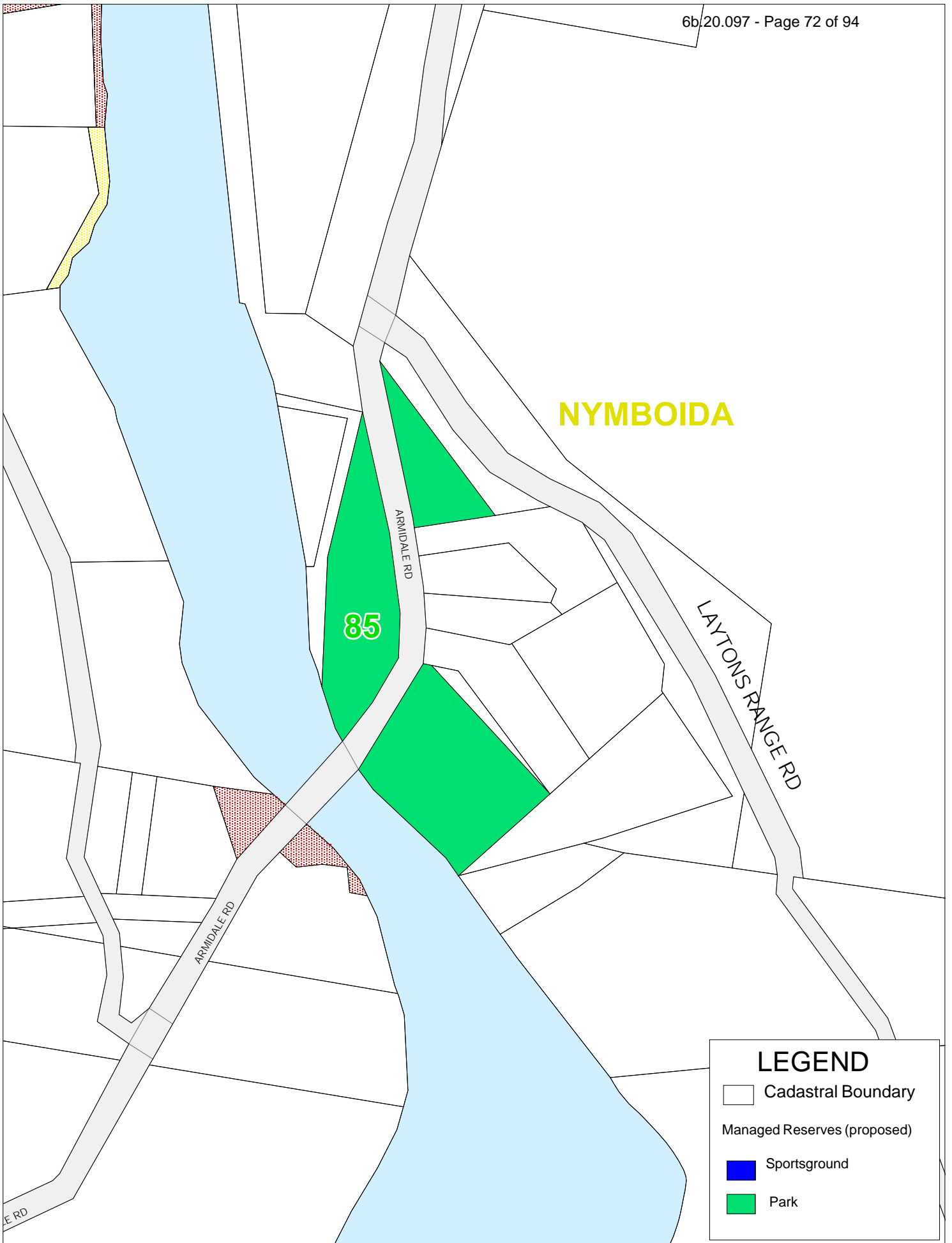
# MINNIE WATERS



**LEGEND**

- Cadastral Boundary
- Managed Reserves (proposed)
- Sportsground
- Park





### LEGEND

-  Cadastral Boundary
- Managed Reserves (proposed)
  -  Sportsground
  -  Park



# TUCABIA

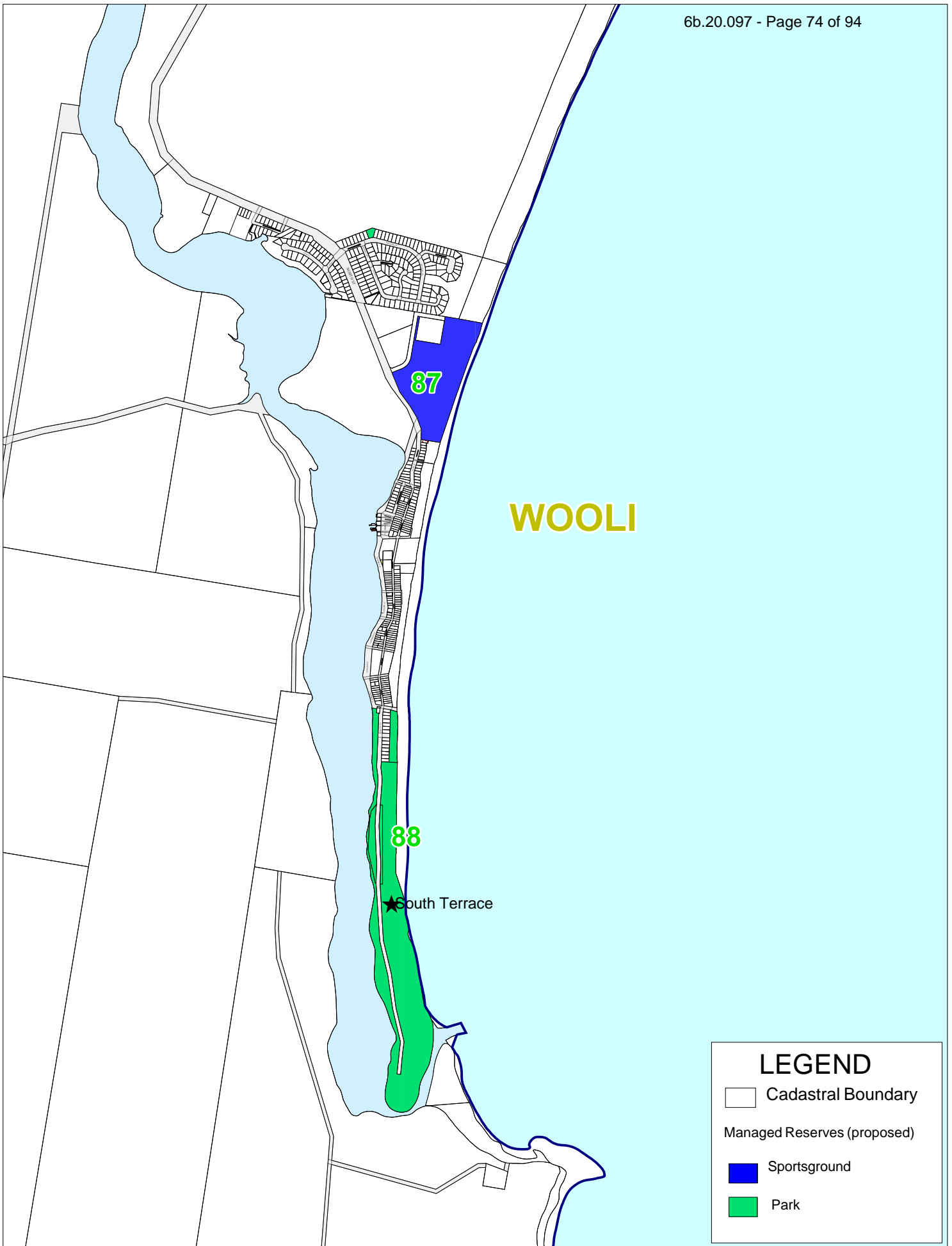
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★Victoria Park

**LEGEND**

- Cadastral Boundary
- Managed Reserves (proposed)
- Sportsground
- Park





WOOLI

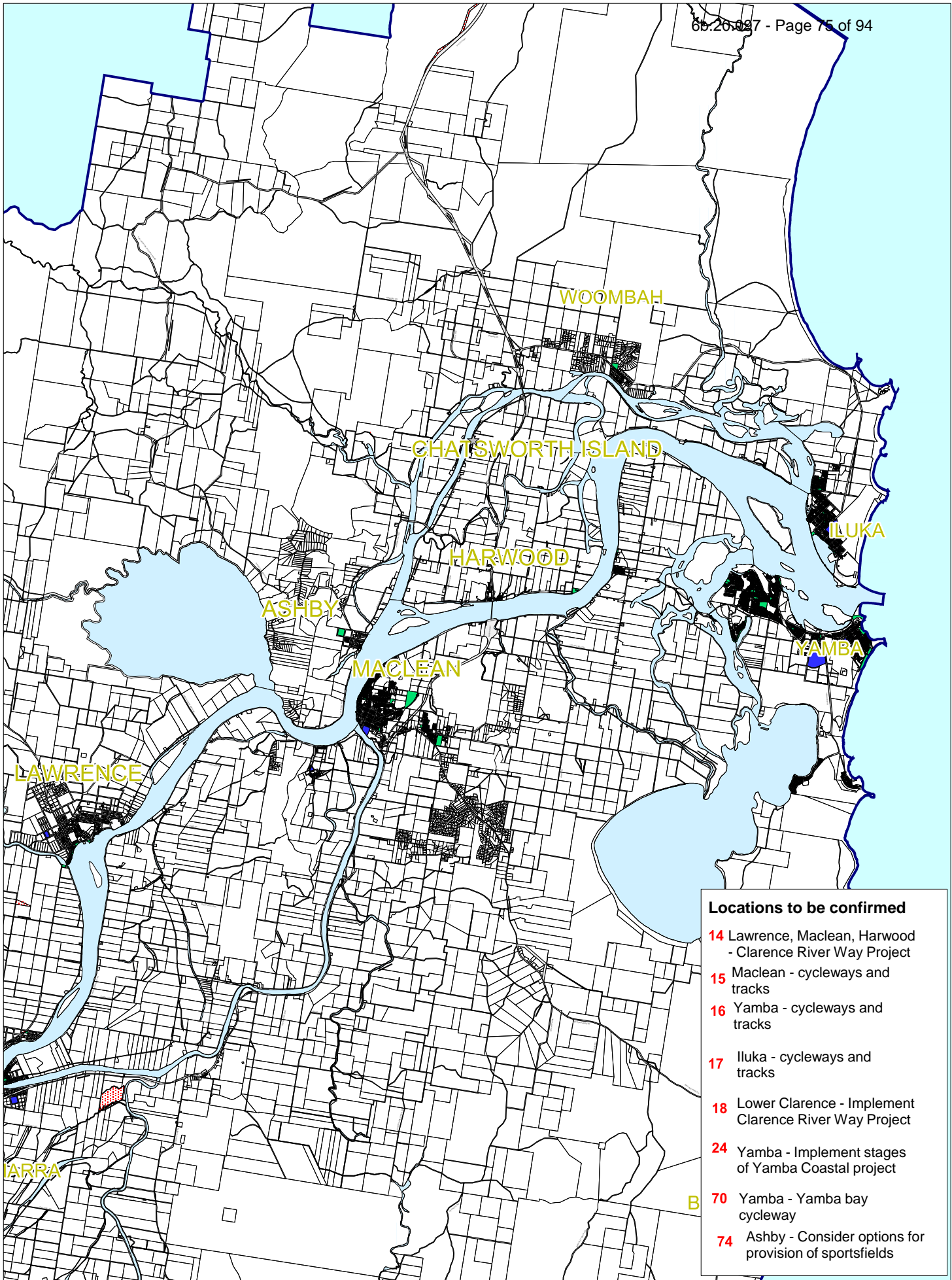
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88

★ South Terrace







# ASHBY

# 73

**LEGEND**

-  Cadastral Boundary
-  Managed Reserves (proposed)
-  Sportsground
-  Park

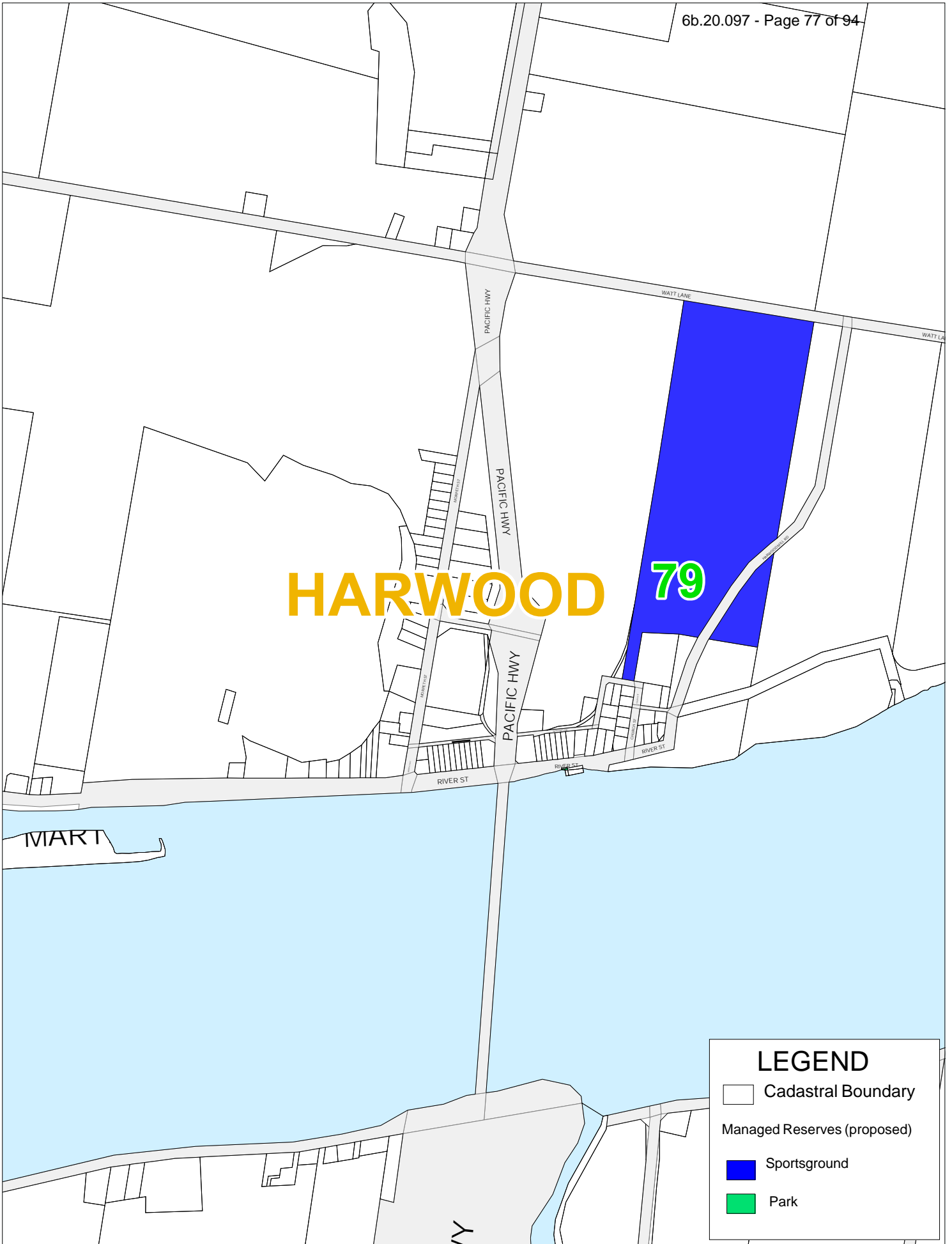


Clarence Valley Council  
 Open Space Recreation Facilities - ASHBY  
 Contribution Plan 2011 Map 12



# HARWOOD

79



WOOMBAH

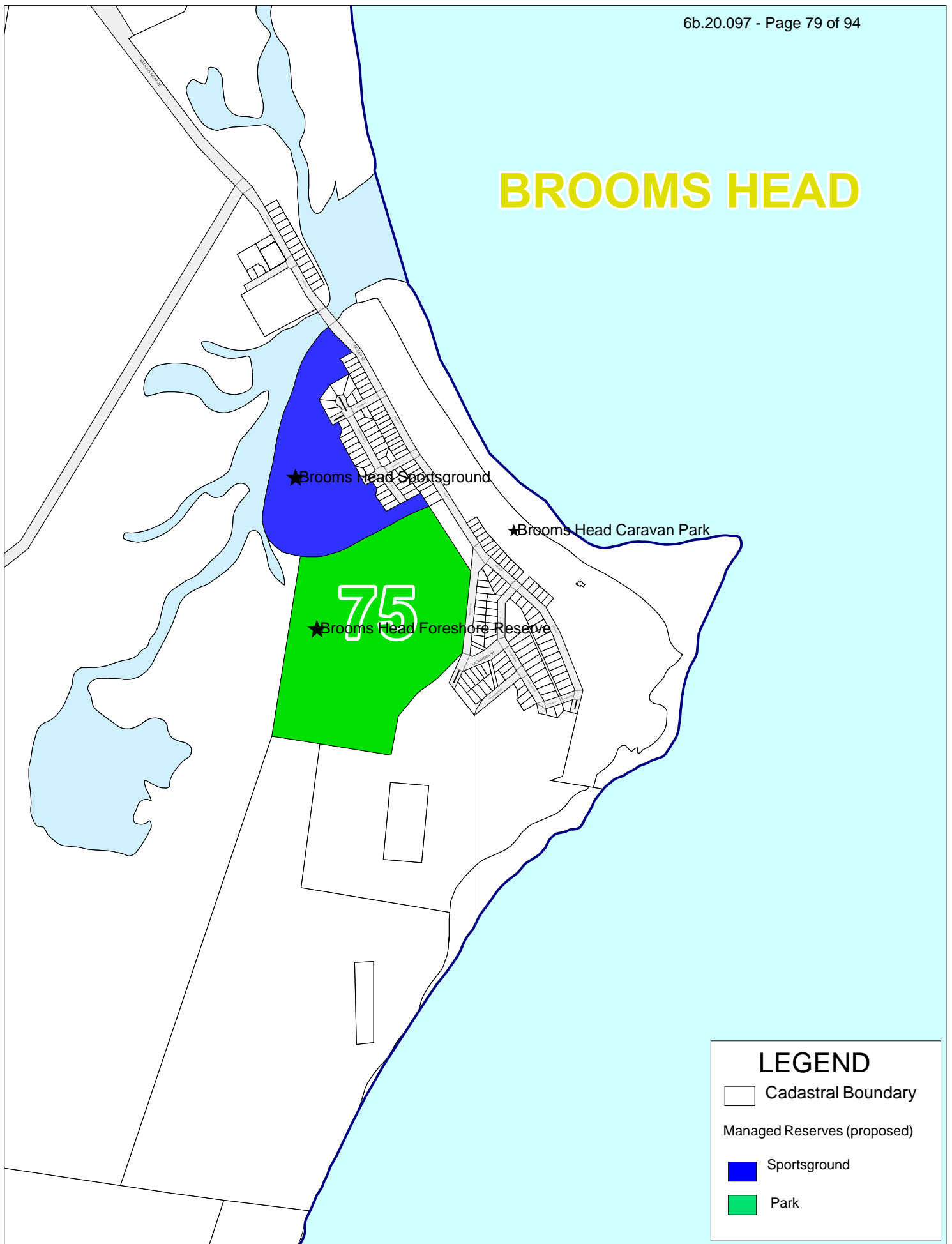
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**LEGEND**

-  Cadastral Boundary
-  Managed Reserves (proposed)
-  Sportsground
-  Park



# BROOMS HEAD



## LEGEND

-  Cadastral Boundary
-  Managed Reserves (proposed)
-  Sportsground
-  Park

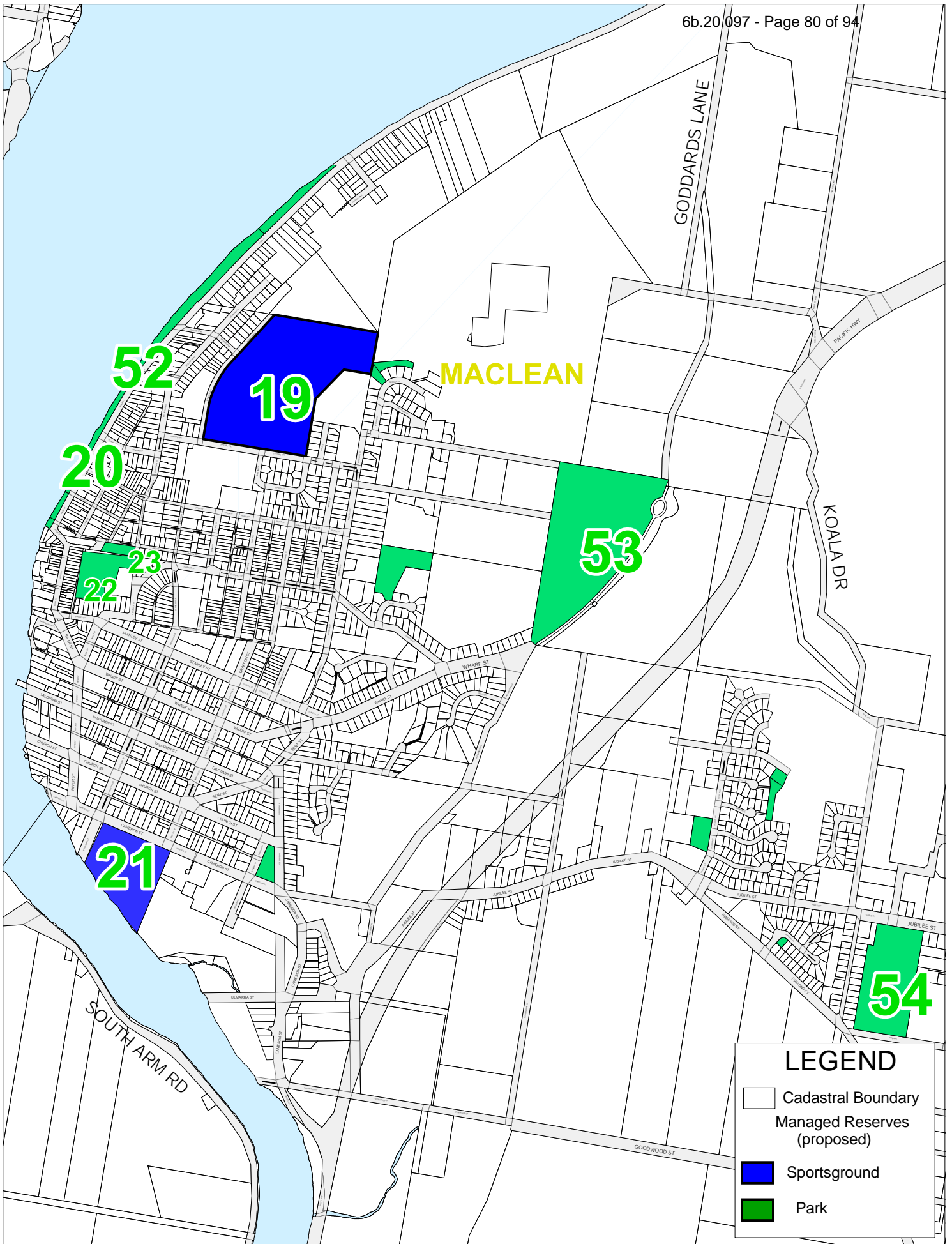


Clarence Valley Council





Open Space Recreation Facilities - Brooms Head  
Contribution Plan 2011 Map 15



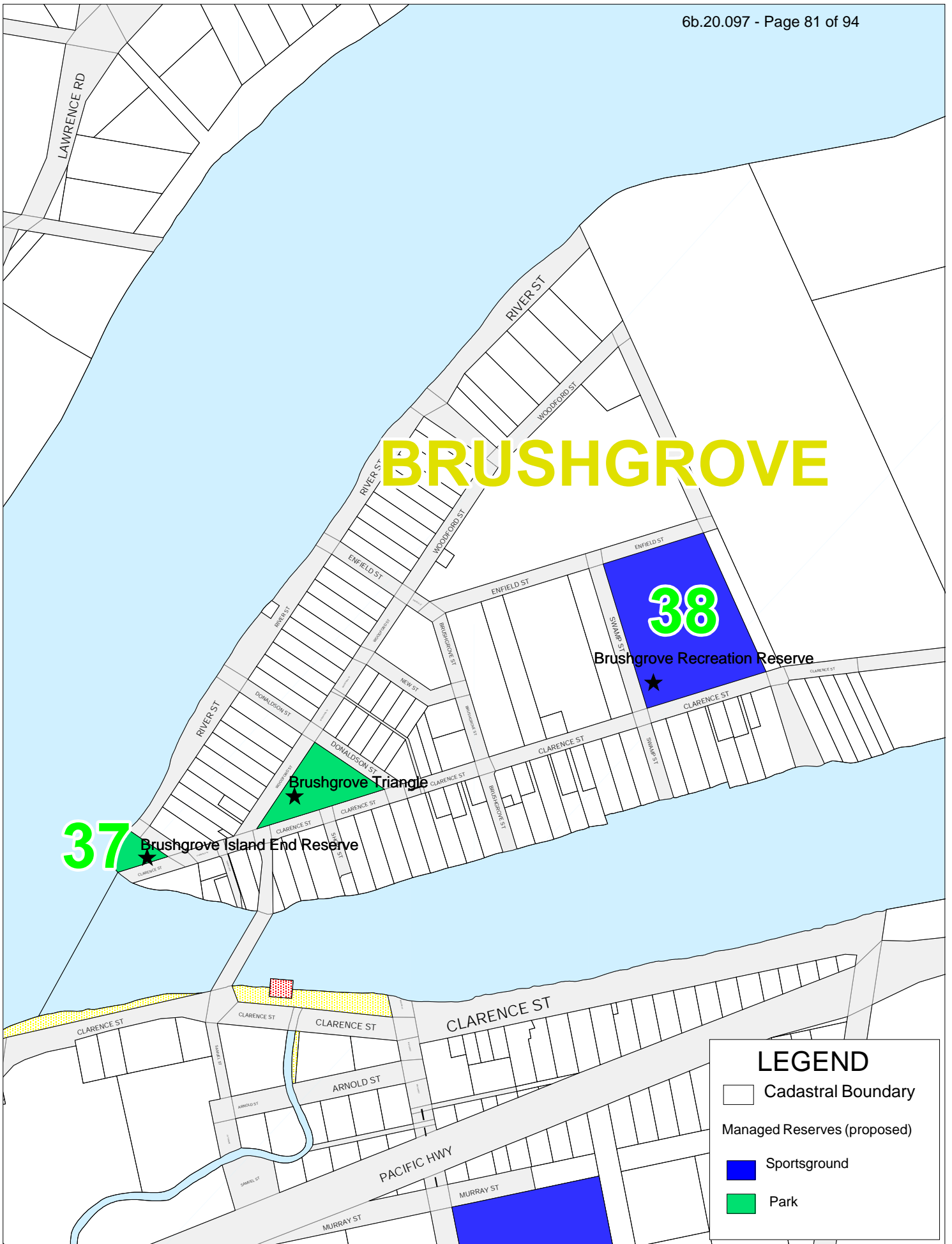




**LEGEND**

-  Cadastral Boundary
-  Managed Reserves (proposed)
-  Sportsground
-  Park



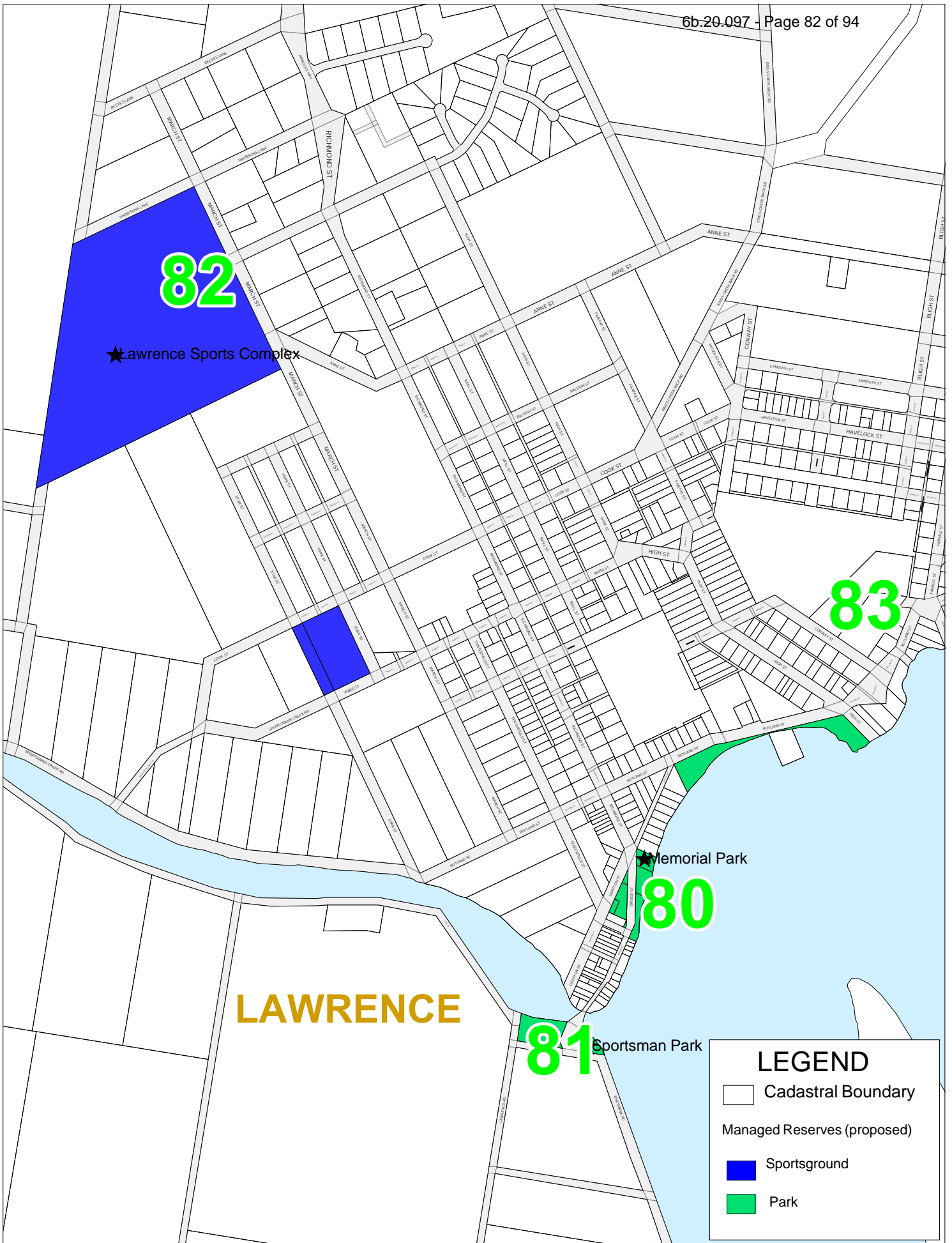


Clarence Valley Council

Open Space Recreation Facilities - Brushgrove  
Contribution Plan 2011 Map 17

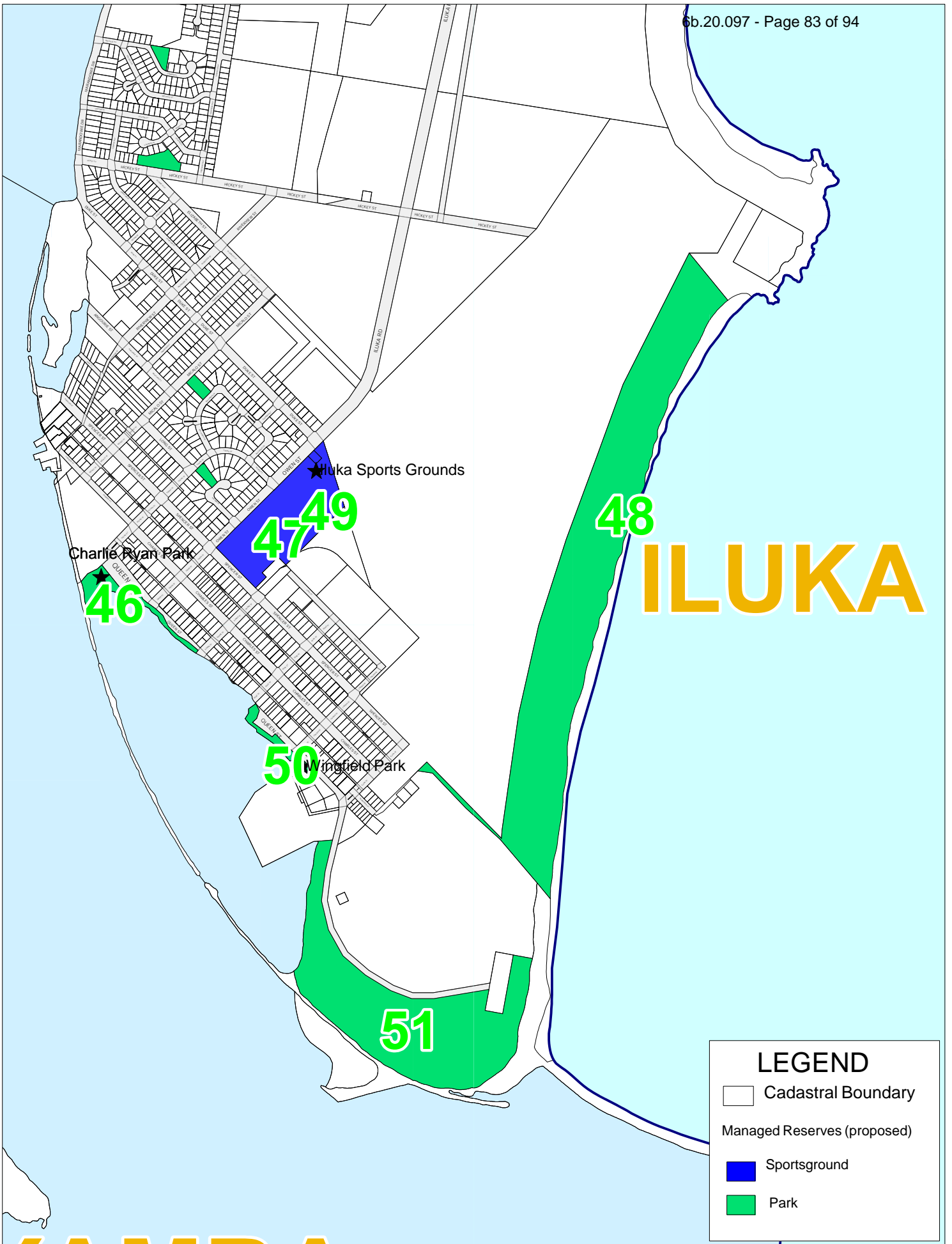










Clarence Valley Council  
 Open Space Recreation Facilities - Lawrence  
 Contribution Plan 2011 Map 18





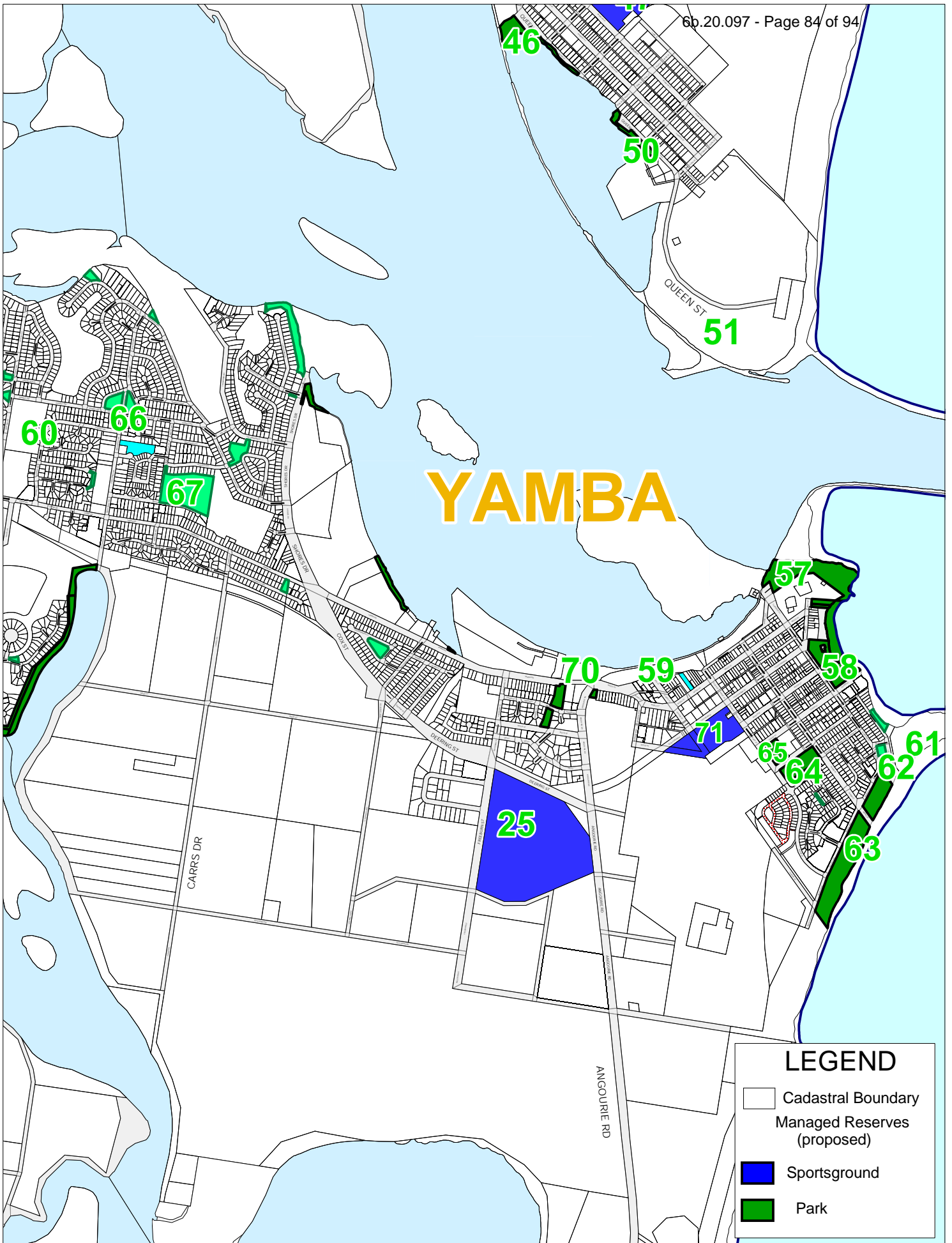
**LEGEND**

-  Cadastral Boundary
-  Managed Reserves (proposed)
-  Sportsground
-  Park







Clarence Valley Council  
 Open Space Recreation Facilities - Iluka  
 Contribution Plan 2011 Map 19

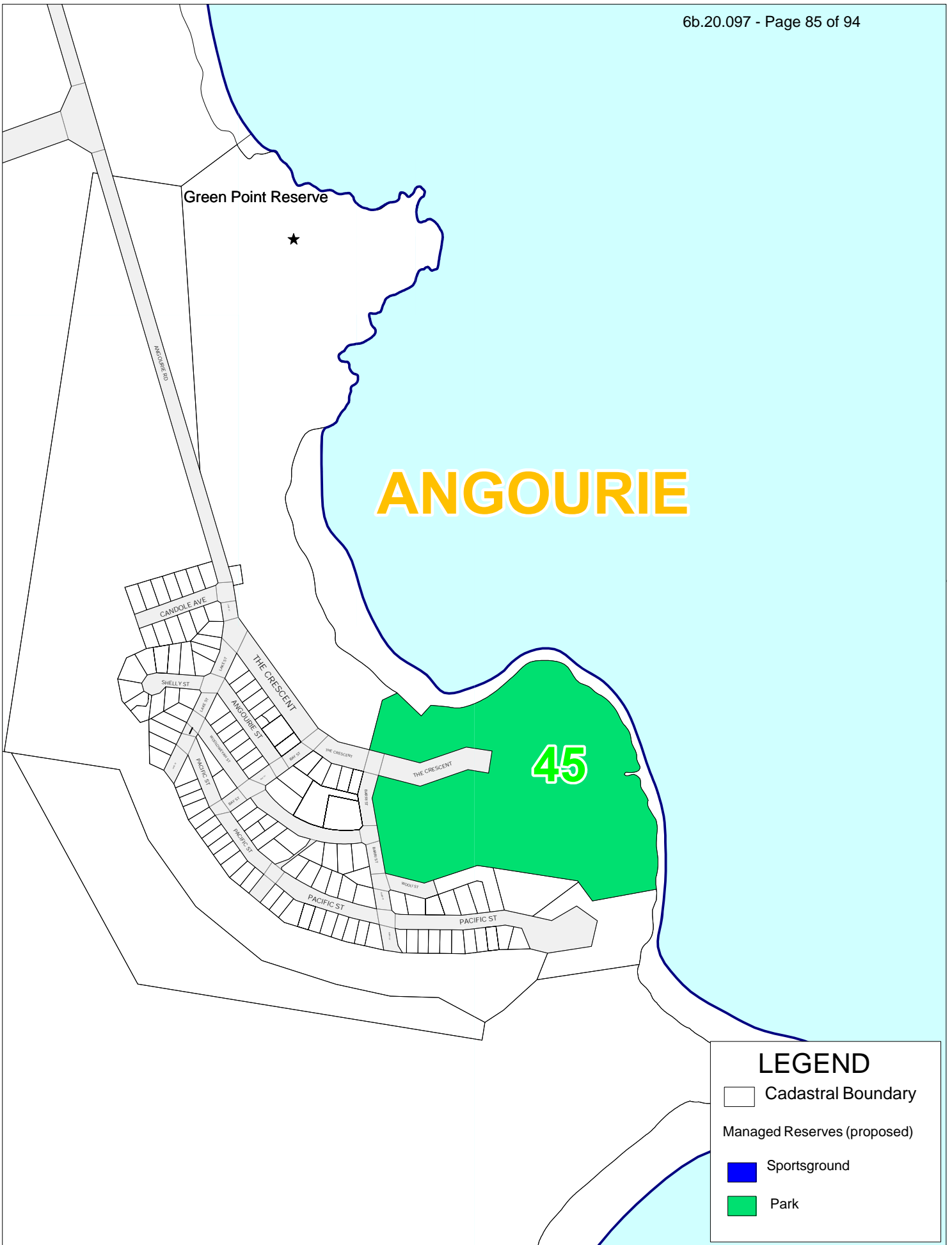




### LEGEND

-  Cadastral Boundary
-  Managed Reserves (proposed)
-  Sportsground
-  Park





# WOLOWEYAH

★Wooloweyah Foreshore Reserve

55

Honeyman Park

## LEGEND

-  Cadastral Boundary
-  Managed Reserves (proposed)
-  Sportsground
-  Park



Clarence Valley Council

Open Space Recreation Facilities - Wooloweyah  
Contribution Plan 2011 Map 22



## Attachment A

Local Infrastructure Service  
Catchments data

## Service Catchment Populations

## OPEN SPACE &amp; RECREATION SERVICE CATCHMENTS

Urban Residential Development Areas - R1, R2, R3 Zones								
Grafton and Surrounds	New Residents 2010 - 2021	New Residents 2021 - 2031	Coastal	New Residents 2010 - 2021	New Residents 2021 - 2031	Isolated Coastal and Rural	New Residents 2010 - 2021	New Residents 2021 - 2031
Clarenza	926	904	Angourie	0	0	Ashby	0	0
Coutts Crossing	86	84	Gulmarrad	865	844	Baryulgil	0	0
Grafton	494	0	Illarwill	12	12	Brooms Head	32	0
Junction Hill	1235	1205	Iluka	642	627	Brushgrove	25	12
South Grafton	741	795	Lawrence	371	362	Chatsworth	0	0
			Maclean	198	207	Copmanhurst	69	67
			Townsend	296	337	Dalmorton	0	0
			West Yamba	1235	1446	Diggers Camp	0	0
			Wooloweyah	12	12	Dundurrabin	0	0
			Yamba	247	241	Eatonsville	25	24
						Glenreagh	37	48
						Minnie Water	12	0
						Palmers Island	12	0
						Tucabia	12	12
						Ulmarra	25	24
						Wooli	37	36
<b>Total</b>	<b>3482</b>	<b>2988</b>	<b>Total</b>	<b>3878</b>	<b>4088</b>	<b>Total</b>	<b>286</b>	<b>223</b>
<b>TOTAL</b>	<b>6470</b>		<b>TOTAL</b>	<b>7966</b>		<b>TOTAL</b>	<b>509</b>	



## Service Catchment Populations

<b>R5 Growth Areas</b>								
<b>Grafton and Surrounds</b>	<b>New Residents 2010 - 2021</b>	<b>New Residents 2021 - 2031</b>	<b>Coastal</b>	<b>New Residents 2010 - 2021</b>	<b>New Residents 2021 - 2031</b>	<b>Isolated Coastal and Rural</b>	<b>New Residents 2010 - 2021</b>	<b>New Residents 2021 - 2031</b>
Clarenza	35	34	Gulmarrad	494	482	Ashby	62	60
Coutts Crossing	222	217	Illarwill	37	36	Elland	12	12
Grafton	1	1	James Creek	62	60	Glenreagh	49	48
Junction Hill	0	0	Lawrence	124	121	Mountainview	62	61
South Grafton	25	24	Woombah	309	301	Seelands	37	36
Waterview Heights	616	1108				Taloumbi	0	0
						Tyndale	25	24
						Woodford Island	24	24
<b>Total</b>	<b>899</b>	<b>1384</b>	<b>Total</b>	<b>1026</b>	<b>1000</b>	<b>Total</b>	<b>271</b>	<b>265</b>
<b>TOTAL</b>	<b>2283</b>		<b>TOTAL</b>	<b>2026</b>		<b>TOTAL</b>	<b>536</b>	

## Service Catchment Populations

## COMMUNITY FACILITIES SERVICE CATCHMENTS

Urban Residential Development Areas - R1, R2, R3 Zones					
Grafton and Surrounds	New Residents 2010 - 2021	New Residents 2021 - 2031	Maclean and Surrounds	New Residents 2010 - 2021	New Residents 2021 - 2031
Baryulgil	0	0	Angourie	0	0
Clarenza	926	904	Ashby	0	0
Copmanhurst	69	67	Brooms Head	32	0
Coutts Crossing	86	84	Brushgrove	25	12
Dalmorton	0	0	Chatsworth	0	0
Diggers Camp	0	0	Gulmarrad	865	844
Dundurrabin	0	0	Illarwill	12	12
Eatonville	25	24	Iluka	642	627
Glenreagh	37	48	Lawrence	371	362
Grafton	494	0	Maclean	198	207
Junction Hill	1235	1205	Palmer's Island	12	0
Minnie Water	12	0	Townsend	296	337
South Grafton	741	795	West Yamba	1235	1446
Tucabia	12	12	Wooloweyah	12	12
Ulmarra	25	24	Yamba	247	241
Wooli	37	36			
<b>Total</b>	<b>3699</b>	<b>3199</b>	<b>Total</b>	<b>3947</b>	<b>4100</b>
<b>TOTAL</b>	<b>6898</b>		<b>TOTAL</b>	<b>8047</b>	

R5 Growth Areas					
Grafton and Surrounds	New Residents 2010 - 2021	New Residents 2021 - 2031	Maclean and Surrounds	New Residents 2010 - 2021	New Residents 2021 - 2031
Clarenza	35	34	Ashby	62	60
Coutts Crossing	222	217	Gulmarrad	494	482
Elland	12	12	Illarwill	37	36
Glenreagh	49	48	James Creek	62	60
Grafton	1	1	Lawrence	124	121
Junction Hill	0	0	Taloumbi	0	0
Mountainview	62	61	Tyndale	25	24
Seelands	37	36	Woodford Island	24	24
South Grafton	25	24	Woombah	309	301
Waterview Heights	616	1108			
<b>Total</b>	<b>1059</b>	<b>1541</b>	<b>Total</b>	<b>1137</b>	<b>1108</b>
<b>TOTAL</b>	<b>2600</b>		<b>TOTAL</b>	<b>2245</b>	

**ORDINARY COUNCIL MEETING**

ITEM	6b.19.022	PROPOSED AMENDMENT TO CLARENCE VALLEY CONTRIBUTIONS PLAN 2011
<b>Meeting</b>	Environment, Planning & Community Committee	20 August 2019
<b>Directorate</b>	Environment, Planning & Community	
<b>Reviewed by</b>	A/Manager - Environment, Development & Strategic Planning (Kerry Harre)	
<b>Attachment</b>	Nil	

**SUMMARY**

The purpose of this report is to gain a Council resolution to amend the Clarence Valley Contributions Plan 2011 to:

1. Make provision for a section 7.11 (former section 94) contribution for manufactured home estates (MHE) and caravan park developments/conversions proposing long term caravan sites/moveable dwellings;
2. Update "old Act" references in the contributions plan to sections 94 and 94A to the correct references under the more recently amended and updated Environmental Planning and Assessment Act 1979.

**OFFICER RECOMMENDATION**

That Council:

1. Initiate an amendment to Clarence Valley Contributions Plan 2011 to:
  - (a) Make provision for a section 7.11 (former section 94) contribution for manufactured home estates and caravan park developments/conversions proposing long term caravan sites/moveable dwellings based on "assumed average household occupancy rate" of 1.5 persons per dwelling in a manufactured home in a manufactured home estate (MHE) or to proposed long term caravan sites/moveable dwellings in a caravan park; and
  - (b) Update "old Act" references in the contributions plan to sections 94 and 94A to the correct references under the more recently amended and updated Environmental Planning and Assessment Act 1979.
2. Authorise a draft amendment to Clarence Valley Contributions Plan 2011 being prepared and being publicly exhibited in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000.

**COMMITTEE RECOMMENDATION**

Novak/Simmons

That the Officer Recommendation be adopted.

Voting recorded as follows:

For: Baker, Clancy, Novak, Simmons

Against: Nil

**COUNCIL RESOLUTION – 6b.19.022**

Williamson/Baker

That Council:

1. **Initiate an amendment to Clarence Valley Contributions Plan 2011 to:**
  - (a) **Make provision for a section 7.11 (former section 94) contribution for manufactured home estates and caravan park developments/conversions proposing long term caravan**

sites/moveable dwellings based on “assumed average household occupancy rate” of 1.5 persons per dwelling in a manufactured home in a manufactured home estate (MHE) or to proposed long term caravan sites/moveable dwellings in a caravan park; and

- (b) Update “old Act” references in the contributions plan to sections 94 and 94A to the correct references under the more recently amended and updated Environmental Planning and Assessment Act 1979.

2. Authorise a draft amendment to Clarence Valley Contributions Plan 2011 being prepared and being publicly exhibited in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000.

Voting recorded as follows:

For: Simmons, Kingsley, Baker, Ellem, Clancy, Novak, Williamson, Lysaught, Toms

Against: Nil

## LINKAGE TO OUR COMMUNITY PLAN

Theme 2 Infrastructure

Objective 2.1 We will have communities that are well serviced with appropriate infrastructure

Strategy 2.1.3 Provide strategic asset management planning

## BACKGROUND

Manufactured home estates (MHE) are a form of development which appears to be on the rise not only on the North Coast but also in the Clarence Valley to some extent. For instance, Council has recently granted development consent to a DA (DA2018/0373) for a 200 site MHE at Carrs Drive, Yamba.

Further, Council recently had a DMU meeting for a 220 plus site MHE proposal on land within the Gulmarrad Urban Land Release Area.

MHE developments are largely of a residential nature and are a form of residential development that are not effectively captured by Clarence Valley Contributions Plan 2011 (CVCP 2011) other than via the section 7.12 (former section 94A) levy.

There is also emerging interest in converting caravan parks or existing caravan park short term sites in to long term sites including proposals to redevelop such sites as dwelling sites with moveable dwellings. This could be possibly as an alternative to undertaking an MHE development under SEPP 36.

## KEY ISSUES

### Current gap in Council’s current contributions plan – certain development types

The principal issue is the apparent gap in Council’s current contributions plan whereby Council is unable to impose a section 7.11 (former s.94) contribution upon an MHE development or a caravan park development/conversion proposing long term caravan sites/moveable dwellings at the same rate as it can for the various forms of residential accommodation development. This is simply due to the definition of *residential accommodation* which means a building or place used predominantly as a place of residence, and includes any of the following:

- (a) attached dwellings
- (b) boarding houses
- (c) dual occupancies
- (d) dwelling houses
- (e) group homes
- (f) hostels
- (g) multi dwelling housing

- (h) residential flat buildings
- (i) rural workers' dwellings
- (j) secondary dwellings
- (k) semi-detached dwellings
- (l) seniors housing
- (m) shop top housing

but does not include tourist and visitor accommodation or caravan parks.

At best, Council is only able to apply a fixed development consent s.7.12 levy (former s.94A levy) to an MHE development or a caravan park development/conversion proposing long term caravan sites/moveable dwellings under CVCP 2011.

By virtue of the aims of State Environmental Planning Policy No. 36 - Manufactured Home Estates (SEPP 36) MHE's are *"....a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements...."*

It is considered reasonable to apply an "assumed average household occupancy rate" of 1.5 persons per dwelling to a manufactured home in an MHE or to proposed long term caravan site/moveable dwelling in a caravan park. This is the same assumed average household occupancy rate that is applied to a "self-contained seniors' housing dwelling" and this is considered to be fair and reasonable in the circumstances. This is particularly so given that the MHE development in DA2018/0373 was for the purposes of calculating headwork charges assessed as follows:

- Water 0.6 ET per 2 bedroom dwelling and 0.8 ET per 3 bedroom unit
- Sewer 0.75 ET per 2 bedroom dwelling and 1.0 ET per 3 bedroom unit

It should be noted that 1.5 persons per dwelling equates to approximately 0.6 of an ET/lot/dwelling house.

Below is a comparison of the contributions (s.7.12/s.94A levy versus s.7.11/s.94 contribution) for the recently approved 200 site MHE development at Carrs Drive, Yamba (DA2018/0373), if CVCP 2011 had made provision for the s.7.11/s.94 contribution rate being recommended by this report.

Comparison of the s.7.12/s.94A levy versus s.7.11/s.94 contribution for the 200 site MHE development at Carrs Drive, Yamba (DA2018/0373)	
s.7.12/s.94A levy (\$)	s.7.11/s.94 contribution
\$127,250	\$452,290
<i>Note - calculation based on 1% of stated value of development (\$12,725,000)</i>	<i>Note - calculation based on 200 MHE "dwellings" x \$2,261.45 current rate for 1.5 persons per dwelling being the "assumed average household occupancy rate" recommended by this report.</i>

#### Updating of EP&A Act references in the CVCP 2011

The Environmental Planning and Assessment Act 1979 (EP&A Act) was significantly updated and amended commencing in March 2018. This included a complete renumbering of Act sections. The opportunity should now be taken to update the Act references in CVCP 2011. For instance:

Old Act references	Amended Act references
Section 94 - Contribution towards provision or improvement of amenities or services	Section 7.11 - Contribution towards provision or improvement of amenities or services
Section 94A - Fixed development consent levies	Section 7.12 - Fixed development consent levies
Section 94E - Directions by Minister	Section 7.17 - Directions by Minister

**COUNCIL IMPLICATIONS****Budget/Financial**

The Planning Proposal has been prepared and is being managed utilising existing in-house resources requiring no additional budget allocation at this stage. An amendment to the CVCP 2011 as recommended will collect an increased contribution amount from MHE developments and caravan park developments/conversions proposing long term caravan sites/moveable dwellings.

**Asset Management**

An amendment to the CVCP 2011 as recommended should enable the better long term asset management of Council's open space areas/facilities and community facilities through the provision of greater funding via development contributions.

**Policy or Regulation**

- Environmental Planning and Assessment Act 1979 (EP&A Act)
- State Environmental Planning Policy No. 36 - Manufactured Home Estates (SEPP 36)
- Clarence Valley Contributions Plan 2011

**Consultation**

There has been no formal consultation at this stage. Once a draft amendment to CVCP 2011 has been prepared it will be placed on public exhibition for a minimum of 28 days as required by Schedule 1 of the Act.

**Legal and Risk Management**

N/A

**Climate Change**

N/A

Prepared by	Terry Dwyer, Strategic Planning Coordinator
Attachment	Nil

**Draft Plan of  
Management**  
**Ngayundi Yamba  
Sports Complex**  
**December 2020**

▪  
▪



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# EXECUTIVE SUMMARY

Ngayundi Yamba Sports Complex is Crown land, being Reserve 98072 for Public Recreation, managed by Council as the Crown land manager.

The purpose of this plan of management is to establish objectives, environmental and management strategies, actions and the means that will be employed in the management of the reserve to meet the needs and expectations of the local and wider community. It also aims to allow the use and maintenance of sporting facilities on the reserve in accordance the management plan.

Facilities on the reserve include the Yamba Community Heated Pool, fields for individual and team sports including triathlon, soccer (football), touch football, rugby league, cricket, junior AFL, croquet, seating, signage, fencing, clubhouse for soccer & touch football, former rugby league kiosk (adjacent to the soccer/touch clubhouse), multi-purpose building incorporating a spectator's stand, change rooms and kiosk car parks (has recently been completed adjacent to the rugby league field), tennis courts, tennis court shelter, three shelters located at the former, shipping container, lighting, access road, footpaths, drainage and fencing.

Raymond Laurie Sports Centre, constructed in 2009, is situated on Lot 1 DP 1161058 within the reserve and is a multi-use indoor sports facility that has regular sports training and competition including basketball, netball, table tennis, indoor soccer, gymnasium, dancing and other activities.

The recently constructed Rugby League multi-use facility was officially opened in February 2020.

In addition to sportsground, the reserve has been categorised as natural area and bushland because corridors and remnant patches of vegetation identified on the reserve contribute to connectivity between the Yuraygir National Park, Wooloweyah foreshore and the Estuary Nature Reserve that are important to retention of native fauna and vegetation including threatened species that occur in the area.

Remnant bushland, a community natural asset, will increase in value as native vegetation to the west of the reserve is progressively lost through subdivision development.

Native vegetation on the reserve includes bushland adjacent to the drain between the Yamba Community Heated Pool and Raymond Laurie Sports Centre, a narrow corridor adjacent to the western boundary, a small patch adjacent to the north west of the rugby league stadium and the northern boundary adjoining the Deering Street road reserve and the Yamba Flora Reserve on the southern boundary.

Ngayundi Yamba Sports Complex is the largest multi-use sports facility in the Lower Clarence and is an important recreational asset to the community.

# 1.0 INTRODUCTION

## 1.1 Overview

This Plan of Management (PoM) has been prepared in consultation with the community to provide a framework and clear direction for ongoing development and management of the Ngayundi Yamba Sports Complex Reserve and facilities to provide active and passive recreation opportunities for the health and well-being of the community.

It is a statutory document that aims to satisfy the requirements of the *Crown Land Management Act 2016* and *Local Government Act 1993*.

## 1.2 Need for this Plan of Management

The management of Crown reserves changed with the enactment of the remaining provisions of the *Crown Land Management Act 2016* (CLM Act) on the 1 July 2018. Under the CLM Act, Council as a Crown land manager of dedicated or reserved Crown land now:

- a). must manage the land as if it were community land under the *Local Government Act 1993*, and
- b). has for that purpose all the functions that a local council has under that Act in relation to community land (including in relation to the leasing and licensing of community land).

The *Local Government Act 1993* (LG Act) requires all land classified as community land to be managed and used in accordance with an adopted PoM for the land.

Consequently, the purpose of this PoM is to:

- Ensure compliance with the CLM Act, LG Act and other relevant legislation and planning instruments such as the *Environmental Planning and Assessment Act 1979* and *Clarence Valley Council LEP 2011*;
- Provide direction in the development, use and management of land and facilities on the reserve; and
- Contribute to the Council's broader strategic goals and vision as set out in the community strategic plan - *The Clarence 2027*.

## 1.2.1 Previous plan of management

The existing *Yamba Sporting Complex Plan of Management* was prepared by the former Maclean Shire Council's Strategic Planning Department and adopted by the Minister assisting the Minister for Natural Resources (Lands) on the 29th September 2003 under s.114 of the *Crown Lands Act 1989* (repealed).

This PoM builds on the intent and management framework of the existing plan and has been developed in consultation with the current user groups to provide a framework and clear direction for the ongoing development and management of the sports complex to provide active and passive recreation and organised sporting opportunities for the health and well-being of the community.

This PoM will supersede the *Yamba Sporting Complex Plan of Management* prepared under the provisions of the repealed *Crown Lands Act 1989* on its adoption by Council.

## 1.3 Land Description

The Ngayundi Yamba Sports Complex reserve is Crown land set aside as Reserve 98072 for the public purpose of Public Recreation on the 14<sup>th</sup> February 1986<sup>1</sup> (NSW Govt Gaz, #60, p2563).

The Sports Complex is located on Angourie Road, Yamba, south of Deering Street, adjoining Yamba Flora Reserve to the south, with general industrial and residential land on the western boundary (Figure 1.1). It is situated on Lot 2 DP1161058 and encompasses an area of approximately 25.97ha.



**Figure 1.1: Ngayundi Yamba Sports Complex location**

<sup>1</sup> Due to a typographical error in the NSW Government Gazette, Reserve R74594 for Future Public Requirements, notified 16 November 1951 also technically still exists over the area that is now R98072 for Public Recreation. An erratum published in the Gazette is required to rectify this error.

The Raymond Laurie Sports Centre is a multi-purpose building that caters for a range of indoor sports and activities including social and cultural events and ancillary health. It is situated on its own Lot and DP (ie. Lot 1 DP 1161058) within the larger sports complex area (Lot 2 DP 1161058) (Figure 1.2).



**Figure 1.2: The Raymond Laurie Sports Centre location**

### 1.3.1 Land history

The current reserve was gazetted in 1986; however the area bounded by Quarterdeck Place, Deering Street and Angourie Road was established in 1890 as an area of Crown land set aside for public recreation.

Table 1.1 provides an abbreviated history of the status of the land to meet the requirements of State and Local Government agencies and the community for areas of open space.

**Table 1.1: History of Land Status Action for the Ngayundi Yamba Sports Complex**

Action	Notes and Reference
Reserve R12886 for Public Recreation	Notified 8 November 1890 under s101 of the <i>Crown Lands Act 1884</i> , NSW Govt Gaz Issue 631, p8713 (revoked 16 October 1912)
Reserve R48222 for Public Recreation	Notified 16 October 1912 under s101 of the <i>Crown Lands Act 1884</i> , NSW Govt Gaz, Issue 147, p6285 (revoked 18 August 1915)
Reserve R50896 for Public Recreation and Racecourse	Notified 18 August 1915 under s28 of the <i>Crown Lands Consolidation Act 1913</i> , NSW Govt Gaz, Issue 149, p4922 (revoked 7 April 1922)
Reserve R55264 for Racecourse	Notified 7 April 1922 under s28 and s29 of the <i>Crown Lands Consolidation Act 1913</i> , NSW Govt Gaz, Issue 59, p2184 (revoked 16 November 1951)
Reserve R74594 for Future Public Requirements	Notified 16 November 1951 under s28 of the <i>Crown Lands Consolidation Act 1913</i> , NSW Govt Gaz, Issue 203, p3391
Reserve R98072 for Public Recreation	Notified 14 February 1986 under s28 of the <i>Crown Lands Consolidation Act 1913</i> , NSW Govt Gaz, Issue 29, p730
Appointment of the Council of the Shire of Maclean as trustee of R98072	Notified 14 February 1986 under s37P of the <i>Crown Lands Consolidation Act 1913</i> , NSW Govt Gaz, Issue 29, p726

## 1.4 Owner of the Land

The Ngayundi Yamba Sports Complex reserve is Crown land owned by the State of New South Wales and managed by Council as the Crown land manager for the benefit of the people of New South Wales and visitors.

### 1.4.1 Landowner conditions

The land is a reserve within the meaning of Part 2 of the CLM Act and there are restrictions on transfer and other dealings in the land under that Act, which may require consent of the Minister.

The reserve is to be managed in accordance with its notified purpose of public recreation and the provisions of Part 3 of the CLM Act and Part 2 of the LG Act.

Under the Act the Minister may also make rules (Crown land management rules) for or with respect to the use and management of dedicated or reserved Crown land by Crown land managers. If an inconsistency arises between these rules and this PoM, the Crown land management rules prevail to the extent of the inconsistency.

In addition, the Department of Planning, Industry and Environment's Crown Lands Division (Crown Lands) on behalf of the State has authority under the CLM Act to directly lease or licence the use of the land either with or without Council's concurrence. Where Crown Lands have directly issued a tenure to a third party for the use of land included in this PoM, this PoM is void to the extent where that use is inconsistent or would not be permitted under this PoM.



## 1.4.2 Native title

The Ngayundi Yamba Sports Complex is within the traditional lands of the Yaegl people. Native title continues to exist in all Crown land unless determined otherwise. In the *Yaegl People #2 v Attorney-General of New South Wales* native title determination the Federal Court has determined that native title has been extinguished on the land (Schedule 5, Area ID 542 & 543 respectively).

The land is therefore deemed 'excluded land' for the purposes of *Part 8 Native title rights and interests* of the *Crown Land Management Act 2016*.

Council however, understands and acknowledges that the Yaegl people continue to hold strong cultural attachment to the land. Consequently, Council will continue to liaise and work with the Yaegl Traditional Owners Aboriginal Corporation RNTBC (Yaegl TOAC) prior to and during any redevelopment works on the reserve to ensure their rights and interests are taken into account.

## 2.0 BASIS FOR MANAGEMENT

### 2.1 Management of the Reserve

Under the LG Act, councils are required to develop and implement plans of management for all community land adopted by each Council. Each plan needs to identify:

- the category of land
- the objectives and performance targets of the plan
- the means by which Council proposes to achieve the plan's objectives and targets; and
- the manner in which Council proposes to assess its performance.

In addition, the CLM Act authorises local councils appointed to manage dedicated or reserved Crown land (council managers) to manage that land as if it were public land under the LG Act. Generally, council managers will manage Crown land under their control as if it were community land under Part 2 of the LG Act.

#### 2.1.1 *Local Government Act 1993* restrictions regarding community land

Under the LG Act, community land:

- cannot be sold; or
- cannot be leased, licenced or have any other estate granted over the land for more than 30 years (ministerial consent required for periods over 21 years); or
- alienated for private purposes; and
- must have a plan of management prepared for it.

In addition, Council may only grant a lease, licence or other estate over community land if:

- the plan of management expressly authorises the lease, etc; and
- the purpose of the lease etc is consistent with the core objectives for the category assigned to the land (s.46(2)); and
- the lease etc is for a purpose listed in section 46(1)(b)<sup>2</sup> of the Act.

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<sup>2</sup> A plan of management is void to the extent that it purports to authorise the grant of a lease, licence or other estate in contravention of this section.

## 2.1.2 *Crown Land Management Act 2016* restrictions regarding ‘community’ Crown land

Under the CLM Act, a council manager of community Crown land cannot:

- (a) sell or dispose of the land in any other way unless the Minister gives written consent for it, or
- (b) classify the land as operational land under the LG Act unless the Minister gives written consent for it, or
- (c) do any other thing under the LG Act that would involve a contravention of a provision of this Act that applies to council managers, or
- (d) do anything that contravenes:
  - (i) any limitations or other restrictions specified by the provisions of the manager’s appointment instrument, or
  - (ii) the regulations, or
  - (iii) any applicable Crown land management rules, or
  - (iv) any applicable plan of management under Division 3.6 (if there is no requirement for a plan of management under the LG Act).

## 2.2 Categorisation under the *Local Government Act 1993*

In general, it is the purpose of the PoM to categorise the land to which the plan applies. The category(s) assigned sets the core management objectives for the land. Council may apply more specific management objectives to community land, but these must be compatible with the core objectives for the land.

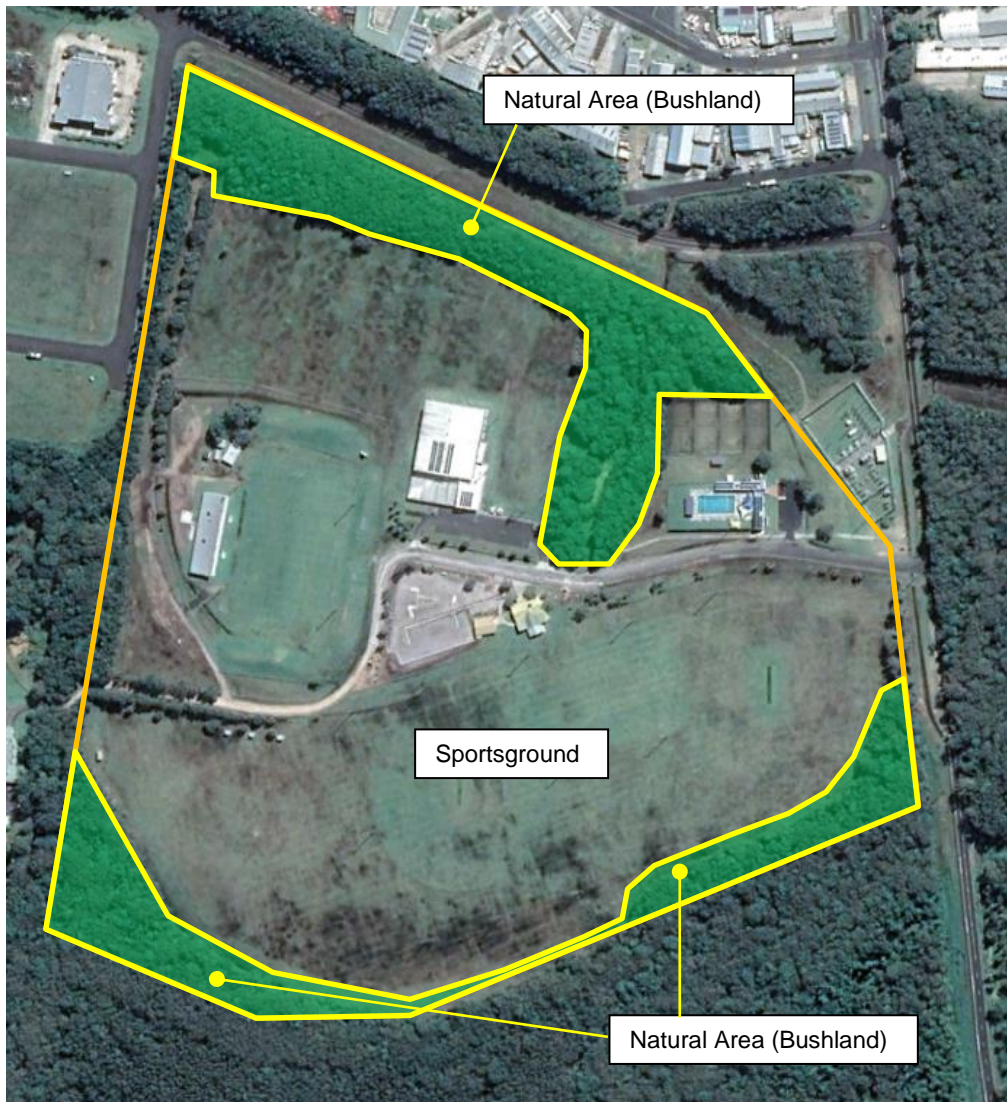
In the case of the first PoM for community Crown land under the LG Act, the Minister responsible for Crown Lands assigns the category(s) by which the reserve has to be managed under the Act. Consequently, the Minister (via his delegate) has assigned the category **Sportsground** for the entire Ngayundi Yamba Sports Complex Reserve under the LG Act.

This PoM proposes to amend the Sportsground category and add the category of **Natural Area** to the remnant native vegetation to the north and south of the sportsgrounds, and along the drainage line which require specific management objectives and actions to ensure their protection and maintain connectivity with the adjoining flora reserve and the wider landscape, while facilitating sustainable use of the land.

Land categorised as Natural Area is required to be further categorised under s 36(5) of the LG Act. The **Bushland** sub-category is in accordance with cl. 107 of the *Local Government (General) Regulation 2005*.

The category of **Sportsground** will subsequently only apply to the land containing open space areas, sports fields and recreational facilities and infrastructure including the Raymond Laurie Sports Centre.

The location of the proposed LG Act management categories assigned to the Ngayundi Yamba Sports Complex are depicted in the following diagram (Figure 2.1).



**Figure 2.1: LG Act management categories assigned to the Ngayundi Yamba Sports Complex area under this PoM**

A map outlining the category boundaries proposed for the Ngayundi Yamba Sports Complex is also provided at **Appendix 1**.

The core objectives for management of Ngayundi Yamba Sports Complex as Sportsground and Natural Area – Bushland are detailed at Section 8 of this PoM.

## 2.2 Community Consultation

Community consultation and community input is important to ensure that a PoM meets the needs of the community, the ability of Council to undertake implementation and the support of the community in managing the reserve.

In developing this draft PoM, Council held on site and telephone consultation with representatives from the:

- Yaegl TOAC
- AFL North Coast
- Clarence Coast Magpies Junior Rugby League Club
- CRU3A Croquet Club
- Lower Clarence Cricket Association
- Lower Clarence Magpies Rugby League Club
- Lower Clarence Tennis
- Raymond Laurie Sports Centre
- Yamba Breakers Football Club (soccer)
- Yamba Community Heated Pool
- Yamba Dog Sports
- Yamba Netball
- Yamba Touch Association; and
- Yamba Triathlon Group.

The key issues raised during consultation with these user groups include:

- The need for ability to use other user group areas when not being used by that user group
- The need for additional pool infrastructure and upgrading of pool heating system required
- The need for better sports field drainage to rectify sodden fields and water pooling
- Drainage issues at rear of rugby league stadium make it difficult for emergency vehicle access and parking
- The need for all-weather outdoor netball courts for training and competitions

- The need for appropriate off-leash fenced area for dogs (eg. general, training, competitions)
- The need for appropriate storage facilities for multiple / different sports/user groups
- The need for traffic calming devices along internal access road to reduce traffic speed
- The need for refurbishment of soccer field toilet/shower and facilities are required to accommodate women players
- The need for tennis fencing upgrade to aged/ rusted sections and better court maintenance required
- The need to upgrade sports field lighting to solar LED to improve effectiveness and reduce running costs.
- The need for replacement of synthetic cricket wicket on number 2 field and gabba surface upgrade
- The need for lighting and fencing infrastructure to facilitate AFL use of fields in 2021
- Raymond Laurie Sports Centre
  - Design issues affect functionality and user comfort and humidity control required
  - The need for all weather vehicle access to rear and western access doors
  - The need for a roofed deck area adjacent to café (with server to café/kiosk and door to centre) to provide for outdoor seating and space for spectators over netball courts

The community consultation process will also include a public hearing to enable comment on the alteration of the reserve management categories in accordance with s.40A of the LG Act. This draft PoM will also be placed on public exhibition for a minimum period of 28 days in accordance with requirements of the LG Act to allow a broader cross-section of the community to have input if they wish to do so. Council must then maintain a submission period of not less than 42 days after the date on which the draft plan is placed on exhibition. Issues raised during the public exhibition period, relevant to ongoing management and use of the reserve will be added to the final PoM for consideration of adoption by Council.

## 3.0 LEGISLATIVE FRAMEWORK

This section describes the legislative and policy framework applying to the land covered by this PoM.

### 3.1 *Local Government Act 1993*

The LG Act requires all Council-owned land to be classified as either 'community' or 'operational'. Community land is defined as land that must be kept for the use of the general community, and must not be sold. In contrast, operational land would ordinarily comprise land held as a temporary asset or as an investment, land which facilitates the carrying out by a council of its functions or land which may not be open to the general public, such as a works depot or a council garage.

Importantly, community land must be managed in accordance with the provisions of the LG Act and the *Local Government (General) Regulation 2005* (Table 3.1).



**Table 3.1: Requirements of the *Local Government Act 1993* for land classified as community**

Requirement of the <i>Local Government Act 1993</i>	Relevant Section(s)
Community land must be used and managed in accordance with: <ul style="list-style-type: none"> <li>▪ The PoM applying to the land</li> <li>▪ Any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land</li> <li>▪ The provisions of Division 2, Part 2 of Chapter 6 of the Act</li> </ul>	s35
The PoM must:	
<ul style="list-style-type: none"> <li>▪ Identify the category(s) to be applied to the land in consideration to the guidelines for categorising the land</li> </ul>	s36[3][a]; s36[4] & s36[5] & cl.102-111 LG(G) Regs
<ul style="list-style-type: none"> <li>▪ Specify the core objectives and performance targets for management of the land; the means by which Council proposes to achieve the plan's objectives and performance targets; and the manner in which its achieved the plan's objectives and performance targets is measured.</li> </ul>	s36[3][b], [c] & [d]
<ul style="list-style-type: none"> <li>▪ Include a description of the condition of the land, and of any buildings or other improvements on the land; and the use of the land and any such buildings or improvements as at the date of adoption of the Plan.</li> </ul>	s36[3A][a]
<ul style="list-style-type: none"> <li>▪ Specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used and for which any further development of the land will be permitted, whether under lease or licence or otherwise, and describe the scale and intensity of any such permitted use or development.</li> </ul>	s36[3A][b]; s46; s46A; s47; s47A & s68
Where the land is not owned by the council, the PoM must also identify the owner of the land, and must state whether the land is subject to any trust, estate, interest, dedication, condition, restriction or covenant, and whether the use or management of the land is subject to any condition or restriction imposed by the owner	s37
Council must give public notice and exhibit the draft PoM for 28 days and allow at least 42 days for the making of submissions.	s38
Any amendments to a draft PoM must be publicly exhibited in the same way, until the Council can adopt the draft PoM without further amendment.	s40

## 3.2 *Crown Land Management Act 2016*

The *Crown Land Management Act 2016* (CLM Act) authorises local councils appointed to manage dedicated or reserved Crown land (Council managers) to manage that land as if it were public land under the *Local Government Act 1993* (LG Act). Section 3.23(6) of the Act requires council managers to adopt a PoM for any Crown reserve that is classified as 'community land' under the LG Act. These POMs must be prepared and adopted in accordance with the provisions of Division 2 of Part 2 of Chapter 6 of the LG Act.

In addition, the CLM Act requires council managers to take into account the objects and principles of the Act when preparing a PoM for a Crown reserve. The objects of the Act are:

- (a) to provide for the ownership, use and management of the Crown land of New South Wales, and
- (b) to provide clarity concerning the law applicable to Crown land, and
- (c) to require environmental, social, cultural heritage and economic considerations to be taken into account in decision-making about Crown land, and
- (d) to provide for the consistent, efficient, fair and transparent management of Crown land for the benefit of the people of New South Wales, and
- (e) to facilitate the use of Crown land by the Aboriginal people of New South Wales because of the spiritual, social, cultural and economic importance of land to Aboriginal people and, where appropriate, to enable the co-management of dedicated or reserved Crown land, and
- (f) to provide for the management of Crown land having regard to the principles of Crown land management (s1.3 CLM Act).

The principles of Crown land management are:

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land, and
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible, and
- (c) that public use and enjoyment of appropriate Crown land be encouraged, and
- (d) that, where appropriate, multiple use of Crown land be encouraged, and
- (e) that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- (f) that Crown land be occupied, used, sold, leased, licenced or otherwise dealt with in the best interests of the State consistent with the above principles (s1.4 CLM Act).

The CLM Act also makes it a legal requirement for councils to employ or engage at least one native title manager to ensure its dealings with the land comply with any applicable provisions of the native title legislation. A council cannot do any of the following in regards to Crown land under its control unless it has first obtained the written advice of at least one of its native title managers that it complies with any applicable provisions of the native title legislation:

- (a) grant leases, licences, permits, forestry rights, easements or rights of way over the land,
- (b) mortgage the land or allow it to be mortgaged,

- (c) impose, require or agree to covenants, conditions or other restrictions on use (or remove or release, or agree to remove or release, covenants, conditions or other restrictions on use) in connection with dealings involving the land,
- (d) approve (or submit for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in paragraph (a), (b) or (c) (s8.7 CLM Act).

## 3.3 Zoning and Planning Controls

### 3.3.1 *Environmental Planning and Assessment Act 1979*

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the principle legislation regulating land use in NSW. Part 4 of the EP&A Act outlines the factors that must be considered when a development application is assessed.

The EP&A Act includes other provisions including that a public authority may become the determining authority for development (activity) that is permissible without consent under Part 5 of the Act.

The purpose of Part 5 of the Act is to ensure public authorities fully consider environmental issues before they undertake or approve activities that do not require development consent. As such, it has commonly been used to assess activities such as roads, railways, dredging and construction of facilities on public land, which do not require consent. If these activities are judged by the relevant public authority to significantly affect the environment, then an environmental impact statement will need to be prepared and considered by this authority.

### 3.3.2 **State Environmental Planning Policies (SEPPs)**

State Environmental Planning Policies address issues of State significance across the state.

#### **Infrastructure SEPP 2007**

Under the Infrastructure SEPP 2007 certain types of development do not require consent under Part 4 of the EP&A Act. It includes provisions for exempt development and for development without consent on parks and other public reserves.

Under Division 12, Clause 65(2)(d) of the SEPP, development can be carried out without consent by a Crown land manager of the land if the development is for purposes of implementing a plan of management adopted for the land under the LG Act. However, a review of environmental factors (REF) under Part 5 of the EP&A Act is still required.

Clause 66 provides and sets out exemptions for certain works within parks and other public reserves undertaken by a public authority.

### 3.3.3 Clarence Valley Local Environmental Plan 2011

The *Clarence Valley Local Environmental Plan 2011* (CVLEP) is a statutory document prepared under the EP&A Act. It controls development at a local level and sets out through land use zoning, how land is to be used. Each zone has objectives and specifies if developments are permitted with consent, without consent or prohibited. All land, whether privately owned, leased, or publicly owned is subject to the controls set out in the CVLEP.

#### CVLEP Land Zoning

The Ngayundi Yamba Sports Complex Reserve and Raymond Laurie Sports Centre are zoned **RE1 Public Recreation** under CVLEP (Figure 3.1).

The objectives of the RE1 Public Recreation zone are:

- 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.

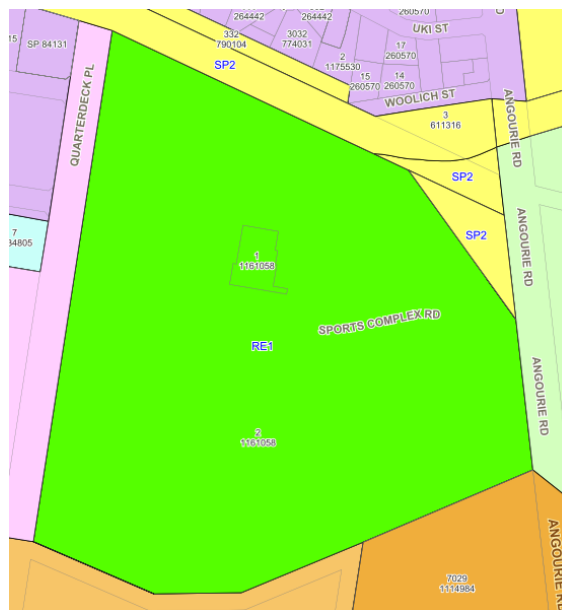


Figure 3.1: Ngayundi Yamba Sports Complex CVLEP zoning

## CVLEP Acid Sulphate Soils

Ngayundi Yamba Sports Complex is identified as being underlain with Class 2 acid sulfate soils. Any future work and or development that have the potential to affect these soil conditions must undertake procedures outlined in clause 7.1 of the CVLEP.

## CVLEP Flood Planning Area

Ngayundi Yamba Sports Complex is located in the Flood Planning Area. All future work and or development on site that has the potential to be affected by flood risk or impact flood behaviour must abide by clause 7.3 of the CVLEP. In the event of a flood, evacuation will be managed in accordance with the *SES Flood Safe Guide*.

## CVLEP Bushfire Prone Lands

Ngayundi Yamba Sports Complex is mapped as bush fire prone land. Any new development located on bush fire prone land must comply with NSW Rural Fire Services - *Planning for Bushfire Protection 2019*.

### 3.3.4. Development in Environmental Protection, Recreation and Special Use Zones Development Control Plan

The *Environmental Protection, Recreation and Special Use Zones Development Control Plan* (DCP) applies to Ngayundi Yamba Sports Complex.

The DCP needs to be considered when a development application is being prepared or assessed. The DCP contains a range of provisions that would apply to development on the subject land.

## 3.4 Other Relevant Legislation and Policies

In addition to the requirements of the LG Act and the CLM Act, other legislation and Government policies with direct relevance to the ongoing development and management of the Ngayundi Yamba Sports Complex area include:

### Commonwealth Legislation

- *Disability Discrimination Act 1992*
- *Native Title Act 1993*
- *Telecommunications Act 1997*<sup>3</sup>

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<sup>3</sup> Note: The Commonwealth *Telecommunications Act 1997* provides for telecommunication facilities being permitted on community land without authorisation in a PoM.

### **State Government Legislation and Policies**

- *Anti-Discrimination Act 1977*
- *Biodiversity Conservation Act 2016*
- *Biosecurity Act 2015*
- *Companion Animals Act 1998*
- *Heritage Act 1977*
- *NSW Government Flood Prone Land Policy*
- *Protection of the Environment Operations Act 1997*
- *Retail Leases Act 1994*
- *Roads Act 1993*
- State Environmental Planning Policies (SEPPs)
- *Waste Avoidance and Resource Recovery Act 2001*
- *Water Management Act 2000*

### **Clarence Valley Council Policies and Plans**

Council policies that apply to the management and use of the Ngayundi Yamba Sports Complex include, but not limited<sup>4</sup> to:

- Asset Management Policy (Minute #14.132/15)
- Clarence Valley Biodiversity Management Strategy
- Clarence Valley Cultural and Community Facilities Plan
- Clarence Valley Cultural and Sports Trust Policy (Minute #6c.19.038)
- Clarence Valley Open Spaces Strategic Plan
- Clarence Valley Sports Facilities Plan
- Commercial Recreational Activities on Public Land Policy (Minute #15.180/18)
- Footpath and cycleway maintenance policy (Minute #15.124/18)
- Green Building Policy (for Council buildings) policy (Minute #14.049/14)
- Mobile food vehicles, temporary food stalls & hawking Policy (Minute #15.091/16)
- Mobile signs, articles, merchandise and entertainment on public land Policy (Minute #14.194/15)
- Safety Signage in Recreational Areas (Minute # 15.203/18)
- Smoke Free Public Areas Policy (Minute #13.072/15)

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<sup>4</sup> Council's website lists all current policies and plans adopted by Council. The extent that any particular policy or plan applies to the use and management of the Ngayundi Yamba Sports Complex reserve will depend on the particular matter at hand.

- Sports Management Policy (Minute #15.007/17)
- The Clarence 2027 - Community Strategic Plan
- Tree Management Policy (Minute #15.203//18)



## 4.0 CONDITION OF THE LAND AND IMPROVEMENTS

This section provides a general overview of/and condition of the land, facilities and infrastructure on Ngayundi Yamba Sports Complex at the date of exhibition of this draft PoM.

### 4.1 The Land

The topography of Ngayundi Yamba Sports Complex is relatively flat at a low elevation of 2 metres AHD and is mapped as Class 2 Acid Sulfate Soil (ASS). Acid sulfate soils are soil layers rich in iron sulfides (mainly pyrite, which when aerated, oxidise to form sulfuric acid. They are relatively harmless unless disturbed or drained. Under the CVLEP, any proposed excavation works require soil testing and analysis and an acid sulfate soil management plan depending on laboratory results.

Parish maps show that the land was originally covered by wetland vegetation, dominated by Broad-leaved Paperbark, Pink Bloodwood and Swamp Mahogany. The majority of the site is now cleared and grass fields are regularly mown and maintained (Figure 4.1).



**Figure 4.1: General overview of the reserve**

Native vegetation on the reserve includes corridors along the northern boundary adjoining Deering Street, the southern boundary adjoining the Yamba Flora Reserve, the drain between the Yamba Community

Heated Pool and Raymond Laurie Sports Centre and a small remnant located adjacent to the north west of the rugby league multi-use facility. Native species and landscaped gardens have also been strategically planted around the reserve to provide natural shade and amenity, particularly near facilities and parking areas (Figure 4.2).



Native vegetation along the southern boundary



Native vegetation along the northern boundary



Native vegetation adjacent to drain between sports centre and pool complex



Remnant vegetation adjacent to the rugby league multi-use facility



Shade trees in front of Raymond Laurie Sports Centre



New landscaped gardens at soccer / touch car park

**Figure 4.2: Native vegetation and landscaping on the reserve**

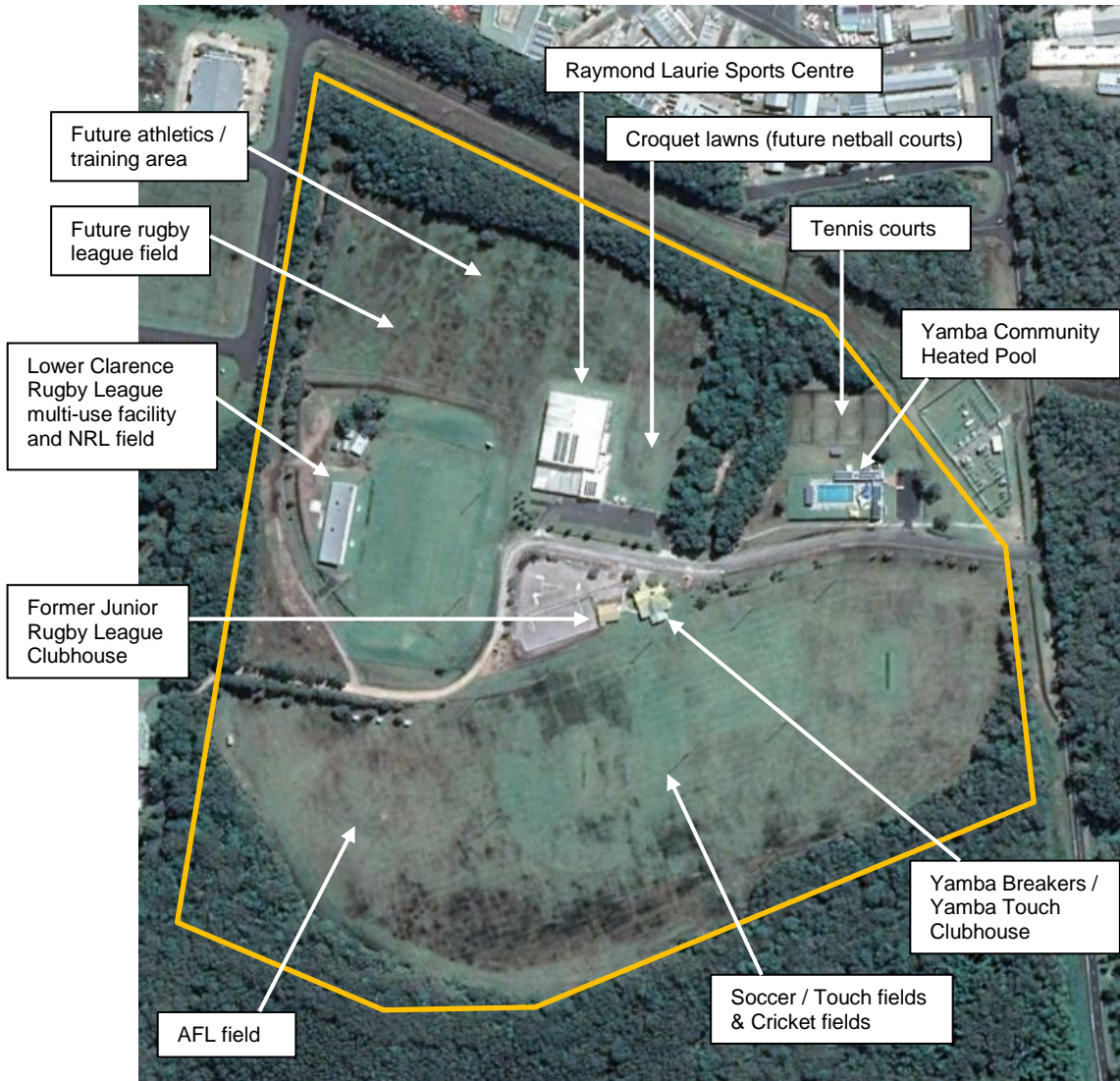
Native vegetation corridors and remnant patches identified on the reserve are in relatively good condition, contain hollow-bearing trees and provide connectivity between Yuraygir National Park, Wooloweyah foreshore and the Estuary Nature Reserve. Corridors and remnant patches of vegetation are important to the retention of native fauna and flora, including threatened species that occur in this area.

Records of threatened species have been recorded as occurring along the bushland of the Deering Street road reserve adjoining Ngayundi Yamba Sports Complex.

The natural value of remnant bushland on the reserve will increase over time as native vegetation to the west of the reserve is progressively lost to development in that area.

## 4.2 Public Facilities and Infrastructure

Numerous public facilities have been constructed across the reserve to facilitate a range of recreational activities (Figure 4.3).



**Figure 4.3: Existing facilities and infrastructure on the Ngayundi Yamba Sports Complex**



The following is a general overview of the existing facilities and infrastructure on the Ngayundi Yamba Sports Complex reserve and their condition at the time of the writing of this draft PoM. Council's Asset Register provides a database record of the condition score and expected renewal of facilities and infrastructure owned and managed by Council. Council's Asset Register Condition Report (2020) can be found at [Appendix 2](#).

### 4.2.1 Raymond Laurie Sports Centre

The Raymond Laurie Sports Centre was opened in 2009 as the first indoor sporting facility in Yamba. The sports centre caters for social, indoor sports and lifestyle activities. The internal configuration consists of two multi-function rooms one able to be provided and the provision for a further multi-function room, a main sports hall with two 776 square meter multi-use courts, change rooms, two meeting rooms, a small kiosk/canteen, reception and managers office (Figure 4.4). Its condition is assessed as 'Good'.



Figure 4.4: Raymond Laurie Sports Centre

### 4.2.2 Yamba Community Heated Pool

Yamba Community Heated Pool is an important facility to Yamba and nearby communities and was opened in 1997 and was constructed with funding raised through a campaign by local people. It consists of a 25m outdoor heated pool, 12m wading pool, kiosk, amenities block, first aid room and operational plant room (Figure 4.5). Its condition is assessed as 'Good'.



**Figure 4.5: Yamba Community Heated Pool**

### **4.2.3 Yamba Breakers & Yamba Touch Clubhouse**

Yamba Breakers Football Club (soccer) and Yamba Touch Football Club share a clubhouse and fields on the south eastern section of the Ngayundi Yamba Sports Complex. The building consists of both home and away change rooms, male and female toilets, canteen with three roller windows, and one roller window on each side, with three storage rooms with lockable roller doors accessible off the internal road (Figure 4.6).

The building is generally in good condition, the internal toilets and change rooms are in fair condition and require renewal, the shade shelter at the rear of the building is in poor condition (Appendix 2).



**Figure 4.6: Yamba Breakers & Yamba Touch Clubhouse**

### 4.2.3 Former Junior Rugby League Canteen

The former Junior Rugby League canteen is located on the southern side of the internal road to the west of the Yamba Breakers and Yamba Touch clubhouse. It consists of canteen with two lockable serving windows and provides access to two unisex disabled shower / toilet cubicles (Figure 4.7). The building is in poor condition, with the roof members having deteriorated, tie down straps corroded and doors rusted.



Figure 4.7: Former Junior Rugby League canteen

### 4.2.4 Lower Clarence Rugby League – multi-use facility

The Lower Clarence Rugby League multi-use facility opened in 2020. It includes a canteen, storage areas, spectator seating, accessible public toilets, referee and first aid room and four unisex change rooms (Figure 4.8). The facility will be used primarily by the Lower Clarence Magpies Rugby League Club but will be available for use by other sports and activities. It is in very good condition being a new structure in 2020.



Figure 4.8: Lower Clarence Rugby League Multi-Use Facility

## 4.2.5 Tennis courts

Four synthetic grass tennis courts are located on the north–eastern reserve boundary. The playing surface is in fair condition. Sections of the chainmesh fencing have been recently replaced which is in very good condition. Older sections of fencing have become rusty and are in poor condition (Figure 4.9).



Figure 4.9: Tennis Courts

## 4.2.6 Sports fields

There are numerous grassed ovals / fields / courts located on the reserve to provide multi-use sporting and recreation opportunities (Figure 4.10), including:

- The south-eastern section of the reserve can be line marked to accommodate 10 soccer / touch football fields and is overlain with two cricket ovals with two concrete / synthetic grass wickets located between the fields. The oval / fields are in good condition with a new drainage system installed to all fields in 2020 and automatic irrigation installed to soccer field 1 and 2. The cricket wicket is in good condition however the synthetic grass on Wicket 2 needs replacing.
- The south-western section of the reserve is an undeveloped AFL field that can also be line marked to accommodate multiple sporting uses. The field is in poor condition with poor drainage and poor grass cover.
- One rugby league field is located on the western end of the reserve, which is fenced / locked from general use in association with the Lower Clarence Rugby League Multi-use Facility. The field is in very good condition having undergone top dress in 2006 which is maintained regularly.
- The netball courts located between the Raymond Laurie Sports Centre and the drainage line running between the internal road and Deering Street are currently not used by netball clubs, with the area



currently providing 2.5 croquet fields used by CRU3A Croquet Club. The fields are poorly drained and in overall moderate condition.

- The north-western area of the reserve currently provides an informal / unimproved grassed area for general recreational use and training. This area is identified for future sporting facilities. Access to the area is via unformed track between the league field and Raymond Laurie or from Raymond Laurie car park.



South-eastern - soccer / touch fields



South-western - ovals / fields



Rugby League field



Netball Courts / croquet fields



Cricket wicket



North-western – future use fields

**Figure 4.10: Grassed Ovals / Fields / Courts**

## 4.2.7 Minor infrastructure

### Access road

An internal access road exists within the reserve to provide vehicle access to car park areas servicing recreational facilities. It is constructed of bitumen from Angourie Road to the new soccer / touch football car park where it reverts to a gravel road providing access to the south-western ovals and the Lower Clarence Rugby League Multi-use Facility (Figure 4.11). The bitumen road is in good condition, the gravel road is in fair condition and the rugby league access road is in good condition. The roads will be renewed and repaired as required.



Bitumen internal access road



Gravel internal access road



Rugby League multi-use facility gravel access Road

**Figure 4.11: Internal Access Roads**

## Vehicle parking areas

There are currently grassed parking areas located on the southern side of the internal road adjacent to the soccer / touch fields and three formalised bitumen car park areas within the complex (Figure 4.12). The bitumen car park areas include:

- The new Yamba Breakers and Yamba touch football parking area provides for 100 general and 2 disabled car park spaces. The parking area is in very good condition having being constructed in 2020.
- Raymond Laurie Sports Centre car park area provides for 49 general and 2 disabled car park spaces. The parking area is in good condition
- Yamba Community Heated Pool car park area provides for 24 general and 2 disabled car park spaces. The parking area is in fair condition.

There is currently a lack of parking close to the new Lower Clarence Rugby League Multi-use Facility. It is intended to design and construct new car park to the south and west of the new club house / amenities to suitably accommodate future use.



Soccer / Touch car park (drone image)



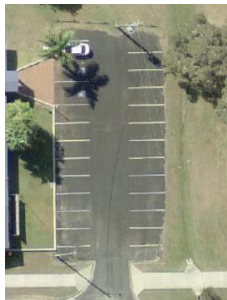
Soccer / Touch car park



Raymond Laurie car park (CVC Aerial)



Raymond Laurie car park



Yamba Community Pool Car park (CVC Aerial)



Yamba Community Pool Car park



Grass parking areas off internal road

**Figure 4.12: Vehicle parking areas**



## Pedestrian footpaths/bridges

Pedestrian footpaths provide linkages between Angourie Road, the Raymond Laurie Sports Centre and the Yamba Community Heated Pool, with a bridge constructed across a drain. Paths also link the Yamba Breakers/Yamba Touch Clubhouse and the former Junior Rugby League canteen to the internal road and new car park area. (Figure 4.13). The paths are in good condition. An additional pathway is required to extend the current path from Angourie Road to the new Lower Clarence Rugby League Multi-use Facility.



Pathway linkages between the car park / soccer /touch clubhouse / former rugby league canteen



Pathway linkages between Angourie Road / Yamba Community Heated Pool / Raymond Laurie Complex

**Figure 4.13: Pedestrian Pathways**

An informal track also runs from the internal road beside the drain through to Deering Street on the northern boundary through remnant bushland (Figure 4.14). It is in a good condition.



**Figure 4.14: Informal track linking the internal road to Deering Street**

## Vehicle barriers

Vehicle barriers are strategically located around the reserve along the internal road and car park areas to restrict unauthorised access onto the sports fields. They vary in style, including post and rail, bollards and sandstone rocks (Figure 4.15). They include:

- Rock barriers are located on the corner of internal road and the soccer / touch car park. They are in very good condition being newly constructed
- Timber bollards are located in front of the Yamba Breakers / Yamba Touch clubhouse and adjacent to Raymond Laurie Sports Centre. They are in good overall condition and will be replaced as required
- Timber post and rail barriers are located around the soccer / touch fields. They are in moderate condition with evidence weathering in some of the rails.

The vehicle barriers will be renewed as required.



Rock barriers



Timber bollard barriers



Post and rail barrier

**Figure 4.15: Vehicle Barriers**

## Lighting infrastructure

Lighting infrastructure of varying types and condition exist through out the reserve (Figure 4.16), including:

- Soccer /touch car park lighting - A section of the soccer / touch car park is lit, the lighting consists of LED luminaires on steel posts. It is in very good condition being installed in 2020
- The Rugby League field lighting consists of LED luminaires on timber poles. The luminaires are in very good condition being installed in 2020, the poles are in fair condition being installed in the 2000's
- The Raymond Laurie Sports Centre car park lighting consists of metal halide luminaires on steel posts. It is in good condition
- Tennis court lighting consists of metal halide luminaires on steel posts. It is in fair condition
- Netball court lighting consists of metal halide luminaires on timber posts. It is in fair condition
- The soccer / touch field lighting consists of metal halide luminaires on timber posts. It is in fair condition.

The lighting infrastructure on the soccer / touch oval, tennis and netball courts requires upgrade to LED to improve lighting efficiency and cost effectiveness. The lighting infrastructure on the soccer / touch fields and league fields are controlled by a telemetry system enable accurate capture of use, remote monitoring and control, and improved usability.



Tennis



Netball



Rugby League



Soccer / Touch Fields



Raymond Laurie Car park



Soccer / Touch car park

**Figure 4.16: Lighting Infrastructure**

## Park furniture

There is a variety of park furniture situated on the reserve to facilitate a variety of recreation uses (Figure 4.17), including:

- A picnic shelter / table are located adjacent to the tennis courts. It is constructed on concrete base with steel frame, steel cladded roof, and timber table. The shade structure is in poor condition with rust evident on steel frame. It requires replacement to reduce risks to users.
- Three shade shelters are located on the north-western fields / ovals, constructed on a concrete base, with steel frame and steel cladded roof, two of which contain a aluminium bench seat. They are in moderate to good condition and will be replaced / renewed as required
- Numerous aluminium grandstands are located across the reserve to provide raised viewing. They range in size / capacity, however do not provide shade. They are generally in very good overall condition, and will be replaced as required
- Two timber picnic tables are located at the Yamba Breakers / Yamba Touch Clubhouse. They are in good overall condition and will be replaced as required



Tennis picnic shelter



Shade shelters on north-western fields





Grandstand seating



Picnic table

**Figure 4.17: Park Furniture**

## Water fountain

A water fountain is located beside the Yamba Breakers / Yamba Touch clubhouse (Figure 4.18). It is in good condition and will be replaced as required.



**Figure 4.18: Water Fountain**

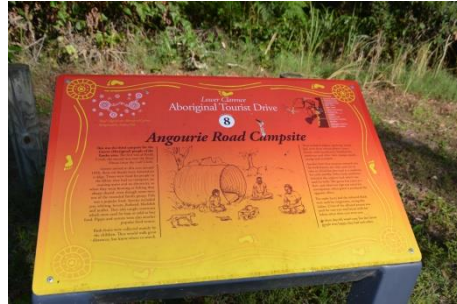
## Signage

Signs such as reserve or facility naming, community information/directional/way-finding, and of a regulatory nature exist on the reserve and will be maintained, replaced or updated from time to time consistent with the use and management requirements of the reserve (Figure 4.19), including:

- Ngayundi Yamba Sports Complex sign is located on the southern side of the entrance to the reserve. It is in poor condition and requires replacement.
- Aboriginal Tourist Drive sign board 8 – Angourie Road Campsite is located adjacent to Angourie Road approximately 100m from the access road into the reserve. It provides an insight into the foods and lifestyle of the local traditional owners that camped on the site around 1958. It is in good condition and will be maintained as part of the Aboriginal Tourist Drive interpretive displays
- Regulatory signs – restricting activities are located around the reserve, they vary in condition and will be replaced as required.



Ngayundi Yamba Sports Complex sign



Aboriginal Tourist Drive sign 8: Angourie Road Campsite

**Figure 4.19: Signage**

## Drains

The drains around the reserve consist of concrete gutter drains and open grass swales beside the internal road, concrete culverts under roads and pathways and a concrete block lined drain in front of Raymond Laurie Sports Centre which drains into an open vegetated drain running through to Deering Street (Figure 4.20). The drains are in good overall condition, however the concrete block lined drain has some blocks missing / fallen in and becomes silted with sand and rubbish; and the bare earth beside the concrete gutter drains requires sealing to reduce sediment entering the drains.



Concrete gutter drain



Grassed swales with concrete culvert



Concrete block lined drain



Open drain between internal road and Deering Street.

### Figure 4.20: Drains

Temporary structures located to the north of the newly constructed Lower Clarence Magpies Rugby League multi-use facility are in poor condition and now redundant, these structures are to be removed and the immediate area rehabilitated (Figure 4.21).



Figure 4.21: Temporary buildings at Rugby League grounds

## 5.0 DEVELOPMENT AND USE

This section provides an overview of land and facility use at Ngayundi Yamba Sports Complex, and the current and permitted future use and development of the land.

### 5.1 Land Use

This section provides an overview on the land use history and the current use of the land facilities of Ngayundi Yamba Sports Complex.

#### 5.1.1 Land use history

##### Aboriginal Cultural Heritage

An Aboriginal campsite located on and adjacent to the Ngayundi Yamba Sports Complex site during the 1950s makes this an important cultural heritage site for the local community. This is described under site number eight in the Lower Clarence Tourist Site Drive brochure and story board at the site as the third camping area in Yamba.

The Yamba Aboriginal community were moved from a camp in Yamba known as *Clay Canyon* between River and Claude Streets to Angourie Road, Yamba. The camp was located in the vicinity of the Yamba Community Heated Pool and the electricity sub-station in amongst the Melaleuca wetland.

Yaegl Elder Michael Laurie's memory as a young boy is of living in tough conditions with his family along with seven other families ...

*"The adults felt they were forced to move from Clay Canyon and that they were intentionally hidden from the town. The families lived in huts or humpies made of old rusty corrugated iron with dirt floors and hessian doors. Some had old lino' on the floor found at the dump. Candles were for lighting at night, there was no electricity. All of the families shared an old hand pump for pumping ground water for drinking and for washing our clothes in a shared wood fired copper. The toilet was built out of old corrugated iron with a hessian door. The toilet itself was a pan with a toilet seat on top and when the pan was full my father dug a hole and buried the waste".*

*"My father built bed bases out of timber from the dump around a metre high off the ground and with mattresses on top. Sleeping was difficult in summer because we were constantly bitten by mosquitos, in winter we froze and when it rained the roof leaked. Mosquito bites often became sores preventing us from going to school and causing great discomfort".*

Sporting is an important aspect of life for the Aboriginal community. The Ngayundi Yamba Sports Complex provides an important facility that for the development of sporting skills and adds a valuable dimension to the lives of the Aboriginal community.

Contemporary Aboriginal cultural values of Ngayundi Yamba Sports Complex include conservation of natural assets including soil and vegetation, recognition of cultural heritage and social and health factors such as community sport.

## European Heritage

The Ngayundi Yamba Sports Complex was reserved for various purposes with the original being for the purpose of Public Recreation in 1890 and a community Trust appointed in 1891. A rough bush track was constructed in 1889 however due to the thick bush the runners only came into sight on the final straight and racing reverted back to the beach for the following decade due to lack of funding for upgrades (Port of Yamba Historic Society 2017). The Yamba Pony Club also held meetings on the reserve up until 1906 when they also reverted back to the beach (Port of Yamba Historic Society 2017).

The Lower Clarence Jockey Club was formed in 1914 and working bees were organised to clear the overgrown track, creating a racecourse just under a mile in length permitting regular race meetings to be held over the following years (Port of Yamba Historic Society 2017).


In 1931 volunteers again cleared the overgrown track for the inaugural meeting of the Yamba Proprietary Race Club, however the depression years affected race meetings and by 1939 the track was overgrown once more (Port of Yamba Historic Society 2017).

Grazing tenures also existed over the reserve between 1953 and 1961.

In 1986 the Yamba Lions Club approached the then Lands Department with a plan to clear the land for a sports complex and new racetrack. Clearing commenced in April 1986 using voluntary labour and funds donated by the Yamba Lions Club. The 1986 Yamba Lions Picnic Race Day was the first race meet for 54 years on the reserve (Port of Yamba Historic Society 2017). Picnic day races with a fairground and footraces held between horse races continued on the reserve until it was cancelled in 1993 due to lack of sponsorship and banning of oncourse betting (Port of Yamba Historic Society 2017) (Figure 5.1).



THE LOWER CLARENCE SPORTS COUNCIL  
PRESENT A

**FAMILY FUN DAY** 

at  
**The Yamba Race Track - Angourie Road, Yamba.**  
on Sunday 20th September, 1992.

All Proceeds to the covered Seating Maclean Showground Project.  
Admission: Adults - \$3 & Children over 12 - \$1

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**Picnic Race Programme.**  
\$2175 Prize Money plus Trophies.  
All Events 600 metres.  
\*First Race at 10.30am

**Race 1 Maclean Hotel Maiden Sprint.**  
\$250 + Trophy - 1st \$150, 2nd \$70, 3rd \$30

**Race 2 Manildra-Harwood Sugar Open Flutter.**  
\$300 + Trophy - 1st \$180, 2nd \$80, 3rd \$40

**Race 3 O'Halloran Motors/Stanfords Pharmacy Improvers.**  
\$250 + Trophy - 1st \$150, 2nd \$70, 3rd \$30

**Race 4 Day's Machinery-Harwood Progressive.**  
\$250 + Trophy - 1st \$150, 2nd \$70, 3rd \$30

**Race 5 Westlawn Investments Cup.**  
\$325 + Cup - 1st \$200, 2nd \$75, 3rd \$50

**Race 6 Peter Finucan/Maclean Hot Bread & Cake Kitchen Flying.**  
\$300 + Trophy - 1st \$180, 2nd \$80, 3rd \$40

**Race 7 Shannon Brothers / B & K Carpets Consolation.**  
For Maidens & Improvers that have raced and not won on the day - 1st \$150, 2nd \$70, 3rd \$30

**Race 8 Norfolk Island Wandering Golfers Consolation.**  
For Open & Progressives that have raced and not won on the day - 1st \$150, 2nd \$70, 3rd \$30  
\*\*\*\*\*

CALCUTTA TO BE CONDUCTED ON ALL RACES  
NOMINATION FEE \$20 PER RACE.  
JOCKEYS \$11 PER RIDE.

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**RULES.** Races to be run under the rules of the Northern Rivers Picnic Racing Association.  
\*\*\*\*\*

**2 Open Orders of \$50 have been made available by Powells Discount Stores for the Jockey and Trainer of the day.**

**Novelty Events - Entertainment between races.**  
\*Rotary Club Bouncing Castle  
\*Pony Rides - Lower Clarence Pony Club  
\*Children's Races in age groups - sponsored by Steve Llewellyn & Co.  
\*Sprints, Stack Races, 3 Legged Races, Egg & Spoon, Throwing the Cumber (Men), Throwing the Broom (Women), etc  
Wide variety of Food Stalls, BBQ, Bar, Light Refreshments, Devonshire Teas, Fairy Floss etc.  
\*\*\*\*\*

The Organising Committee gratefully acknowledges the support of our Sponsors for this Community Project:  
Peter Campbell Sports Injury Centre - Maclean, Manildra-Harwood Sugar - Harwood, Maclean Hotel - Maclean, Westlawn Investments - Gullah, Powells Discount Store - Maclean, Stanfords Pharmacy - Maclean, O'Halloran Motors - Maclean, Steve Llewellyn & Co - Yamba, ZFF - Gullah, Ross Grethhead - Yamba, Ken Hayward - Yamba, Clarence Valley Septics - Maclean, Maclean Produce Store - Maclean, Hot Bread & Cake Kitchen - Maclean, Peter Finucan - Maclean, B & K Carpets - Maclean, Day's Machinery - Harwood, Shannon Brothers - Harwood, Maclean Cellars - Maclean, Norfolk Island Wandering Golfers, Maclean Bowling Club, Brian Alford - Yamba.  
\*\*\*\*\*

For Further Information Contact: Jim Baird - 46 2156  
Frank Blum - 46 7144

**Figure 5.1: 1992 Picnic Day Race and Family Fun Day Flyer**

A Yamba Racecourse Sporting Complex Committee (name later changed to Yamba Sporting Complex Management Committee) was elected on 28 January 1986 to manage further development of the reserve and the Yamba Sports Complex was officially opened on 25 November 1989 by the Maclean Shire President Cr. John Harvey.

The former Yamba Sporting Complex Management Committee, the Yamba Lions Club and other volunteers have undertaken various works to improve sportsground use including lighting of the soccer/touch fields and subsoil drainage since notification as Public Recreation on 14 February 1986. Facility construction, lighting and sports field upgrades have also been undertaken by Council and funded through various State and Australian Government programs.

## 5.1.2 Current use

The Ngayundi Yamba Sports Complex is the largest sports reserve in the Lower Clarence and is used for active and passive recreation activities and a range of sporting pursuits on a regular basis. The multiple use of facilities is supported and encouraged by Council.

The facilities and grounds are currently used all year round and for seasonal sports by the Lower Clarence Tennis, Yamba Dog Sports Training Group, Clarence Valley Triathlon Group, CRU3A Croquet Club, Clarence Coast Magpies Junior Rugby League Club, Lower Clarence Magpies Rugby League Club, Yamba Breakers Football Club (soccer), Yamba Touch Football Association, Lower Clarence Cricket Association /

Yamba Cricket Club and Yamba Netball, Lower Clarence Netball Association, Clarence River Master Swimmers Club, and Yamba Basketball Club and by the AFL North Coast Clubs from 2021.

The Raymond Laurie Sports Centre provides facilities for a range of community events and indoor sports including gymnastics, dance, netball, basketball, futsal, table tennis pickle ball and various other activities. The centre also houses the Fluid Physio and Gym and has rooms available for hire for compatible activities and uses.

The Yamba Community Heated Pool is open ten months of the year providing a heated 25m pool for lap and recreational swimming. During the spring and summer peak season organised activities such as learn to swim lessons, squad training, water confidence classes and aqua fitness are held. The pool is also used by local swimming clubs and Clarence Valley Triathlon Group for training and events.

## 5.2 Permitted and Future Use

Ngayundi Yamba Sports Complex will continue to be used for active and passive recreation activities and a range of sports, associated training, competitions and events.

Consequently, this PoM permits the continued use of the reserve for the purpose of passive and active recreation activities, sports and associated training, competitions and events and activities consistent with the notified purpose of Public Recreation and sportsground category under this PoM.

The area categorised as Natural Area – Bushland will remain open to the general public with specific management actions to mitigate human disturbance on the vegetated areas of the reserve.

During adverse weather events, flooding limitations and potential risks to users, closures may be used to ensure public safety and to limit damage to facilities, sportsgrounds and open space areas.

Open access areas may also at times be temporarily closed for operational works, site rehabilitation and hazard reduction.

In addition the scale and the intensity of use of the sports complex by groups will be managed by Council's on-line "Book It" system and/or tenures. The general use of the area will be managed in accordance with this PoM, current council policy(s) and signage.

A person who fails to comply with the terms of a notice or sign in a public place is guilty of an offence under the LG Act.

In order to reduce risk of injury to reserve users from broken glass, consumption of food and drinks contained in glass is not permitted.



## 5.3 Permitted Development of the Land

The Ngayundi Yamba Sports Complex may be developed to enable the land to be used for public open space and recreation purposes; provide a range of recreational settings and activities and compatible land uses; and to protect and enhance the natural environment for recreation purposes and maintain ecological processes.

Consequently, this PoM authorises, within the requirements of relevant legislation, future development of the land for the purpose of effecting:

- Alterations, additions and improvements to the existing land, buildings and infrastructure to provide improved facilities for the uses permitted by this PoM including alterations, additions or improvements to enhance recreational uses such as organised sports and passive and active recreation; educational, cultural, leisure, health; and social activities; and public safety;
- Alterations, additions and improvements to internal roads and car park layouts to improve access and parking associated with future use and development;
- Alterations, additions and improvements to sewer, water and stormwater infrastructure for effective water cycle management;
- Adaptation of existing facilities to improve effectiveness and utilisation for multiple user groups;
- commercial opportunities;
- Any approved new development consistent with the notified purpose of the reserve or ancillary to the notified purpose.

This PoM also authorises future development including:

- Extension(s), renovations and improvements to the existing buildings and infrastructure pursuant to relevant legislation, and Council's CVLEP, Development Control Plans and policies;
- Upgrades to the existing public facilities and car park to accommodate appropriate community, recreation and sporting use; and
- Development of infrastructure to meet the needs of the community as identified in Council's Community Strategic Plan - *The Clarence 2027*, Council's *Cultural and Community Facilities Plan* (2009), *Council's Open Spaces Strategic Plan* (2012), the *Clarence Valley Sports Facilities Plan* (2011) and the Yamba Sports Complex Overall Layout Plan or most current version of these plans.

This PoM also permits the rationalisation of buildings and facilities under lease and or licence agreements as long as all proposed works obtain written and/or development approval from Council.

## 5.4 Easements

Division 5.9 of the CLM Act requires councils to apply for an easement on council managed Crown reserves where a local council has an ongoing need to enter Crown land and carry out work referred to in section 191A of the LG Act. The granting of easements over Crown land is also subject to the provisions of the *Native Title Act 1993* (Cth) (which in this case is redundant).

Council, as Crown land manager of the Ngayundi Yamba Sports Complex reserve, already has the authority to enter the reserve and undertake maintenance activities. In addition, Council's requirement to enter the reserve for the purposes of section 5.50 of the CLM Act is considered occasional rather than ongoing and routine. The need to undertake acquisition of easements is not considered to be necessary but could be acquired progressively if the need arises and funding and resources become available necessary at this location.

Undertaking the process of acquiring easements over Crown reserves poses a financial restraint on Council. This requirement has the potential to limit Council's capacity to undertake works and improvements on the Crown reserves it manages.

Easements will be acquired progressively if the need arises and as funding and resources become available.

## 6.0 TENURES AND APPROVALS

### 6.1 Authorisation of Leases, Licences and Other Estates

The LG Act requires that any lease or licence of community land must be authorised by a PoM. In addition, the lease or licence must be for purposes consistent with the categorisation and zoning of the land.

The maximum term for which a council may grant a lease or licence of community land, including any options for renewal is 21 years<sup>5</sup>. Section 46A[3] states a lease or licence for a term exceeding 5 years may be granted only by tender in accordance with Division 1 of Part 3, unless it is granted to a non-profit organisation.

If a lease or licence is anticipated, then public notice should be given in accordance with the requirements of the Act. Where a lease arrangement has been entered into with Council for community land, subleasing the land must be in accordance with the requirements of Section 47C of the LG Act and Clause 119 of the *Local Government (General) Regulation 2005* (LG (G) Reg).

This PoM authorises Council to grant new leases, licences or any other estates for the use of the land or facilities on the land for the purposes identified or are consistent with those listed in Table 6.1.

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<sup>5</sup> Ministerial consent is required for a lease or licence exceeding 21 years up to a maximum of 30 years.

**Table 6.1: Purposes for which a long-term lease, licence or other estate may be granted**

Type of Arrangement Authorised	Facilities covered	Purposes for which long-term leasing, licensing and other estates will be granted
Lease	Community buildings, facilities and land	<p>Any lease proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM and the capacity of the area to support the activity. Sympathetic, compatible uses may include:</p> <ul style="list-style-type: none"> <li>- café/kiosk areas</li> <li>- social purposes (including child care, vacation care, wellness activities)</li> <li>- educational purposes (including libraries, education classes, workshops and clinics)</li> <li>- health or medical practitioners associated with the relevant facility (eg. Nutrition, physiotherapy)</li> <li>- recreational purposes (including fitness classes; dance classes and games)</li> <li>- sporting uses developed/operated by a private operator</li> <li>- commercial retail uses associated with the facility (e.g. sale or hire of sporting goods).</li> </ul>
Licence	Community buildings, facilities and land	<p>Any licence proposal will be individually assessed and considered, having regard to the community benefit, compatibility with this PoM and the capacity of the area to support the activity. Sympathetic, compatible uses including:</p> <ul style="list-style-type: none"> <li>- cultural purposes (including concerts, dramatic productions, temporary artistic installations, community events and art exhibitions)</li> <li>- educational purposes (including libraries, museums, education classes, workshops)</li> <li>- kiosk/café and refreshment purposes</li> <li>- recreational purposes (including fitness classes, dance classes, low-key recreation activities)</li> <li>- organised sports and associated events / training</li> <li>- social purposes (including child care, vacation care, wellness activities)</li> <li>- commercial retail uses associated with the facility (e.g. sale or hire of sporting goods)</li> <li>- markets</li> <li>- vehicle access</li> </ul>

Type of Arrangement Authorised	Facilities covered	Purposes for which long-term leasing, licensing and other estates will be granted
Other Estates	Community buildings, facilities and land	<p>This PoM allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the <i>Local Government Act 1993</i>.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of the premises adjoining the community land to a facility of the Council or other public utility provider that is situated on community land.</p>

**Note:** The grant of a lease or licence is an important step in using community land, but there may be other requirements relevant to any proposed use. For example, the refurbishment of a kiosk may also require development consent under the *Environmental Planning and Assessment Act 1979*. Any interested person should check carefully to make sure they are aware of all relevant requirements.

In addition, arrangements for which a short-term casual licence or tenure may be granted under this PoM include:

- Public speeches, meetings, seminars and presentations, including educational programs.
- Functions and Events (including corporate functions, launches, sporting, community gatherings, weddings and similar activities)
- Displays, exhibitions, fairs, fashion parades and shows
- Concerts and other performances, including both live performances and film (cinema and TV)
- Broadcasts associated with any event, concert or public speech
- Engaging in an appropriate trade or business delivering a public address, community events such as auctions, markets and similar activities
- Vehicle access and parking in association with events and markets
- Scoping works including for the purposes of inspections, surveys, obtaining certificates or reports, and carrying out other due diligence by a third proposing to construct community infrastructure on the site.

Fees for short-term casual bookings will be charged in accordance with Council's adopted Fees and Charges at the time.

## Consumption of alcohol

The granting of liquor licences are subject to other approvals and are not at the sole discretion of Council, however this PoM allows for Council to give permission as Crown land manager for liquor licence applications on community Crown land subject to other necessary approvals. Applications for liquor licences will be considered on individual merits and will only be considered when other relevant criteria are met. Licences may be issued, modified or revoked from time to time with written consent from the public authority responsible for issue of such licences.

Council's Sports Management Policy states hirers proposing to serve or sell alcohol on or from sportsgrounds and facilities must not do so until a liquor licence is approved through Liquor & Gaming NSW;

and hirers that serve or sell alcohol on Clarence Valley Council sports fields must be a member of the *Good Sports* program and display relevant signage.

Sporting clubs may develop an alcohol management policy prohibiting alcohol consumption during junior games held at Ngayundi Yamba Sports Complex under the *Good Sports* program. Consequently, clubs that prohibit alcohol consumption during games played on Ngayundi Yamba Sports Complex are responsible for regulating this activity.

A police officer may detain an intoxicated person found in a public place who is behaving in a disorderly manner or in a manner likely to cause injury to the person or another person or damage to property, or in need of physical protection because the person is intoxicated, under s206(1) of the *Law Enforcement (Powers and Responsibilities) Act 2002*.

Council can also designate areas of public land where, and/or times when, the consumption of alcohol is limited or prohibited if required. Such Alcohol prohibited Areas are designated under the LG Act.

## 6.2 Approvals for Activities on the Land

Section 68 of the LG Act specifies a range of activities where approvals are required to be obtained from Council. These are often in addition, or ancillary to, standard development application (DA) requirements and are known as 'section 68 approvals'.

Section 68 approvals required for activities on 'community land' include:

- Engage in trade or business
- Direct or procure a theatrical, musical or other entertainment for the public
- Construct a temporary enclosure for the purpose of entertainment
- For fee or reward, play a musical instrument or sing
- Set up, operate or use a loudspeaker or sound amplifying device
- Deliver a public address or hold a religious service or public.

A person who fails to obtain an approval or who carries out an activity otherwise than in accordance with an approval within the reserve is guilty of an offence under the LG Act. Penalties apply for the offence.

## 6.3 Management Agreements

Land and/or facility management agreements generally relate to the management of Council land and facility assets by individuals and businesses on behalf of Council. They are a legally binding commitment between Council and the third party.

Land management agreements may include:

- co-management agreements with local Landcare/Coastcare/Bush Regeneration organisations and/or traditional owner groups
- land management (native vegetation) focused incentive funding (eg. Crown Reserves Improvement Fund; Local Land Services; NSW Environmental Trust etc)
- the biodiversity offset initiatives
- covenants in support of carbon credits under various state and national schemes.

Facility management agreements may include:

- co-management agreements with sports clubs and/or community groups
- contractual arrangements to manage specific facilities (sports centres; holiday parks; etc)
- “fee for service” agreements to maintain facilities and/or public amenities

This PoM authorises Council as the Crown land manager of Ngayundi Yamba Sports Complex to enter into a land and/or facility management agreement with a third party subject to:

- Consistency with the principles of Crown land management under the objects of the CLM Act
- Consistency with the reserve purpose and the public’s use and enjoyment of the reserve
- Consideration of native title and the rights and interests of the traditional owners of the land
- Consideration of the impact of the agreement on future land use options for the reserve
- Funding required for ongoing maintenance responsibilities under the agreement

Where a Crown reserve, or part of a reserve, is subject to a land or facility management agreement, the agreement and/or the term of the agreement may require Ministers consent prior to its authorisation by Council.

## 6.4 Existing Management Agreements

RYDJ PTY LTD currently hold a deed agreement with Council for the operation and management of the Yamba Community Heated Pool situated on part Lot 2 DP1161058.

Smiths Sports Management PTY LTD currently hold a management agreement with Council for the operation and management of the Raymond Laurie Sports Centre situated on Lot 1 DP1161058.

The terms and conditions are outlined within the tenure agreements.

This PoM authorises the continuance of these agreements until the end of their current term. The agreements may be changed and/or renewed in the future. The area(s) under agreement (The Yamba Community Heated Pool and Raymond Laurie Sports Centre) may also be reconfigured in the future to reflect changes in the use of the land and/or facilities and the needs of the community.



## **6.5 Short-term Licences under the *Crown Land Management Act 2016***

Council as the Crown land manager of the Ngayundi Yamba Sports Complex can also issue a short-term licence under s2.20 of the CML Act over this reserve. Purposes for which Council can issue a short-term licence include:

- (a) access through a reserve,
- (b) advertising,
- (c) camping using a tent, caravan or otherwise,
- (d) catering,
- (e) community, training or education,
- (f) emergency occupation,
- (g) entertainment,
- (h) environmental protection, conservation or restoration or environmental studies,
- (i) equestrian events,
- (j) exhibitions,
- (k) filming (as defined in the LG Act),
- (l) functions,
- (m) grazing,
- (n) hiring of equipment,
- (o) holiday accommodation,
- (p) markets,
- (q) meetings,
- (r) military exercises,
- (s) mooring of boats to wharves or other structures,
- (t) sales,
- (u) shows,
- (v) site investigations,
- (w) sporting and organised recreation activities,

- (x) stabling of horses,
- (y) storage.

A short-term licence may be granted subject to conditions specified by Council for a period up to a maximum of 12 months. The licence ceases to have effect when the term expires, or is revoked sooner by Council. A short-term licence is also subject to the conditions prescribed by the CLM Act including any penalty that may be prescribed for failure to comply with the conditions of the short-term licence.

Council may grant a short-term licence even if the purpose for which it is granted is inconsistent with the purposes for which the Crown land is reserved.

## 7.0 MANAGEMENT ISSUES

This section details the current management issues faced by Council as Crown land manager of the Ngayundi Yamba Sports Complex. Management actions have been formulated to assist Council to manage the identified issues in accordance with the core objectives of the assigned categories of the reserve outlined in the Management of the Land at Section 8.2.

### 7.1 Public health and safety

Council as Crown land manager of the Ngayundi Yamba Sports Complex will prepare and implement a risk management strategy that identifies and assesses the potential risks and hazards and implement control measures, including emergency management and evacuation procedures to effectively manage and/or mitigate risks to users of the reserve.

Sporting organisations and clubs that hire the grounds and facilities for organised sports and events are required by Council to have their own insurance, with a current public liability insurance certificate to accompany the booking. Sporting organisations and clubs are also required to conduct pre use assessment deeming the field safe to play prior to commencement of play. Any risk to users identified during assessment should be reported to Council to be prioritised for maintenance.

Council's Sports Management Policy also outlines a number of prohibited activities on Council managed sportsgrounds that are considered dangerous or which may damage the facilities or disrupt other users or adjoining residents.

Signage will be used to ensure hazards are clearly identified and to regulate activities on the reserve in accordance with relevant legislation, and Council policy(s).

Ngayundi Yamba Sports Complex is to be maintained to a district service level to provide quality sport and recreation opportunities for the district, with moderate servicing and maintenance to ensure safe and appropriate use.

### 7.2 Weather impacts and climate change

Research suggests that it is very likely that heat waves will occur more often and last longer, and that extreme precipitation events will become more intense and frequent in many regions of NSW with climate change (IPCC 2014).

It is therefore important to consider the need for shaded seating infrastructure / shade trees for spectators and competitors and additional drinking fountains at high use areas of the reserve with the likelihood of increasing heat waves.

The Ngayundi Yamba Sports Complex is mapped as flood liable on the majority of the reserve in a 1 in 100 year flood and on the south-western corner in a 1 in 50 year flood. Flooding is likely to become more frequent and severe with climate change which may potentially impact the built assets and future use of the reserve.

All future work and or development on site that has the potential to be affected by flood risk or impact flood behaviour must abide by clause 7.3 of the CVLEP. In the event of a flood, evacuation will be managed in accordance with the SES Flood Safe Guide.

## 7.3 Field drainage, irrigation and pump station

The *Sports Facilities Plan 2011* identified as high priority the need to improve the subsoil drainage system and surface / turf improvements to improve the playing surface. Community consultation has also highlighted the need for improved field drainage, as the current field drainage infrastructure on the reserve is insufficient to adequately drain the sports fields after high rainfall events which cause field closures for extended periods of time.

The installation of new field drainage to the soccer / touch fields, automatic irrigation infrastructure to soccer fields 1 and 2 and a plant shed to house pumping station on the reserve was commenced in November 2020, funded in part from the Australian Government's Local Roads and Community Infrastructure Program and Council (Council resolution 6e.20.021).

The AFL field and Lower Clarence junior rugby field requires upgraded drainage infrastructure and turf improvements to maintain a suitable playing surface for sporting disciplines.

## 7.4 Meeting the challenges of multi-use

Due to the multi-use nature of the sports complex, specialised activities, sporting calendars and limited facilities and fields, there is potential for conflicts between user groups, which have occurred on occasions. It is suggested that the existing sporting groups regularly attend the Lower Clarence Sports Committee meetings and develop and maintain an events calendar to assist in minimising use conflicts.

### **Yamba Breakers / Touch Clubhouse and Former Junior Rugby League Clubhouse**

The *Sports Facilities Plan 2011* identified as a priority action the need to improve existing toilet and change room facilities, for instance a central shared facility to service all the fields on the southern side of the access road. Consultation with user groups has also identified the need to renew the existing Yamba Breakers /

Touch clubhouse amenities to provide for increasing female involvement in the sports and for additional storage facilities to provide suitable space for all sporting groups that use the reserve.

## **Raymond Laurie Sports Centre**

The centre is increasing in popularity and demand. Storage space within the facility has reached capacity. Centre operators and user groups have expressed a need for additional storage space to be constructed adjoining the existing storage area. Provision for additional storage was included in the original building plan but was omitted in the final design. The doors were installed during construction; however require the addition of external walls to complete the construction of the storage area.

Consultation with user groups has also identified demand for a shaded deck area adjacent to the netball courts to allow for protection from the weather and access to the café/kiosk.

## **Yamba Community Heated Pool**

The pool has grown in use since it opened 23 years ago and is a popular facility used by the community for a range of activities including squad training, aqua aerobics, swimming lessons, and casual swimming activities. Local schools use the pool for school sport and their annual swimming competition The Yamba Orcas swimming club and the Yamba Masters Swimming Club use the pool for training and competition.

The pool requires an upgrade to the current heating system in order to adequately heat the pool.

The increase in patronage over the years would benefit from an additional pool and a larger lawn area on the north-west section.

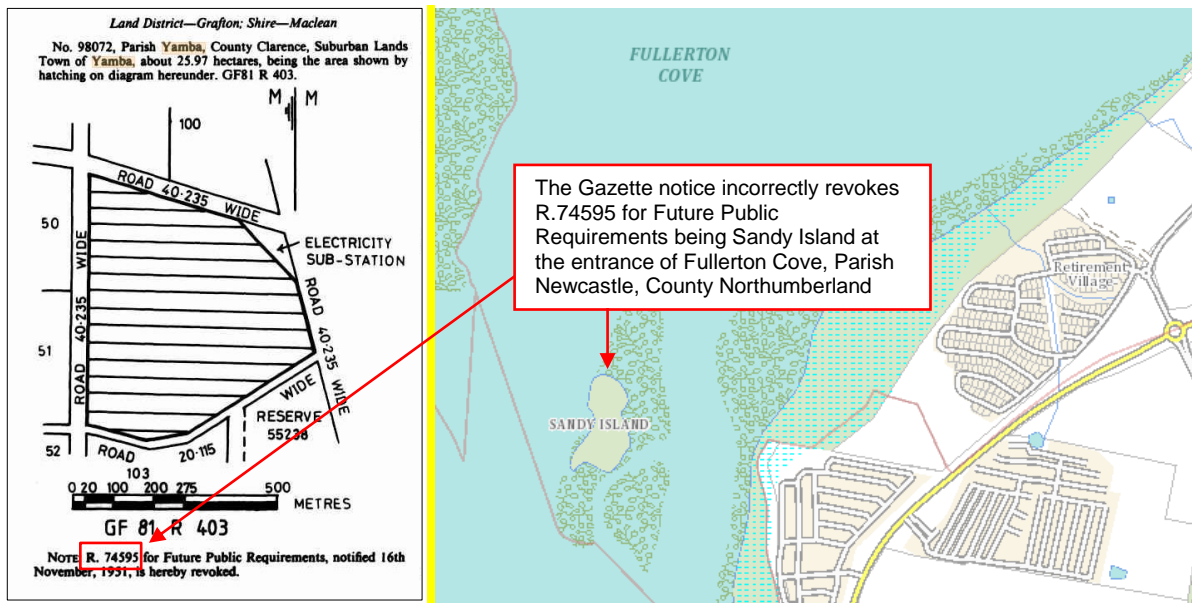
## **Future Rugby League Field and Athletics Training Area**

The Yamba Sports Fields Overall Layout Plan details the addition of a rugby league field, athletic / training area in the north-western section of the reserve with an access road and parking to the west of the Lower Clarence Rugby League Multi-use Facility (See Appendix 3). The construction and maintenance of additional facilities will reduce multi-use conflict and impacts to over used fields; however will be a greater financial burden on Council to maintain. A cost / benefit analysis and community consultation should be undertaken to determine the feasibility of future use of the area.

## **7.5 NSW Government Gazette error**

The notification of Reserve 98072 for public recreation in NSW Government Gazette on 14 February 1986 (P.730) included a typographical error which technically means that the previous notified purpose of the reserve was not revoked when the reservation of Reserve 98072 was made. The notification incorrectly

revoked R.74595 for Future Public Requirements located in the Parish of Newcastle, County Northumberland, commonly known as Sandy Island at the entrance of Fullerton Cove.



**Figure 7.1: NSW Government Gazette notice error, 14 February 1986, p. 730**

Consequently R.74594 for Future Public Requirements (also notified on 16 November 1951) technically still exists over the reserve and an erratum published in the NSW Government Gazette is required to rectify this error.

## 7.6 Access through the reserve

Access to/from Lot 51 DP 751395 and Lot 522 DP 633898 on Quarterdeck Place is currently obtained via an access track across the reserve that links to Angourie Road (Figure 7.2). This situation has arisen due primarily to the historic access created across the reserve to reach Lot 522 that was in existence prior to Council being made trustee of the reserve in 1986. In addition, access is not available along the unmade section of Quarterdeck Place adjoining the north-eastern side of Lot 51. Anecdotal evidence suggests that access through the reserve has been occurring since late 1984.



**Figure 7.2: Access between Angourie Rd and Quarterdeck Place via the Sports Complex Rd**

The original PoM for the reserve (Old Yamba Racecourse Reserve R98072) approved by the then Regional Manager for the Department of Lands on the 10th October 1985 identifies three reserve access points (refer to Unit 1 on Figure 7.3), being two access points off the former Freeburn Street road reserve (now Quarterdeck Place and partially constructed) and one access point off Angourie Road. The plan also identified a temporary access to be constructed off Deering Street to the north of the reserve (refer to Unit 2 on Figure 7.3). The location where the existing access track across the reserve traverses the western boundary of the reserve is approximately the same location as the southernmost access point identified off Freeburn Street in the 1985 plan of management (refer to Figure 7.3).



**PLAN OF MANAGEMENT - PLAN C:**

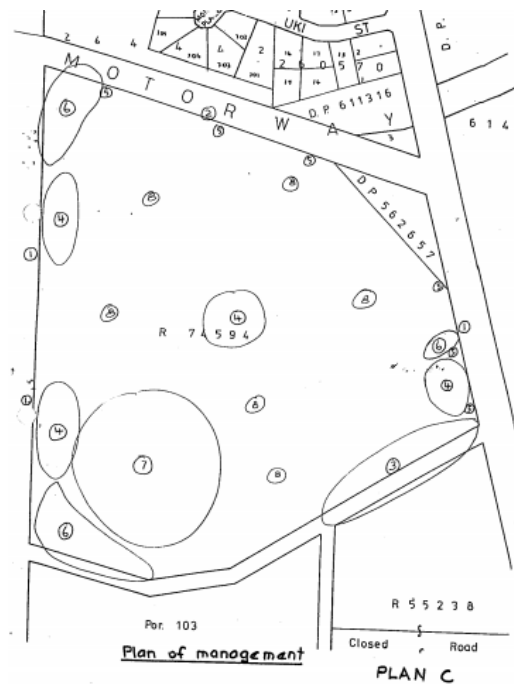
In considering all the relevant points discussed above a schematic layout of the reserve is shown in Plan C. The various component of the plan are numbered and discussed below.

**UNIT 1: ACCESS TO RESERVE**

Along the roads where the unit 1 is indicated it is proposed that a major access point be provided. In the case of Angourie Road this access point will require eventual upgrading to Type 3 intersection.

**UNIT 2: TEMPORARY ACCESS**

Until such time as the new main road is constructed into Yamba it is proposed that an access be provided in this section of Deering Street. When the Main Road is constructed this access shall be removed and replaced with an access off Freeburn Street.



**Figure 7.3: Old Yamba Racecourse Reserve R98072 PoM management actions in regards to reserve access**

The original plan was written at a time when the proposed Yamba Motorway/Bypass was likely to have been completed in the not too distant future. Hence, the identification of reserve access points off Freeburn Street and passages of text that suggested specific infrastructure to be built. For example:

The area will be fully visible along the main roads in and out of Yamba and require special consideration of scenic and visual values in development.

The southern boundary abutts a native flora reserve and will require the provision of a buffer area. The western boundary of Freeburn Street, presently undeveloped, is expected to form a distributing road to areas westwards and will form a further access point to the reserve.

Parking areas within the reserve could then be located in the vicinity of the access points off Angourie Road and Freeburn Street and considering the needs of each area of the reserve depending on the use to which each area is put.

Consequently, the reserve access off Freeburn Street and the road through the reserve may have been constructed in anticipation of the motorway/bypass being constructed along Deering Street and the future development of Freeburn Street as a major road to service areas west of Yamba.

Council is again currently preparing a high-level feasibility assessment of the Yamba Urban ByPass Road, being a major road/bypass for the town of Yamba. This assessment is expected to be finalised by June 2021. This plan of management recommends that the existing access over the reserve between Angourie Road and the Quarterdeck Place road reserve should remain until such time as a decision on the future of the Yamba ByPass and any associated changes to Deering Street and Quarterdeck Place is known.

If Council resolves not to develop the Yamba ByPass then Council as Crown land manager of the reserve will investigate options to resolve the public use of the Sports Complex Road to travel between Angourie Road and Quarterdeck Place. Options include:

- Constructing a formed road on the unmade section of Quarterdeck Place to provide access to Lot 51 and Lot 522.
- Creating a Right of Carriageway over the Sports Complex Road; or
- Compulsory acquiring the land on which the Sports Complex Road has been constructed for the purpose of a public road.

## 7.7 Remnant vegetation

The remnant native vegetation located on the reserve is highly significant as it is a derived form of swamp oak swamp forest which is a type of “Swamp Sclerophyll Forest of the NSW North Coast” which is listed as an Endangered Ecological Community under the *Biodiversity Conservation Act 2016*.

Yamba has also been identified as a priority management site for the Southern Swamp Orchid through the Saving our Species Program and a number of conservation actions have been developed to secure the species in the long term, which are detailed within the SoS strategy.

Section 8 of the PoM details management actions to ensure the protection of the remnant vegetation, maintain connectivity with the adjoining flora reserve and the wider landscape, while facilitating sustainable use of the land.

## 8.0 MANAGEMENT OBJECTIVES AND ACTIONS

This section details the core management objectives of the categories assigned to Ngayundi Yamba Sports Complex. It also details the management actions to guide the administration, development and maintenance of the reserve under this PoM.

### 8.1 Core management objectives for Ngayundi Yamba Sports Complex

The following tables detail the core objectives of each category assigned to Ngayundi Yamba Sports Complex under the LG Act, in accordance with the LG (G) Regs. The reference codes assigned to each of the core objectives (Table 8.1 – 8.3) provides a guide to how each of the Management Actions in Table 8.1 – 8.3 relate back to the Core Objectives.

Refer to Appendix 1 Ngayundi Yamba Sports Complex Management Category Map to distinguish the boundaries of each management category proposed for Ngayundi Yamba Sports Complex.

**Table 8.1: Sportsground**

(1) Core objectives	(2) Reference codes
(a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and	<b>S1</b>
(b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.	<b>S2</b>

(1) s36F, LG Act (2) Management Action Table reference

**Table 8.2: Natural Area**

(1) Core objectives	(2) Reference codes
(a) to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and	<b>NA1</b>
(b) to maintain the land, or that feature or habitat, in its natural state and setting, and	<b>NA2</b>
(c) to provide for the restoration and regeneration of the land, and	<b>NA3</b>
(d) to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and	<b>NA4</b>
(e) to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the <i>Biodiversity Conservation Act 2016</i> or the <i>Fisheries Management Act 1994</i> .	<b>NA5</b>

(1) s36E, LG Act (2) Management Action Table reference

**Table 8.3: Bushland**

(1) Core objectives	(2) Reference codes
(a) ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and	<b>B1</b>
(b) protect the aesthetic, heritage, recreational, educational and scientific values of the land;	<b>B2</b>
(c) promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbances caused by human intrusion; and	<b>B3</b>
(d) restore degraded bushland, and	<b>B4</b>
(e) protect existing landforms such as natural drainage lines, watercourses and foreshores, and	<b>B5</b>
(f) retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and	<b>B6</b>
(g) protect bushland as a natural stabiliser of the soil surface	<b>B7</b>

(1) s36J, LG Act (2) Management Action Table reference

## 8.2 Management of the Land

The following tables outline the performance targets, the strategies/actions required to achieve the objectives and performance targets and the method for evaluating the achievement of the management actions to ensure the effective management of Ngayundi Yamba Sports Complex.

**Table 8.4: Environment**

**Management Objective<sup>1</sup>** To protect, conserve and enhance the natural environment and ecosystem functions while providing for sustainable human interactions within the reserve

Performance Targets	Strategies/Actions for achieving Objectives and performance targets	Performance Measures	Core Objectives Reference codes <sup>6</sup>
1.1. The biodiversity, ecosystem function, and scenic features of the reserve are protected, conserved and enhanced	1.1.1 Develop and implement vegetation management plan (including weed control and monitoring programs) to effectively manage existing bushland vegetation on the reserve	<ul style="list-style-type: none"> <li>Vegetation management plan (VMP) developed and implemented</li> <li>Consultation undertaken with Yaegl TOAC</li> <li>Monitoring program (including photo-points) established and undertaken</li> <li>Weed infestations mapped, and reduced</li> <li>Revegetation and regeneration area(s)</li> </ul>	<b>NA1, NA2, NA3, B1, B3, B4, B5</b>

<sup>6</sup> These core objective reference codes refer to the LG Act category core objectives listed in Tables 8.1 – 8.3.

Performance Targets	Strategies/Actions for achieving Objectives and performance targets	Performance Measures	Core Objectives Reference codes <sup>6</sup>
		established and maintained where required <ul style="list-style-type: none"> <li>Threatened species and endangered ecological communities identified, mapped, and protected</li> </ul>	
	1.1.2 Manage biodiversity in accordance with current legislation, Council's <i>Biodiversity Management Strategy 2020</i> to control weeds, conserve and manage threatened species and maintain habitat, natural assets and connectivity	<ul style="list-style-type: none"> <li>Biodiversity managed in accordance with the <i>Biodiversity Conservation Act 2016</i>, Council's <i>Biodiversity Management Strategy 2020</i> and <i>VMP</i></li> <li>Weeds controlled in compliance with <i>Biosecurity Act 2015</i> and the <i>North Coast Regional Strategic Weed Management Plan</i></li> <li>Plant communities, biodiversity, habitat, natural assets and connectivity maintained and in good condition</li> </ul>	<b>NA1, NA2, NA3, B1, B4, B5, B6</b>
	1.1.3 Undertake revegetation and landscaping using endemic local provenance plant species where appropriate in accordance with best management practice and Council's <i>Biodiversity Management Strategy 2020</i> , including <ul style="list-style-type: none"> <li>plant <i>Banksia integrifolia</i> (coast Banksia)</li> </ul>	<ul style="list-style-type: none"> <li>Best practice management and the actions of the <i>Clarence Valley Biodiversity Management Strategy 2020</i> and <i>VMP</i> are implemented</li> <li>Endemic local provenance plant species used in revegetation and landscaping where appropriate</li> <li>Existing bushland areas and corridors</li> </ul>	<b>NA3, NA4, B3, B4, B6, B7</b>

Performance Targets	Strategies/Actions for achieving Objectives and performance targets	Performance Measures	Core Objectives Reference codes <sup>6</sup>
	<p><i>Ficus microphylla</i> (Small leaved fig), <i>Melaleuca quinquenervia</i> (Broad-leaved Paperbark) and <i>Cupaniopsis anarcardioides</i> (Tuckeroo) as shade trees</p> <ul style="list-style-type: none"> <li>- increase / improve landscaping around parking areas</li> <li>- revegetate degraded areas of bushland and drainage line</li> <li>- investigate increasing size of remnant vegetation adjacent to the west of the rugby league multi-use facility</li> </ul>	<p>improved and extended where appropriate</p> <ul style="list-style-type: none"> <li>• Biodiversity, ecosystem function, corridors, soil health and habitat conserved and maintained</li> <li>• Natural shaded areas increased</li> </ul>	
	<p>1.1.4 Retain existing remnant vegetation, corridors, ground cover, leaf litter and fallen logs where appropriate to maintain biodiversity, ecosystem function, soil health and provide linkages to assist in fauna movement within the reserve and throughout the landscape, including:</p> <ul style="list-style-type: none"> <li>- along northern and southern boundary and along drainage line / watercourse</li> <li>- adjacent to rugby league</li> </ul>	<ul style="list-style-type: none"> <li>• Current bushland parcels are retained and maintained</li> <li>• Biodiversity, ecological function, corridors, soil health and habitat maintained</li> <li>• Mowing restricted to open space and sportsground areas – no / minimal impact on bushland areas</li> <li>• Area requiring ongoing mowing reduced</li> </ul>	<p><b>NA1, NA2, NA3, NA4, B1, B3, B4, B5, B6, B7</b></p>
	<p>1.1.5 Restrict un-authorized vehicle access through appropriate vehicle barriers bounding bushland, internal roads/parking areas and sportsgrounds; and maintain a low key track between the internal road and Deering Street</p>	<ul style="list-style-type: none"> <li>• Appropriate vehicle barriers installed and maintained between roads / parking areas /sportsgrounds / bushland</li> <li>• Vehicles access restricted to designated areas</li> </ul>	<p><b>NA1, NA4, B1, B3, B5</b></p>



Performance Targets	Strategies/Actions for achieving Objectives and performance targets	Performance Measures	Core Objectives Reference codes <sup>6</sup>
	that minimises disturbance on surrounding bushland.	<ul style="list-style-type: none"> <li>Human disturbance on biodiversity, habitat values, and ecosystem function reduced and mitigated</li> </ul>	
1.2. All new development and redesign of facilities incorporate ecological sustainable development principles to ensure maintenance of biodiversity, ecosystem function and amenity.	1.2.1 Accepted principles of crime prevention through environmental design (CPTED), environmental sustainable design and relevant legislation and Council policy are considered and incorporated into construction/refurbishment of all reserve facilities and infrastructure where appropriate.	<ul style="list-style-type: none"> <li>Facilities and infrastructure are built to relevant Australian Standards, meet legislative requirements</li> <li>CPTED principles incorporated into design and construction</li> <li>Energy and water sensitive urban design features are incorporated into design and construction</li> <li>Water efficiency improved through the use of water efficient devices installed in amenities and outdoor taps and showers</li> <li>Energy efficiency improved through the installation of solar power system and LED lighting on facilities and infrastructure where appropriate</li> </ul>	<b>S1</b>
	1.2.2 Incorporate ecological sustainable management practices in the development and implementation of an operational works	<ul style="list-style-type: none"> <li>Ecological sustainable management practices incorporated into operational works program</li> <li>Operational works program developed and</li> </ul>	<b>S1</b>

Performance Targets	Strategies/Actions for achieving Objectives and performance targets	Performance Measures	Core Objectives Reference codes <sup>6</sup>
	program for the reserve	implemented <ul style="list-style-type: none"> <li>• Maintenance undertaken to established service levels</li> <li>• Improved efficiency and cost benefit</li> <li>• Turf quality and playing surface improved</li> </ul>	
<b>1.3 The native vegetation on the reserve is enhanced through the mitigation of human disturbance and collaboration with community groups and NGOs.</b>	1.3.1 Implement requirements of the Tree Management Policy, including an education campaign/program and provide information to NGO and community groups to promote reserve values and create awareness of: <ul style="list-style-type: none"> <li>- ecological impacts and legal aspects of unauthorised tree vandalism and clearing</li> <li>- importance of retaining native vegetation and corridors for biodiversity, habitat connectivity and ecosystem function</li> <li>- environmental and legal aspects of dumping of garden waste and the potential weed impacts within Crown reserves</li> <li>- Saving our Species program / strategies and threatening processes</li> </ul>	<ul style="list-style-type: none"> <li>• Education campaign developed and implemented in collaboration with NGO and community groups</li> <li>• Native vegetation rehabilitated and maintained</li> <li>• Weed incursion reduced</li> <li>• Human disturbance, tree vandalism and garden waste dumping reduced</li> <li>• Threatening processes identified and reduced</li> </ul>	<b>NA3, NA5, B1, B2, B3, B4</b>
	1.3.2 Encourage collaboration with and provide support to NGO and community groups involved in bush regeneration works to maintain existing vegetation on the reserve based on project plans, VMP and saving our	<ul style="list-style-type: none"> <li>• Community based bush regeneration groups encouraged and supported</li> <li>• Bush rehabilitation project plans developed and implemented</li> <li>• Weed control and revegetation undertaken in</li> </ul>	<b>NA1, NA3, NA4, NA3, B2, B3, B4,</b>

Performance Targets	Strategies/Actions for achieving Objectives and performance targets	Performance Measures	Core Objectives Reference codes <sup>6</sup>
	species strategies	<p>accordance with best practice management, and Council's <i>Biodiversity Management Strategy 2020</i> and VMP</p> <ul style="list-style-type: none"> <li>Natural areas of the reserve are restored and regenerated</li> </ul>	
	1.3.3 Undertake monitoring in collaboration with NGO and community groups, maintain data based records and implement management actions of the Biodiversity Conservation Program - Saving our Species program / strategy(s) to manage potential threats to threatened species observed on the reserve	<ul style="list-style-type: none"> <li>Community based bush regeneration groups encouraged and supported</li> <li>Compliance with <i>Biodiversity Conservation Act 2016</i> and Department of Planning, Industry and Environment - <i>SoS Monitoring, Evaluation and Reporting (2018)</i></li> <li>Monitoring program (including photo points) established and undertaken and a database record of threatened species observations maintained</li> <li>Relevant actions of SoS program/ strategy(s) implemented where required</li> <li>Threats to flora and fauna minimised and populations maintained</li> </ul>	<b>NA5</b>

Table 8.5: Social

**Management Objective 2:** To support a diverse range of recreational and social, cultural and educational activities and provide suitable recreational and sporting facilities and infrastructure

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>7</sup>
2.1. Recreational, sporting, social, cultural and educational pastimes and activities are encouraged, facilitated and supported	2.1.1 Continue to encourage and provide support to sporting groups and facility managers, and assist in funding applications to offset costs of facility upgrade, equipment replacement and maintenance consistent with Council's strategic planning	<ul style="list-style-type: none"> <li>• Sporting groups encouraged and supported</li> <li>• Activities and events are held successfully</li> <li>• Sporting group representatives regularly attend Council's quarterly Sports Committee meetings</li> <li>• Sporting groups successful in obtaining relevant Federal, State and Local Government funding</li> <li>• Sporting groups aligned projects with actions outlined in Council's Sports Facilities Strategic Plan</li> <li>• The objectives of Council's Sports Facilities Strategic Plan have been implemented</li> <li>• Compliance with Council's Sports Management Policy</li> </ul>	<b>S1</b>

<sup>7</sup> These core objective reference codes refer to the LG Act category core objectives listed in Tables 8.1 – 8.3.

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>7</sup>
	<p>2.1.2 Provide and maintain open space and multi-use sportsgrounds for appropriate sporting, recreational, and other compatible activities, including but not limited to:</p> <ul style="list-style-type: none"> <li>- organized sports including, but limited to soccer, touch football, rugby league, AFL, netball, croquet, and associated events</li> <li>- athletics and triathlon events</li> <li>- dog sports and training</li> <li>- outdoor artistic installations, public art, exhibitions, displays, performances, public speeches</li> <li>- community markets, events, workshops</li> </ul>	<ul style="list-style-type: none"> <li>• Open space provided</li> <li>• Appropriate sporting, recreational, and compatible activities are held successfully</li> <li>• Open space maintenance undertaken to established service levels</li> </ul>	<p><b>S1</b></p>
	<p>2.1.3 Sports fields and facilities have staggered timing of major events, and contra-seasonal schedules of organised sporting activities to minimise use impacts</p>	<ul style="list-style-type: none"> <li>• Sporting group representatives regularly attend Council's quarterly Sports Committee meetings</li> <li>• Events schedules maintained and reviewed by all key stakeholders and updated seasonally</li> <li>• Council's online booking platform "BookIT" is</li> </ul>	<p><b>S1</b></p>

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>7</sup>
		available to all key stakeholders <ul style="list-style-type: none"> <li>• Organised sports using the same fields are contra-seasonal</li> <li>• Multi-use conflicts are minimised</li> </ul>	
2.2. The instances and impact of anti-social behavior on visitors and neighbours is mitigated	2.2.1 Develop, install and maintain appropriate directional, advertisement, regulatory and interpretive 'community' signage at strategic locations within the reserve to: <ul style="list-style-type: none"> <li>- ensure compliance with Council policy, regulations, legislation and safe use of the reserve</li> <li>- provide education and awareness on the values of the reserve, including ecological processes, threatening processes, biodiversity, rubbish impacts on aquatic systems and Saving our Species program</li> <li>- reduce occurrences of human disturbance to bushland areas</li> <li>- provide directional signs to assist users to locate recreational facilities</li> </ul>	<ul style="list-style-type: none"> <li>• Community signage is rationalised and consolidated</li> <li>• Signage is developed, installed and maintained in compliance with relevant legislation, Australian Standards and Council policy</li> <li>• Placement of signage has considered impacts on sportsground use and amenity</li> <li>• Persons using the reserve comply with Council policy, regulations and legislation</li> <li>• Reduction in complaints received by Council</li> <li>• Public safety improved</li> </ul>	<b>S2, NA4, B3</b>
	2.2.2 Implement a sportsground maintenance program using accepted CPTED principles	<ul style="list-style-type: none"> <li>• Sportsground maintenance program using CPTED principles implemented</li> <li>• Occurrences of property damage and vandalism reduced</li> </ul>	<b>S2</b>

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>7</sup>
		<ul style="list-style-type: none"> <li>Compliance with Council policy, legislation and regulations</li> <li>Reduction in complaints received by Council</li> </ul>	
	2.2.3 Encourage community members and park users to undertake surveillance and report incidences of property damage and vandalism to the authorities	<ul style="list-style-type: none"> <li>Community consultation is undertaken and support for surveillance initiatives achieve</li> <li>Actual occurrence of property damage and vandalism is reduced</li> </ul>	<b>S2 &amp; B3</b>
2.3. Recreational facilities, infrastructure and open space meet the needs of a diverse demographic now and in the future	2.3.1 Undertake stakeholder consultation and consider relevant population and demographic data prior to facility design and construction	<ul style="list-style-type: none"> <li>Current population and demographic data considered</li> <li>Community consultation undertaken</li> </ul>	<b>S1</b>
	2.3.2 Provide/Renew/replace facilities and upgrade sporting infrastructure to provide for the current and changing sporting needs, including: <ul style="list-style-type: none"> <li>a) <u>Sportsground area</u> <ul style="list-style-type: none"> <li>- assess feasibility of an athletics running track and associated athletic infrastructure, and design and construct as appropriate</li> <li>- install and maintain subsurface drainage to</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Recreational and sporting facilities and infrastructure are renewed and replaced to meet current and anticipated user needs as required</li> <li>Facilities, infrastructure and sportsgrounds are provided appropriate to the multipurpose nature of sporting and recreational activities</li> <li>Funding for facilities and infrastructure projects is identified and secured</li> </ul>	<b>S1</b>



Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>7</sup>
	<p>all fields when developing new sports grounds, including AFL and Rugby League fields</p> <ul style="list-style-type: none"> <li>- refurbish toilet and shower facilities at rear of Yamba Breakers / Yamba Touch Clubhouse to accommodate female competitors</li> <li>- construct all weather / hard netball court surfaces as appropriate</li> <li>- ensure goal posts are removable to allow for multi-use fields</li> <li>- rationalise existing / construct new storage facilities to accommodate all sporting disciplines</li> <li>- design and construct additional rugby league field adjacent to existing field</li> <li>- upgrade synthetic cricket wickets as required</li> <li>- replace aged /rusted tennis court fencing</li> <li>- upgrade / replace tennis court lighting to appropriate LED</li> <li>- upgrade / replace tennis court picnic shelter</li> <li>- upgrade existing lighting to appropriate LED and install new lighting infrastructure on south-western fields</li> <li>- assess feasibility of a fenced dog training area, and construct if appropriate</li> </ul>	<ul style="list-style-type: none"> <li>• Compliance with relevant legislation and Council policy</li> </ul>	

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>7</sup>
	<p>b) <u>Raymond Laurie Sports Centre</u></p> <ul style="list-style-type: none"> <li>- construct additional storage adjoining existing on eastern wall</li> <li>- construct glass door and wall between disabled toilets and kiosk to manage noise and humidity to court area</li> <li>- assess feasibility for the installation of a humidity control system to manage slippery court surface, and construct if appropriate</li> <li>- assess feasibility for design / construct sun-safe deck area with access to server and kiosk counter, and construct if appropriate</li> </ul> <p>c) <u>Yamba Community Heated Pool</u></p> <ul style="list-style-type: none"> <li>- upgrade pool heating system</li> <li>- relocate pool fencing in line with swimming club shed to extend useable lawn area</li> </ul>		
	<p>2.3.3 Investigate the feasibility for an additional pool to be constructed to the west of the existing main pool, such as purpose built heated learn to swim pool to meet increasing</p>	<ul style="list-style-type: none"> <li>• The viability and development of an additional pool is assessed</li> <li>• Additional pool constructed where feasible</li> <li>• Compliance with Council's Aquatic Facility Strategy, relevant legislation and Council</li> </ul>	<p><b>S1</b></p>

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>7</sup>
	demands, where appropriate	DCP	
2.4. Pedestrian and vehicle access, linkages and parking are provided and maintained at appropriate locations throughout the reserve for people with a diverse range of abilities	2.4.1 Provide and maintain suitable internal roads and vehicle access to facilities and grounds, including: <ul style="list-style-type: none"> <li>- bitumen seal the gravel road between the exit of the 105 space car park and the entry to the Lower Clarence Rugby League Multi-use facility</li> <li>- construct all weather vehicle access to Raymond Laurie Sports Centre's northern and western side access doors</li> <li>- investigate the feasibility for construction of an access road servicing the north western area of the reserve identified for future sporting facilities and construct as required</li> </ul>	<ul style="list-style-type: none"> <li>• Bitumen seal to the rugby league multi-use facility completed</li> <li>• All weather vehicle access to Raymond Laurie Sports Centre constructed</li> <li>• Viability of additional access road servicing the northwestern section of the reserve is assessed and constructed where feasible</li> <li>• Internal roads maintained to established service levels</li> <li>• Public safety increased</li> </ul>	S1
	2.4.2 Provide and maintain car park in close proximity to recreational and sporting facilities for people with a diverse range of abilities, including: <ul style="list-style-type: none"> <li>- design and construct an appropriate car park area adjacent to the new Lower Clarence Rugby League Multi-use Facility</li> <li>- temporary parking available during sporting and community events permitted under licence</li> <li>- investigate feasibility of additional car park in</li> </ul>	<ul style="list-style-type: none"> <li>• All-ability car park are provided close to facilities in compliance with Australian Standards and Council policy</li> <li>• Car park area designed and constructed adjacent to new rugby league multi-use facility</li> <li>• Temporary parking available during sporting and community events subject to Council approval and licensing</li> <li>• Viability of car park in north western area of</li> </ul>	S1

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>7</sup>
	association with future sport facility development on the north western area of the reserve, and construct as required	reserve assessed, and constructed where feasible <ul style="list-style-type: none"> <li>• Parking audited and maintained to established service levels</li> <li>• Pedestrian safety increased</li> </ul>	
	2.4.3 Provide and maintain suitable all-ability pedestrian access and linkages between parking areas, facilities and sports fields including: - extend current concrete footpath from the Raymond Laurie Sports Centre to connect with new Lower Clarence Rugby League Multi-use Facility	<ul style="list-style-type: none"> <li>• Suitable all-ability pedestrian access pathways and linkages are provided between parking areas, facilities and sports fields in compliance with Australian Standards and Council policy</li> <li>• Disabled access is audited in consultation with the access committee</li> <li>• Pedestrian access audited and maintained to established service levels</li> <li>• Constraints are rectified within reasonable timeframes</li> <li>• Pedestrian safety increased</li> </ul>	<b>S1</b>

**Table 8.6: Economic and Administration**

**Management Objective 3:** To ensure the ongoing management and use of the reserve is economically sustainable and equitably

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>8</sup>
3.1. Tenures for the use of the land, facilities and infrastructure are granted in accordance with this PoM, relevant legislation and Council policy.	3.1.1 Assess all applications for the use of the land, facilities and infrastructure against the community benefit of the proposal, and use restrictions that maybe imposed from time-to-time (eg. Conflict with other events; weather impacts, scheduled maintenance activities etc)	<ul style="list-style-type: none"> <li>Community benefit assessed</li> <li>Tenures granted in accordance with this PoM, relevant legislation and council policies</li> <li>Appropriate sporting, recreational and other compatible activities facilitated</li> </ul>	<b>S1</b>
	3.1.2 Ensure seasonal, short term and casual licence agreements are granted for appropriate activities, including but not limited to sport and recreational activities subject to Council approval	<ul style="list-style-type: none"> <li>Licences are approved for appropriate activities with conditions</li> <li>Appropriate sporting, recreational, and other compatible activities are facilitated</li> </ul>	<b>S1</b>
	3.1.3 Encourage the use of the Council BookIT system for short term and casual bookings where appropriate	<ul style="list-style-type: none"> <li>Council's BookIT system used and maintained for short term and casual bookings</li> <li>Appropriate sporting, recreational, and other compatible activities are facilitated</li> </ul>	<b>S1</b>
	3.1.4 Tenures are based on market value with appropriate discounting granted to voluntary	<ul style="list-style-type: none"> <li>Tenures granted in accordance with this</li> </ul>	<b>S1</b>

<sup>8</sup> These core objective reference codes refer to the LG Act category core objectives listed in Tables 8.1 – 8.3.

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>8</sup>
	organisations	PoM, relevant legislation and council policies <ul style="list-style-type: none"> <li>• Lease/Licence review undertaken regularly to ensure market value</li> <li>• Discounts granted to volunteer organisations based on criteria set by Council</li> </ul>	
3.2. Administration, maintenance and development of the reserve is undertaken to agreed service levels and within budget	3.2.1 Ensure costs to develop, redevelop and maintain assets are sustainable within resources available to the Council and the community	<ul style="list-style-type: none"> <li>• Full life cycle costs are considered and budgeted</li> <li>• Maintenance and operational costs are reduced</li> </ul>	
	3.2.2 Funding allocations and fees and charges are considered in the preparation of Council's Annual Operational Plan and administered to users in accordance with Council's Fees and Charges	<ul style="list-style-type: none"> <li>• Facilities operated and maintained at minimal cost to Council</li> <li>• Costs are passed on to users where reasonable</li> </ul>	
	3.2.3 Develop and maintain a cyclical and/or preventative building and ground maintenance program within operational budget that reflects the usage needs.	<ul style="list-style-type: none"> <li>• Maintenance plans are developed and implemented in accordance with Council's Asset Management Plan noting that some responsibility may be passed onto tenants</li> <li>• Maintenance of the reserve and facilities is undertaken in a cost effective and</li> </ul>	

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>8</sup>
		competitive manner to relevant service levels	
3.3. Renewal of assets is undertaken prior to end of useful life and at minimal cost to Council	3.3.1 Develop and implement an asset management plan to reflect value and depreciation of assets within the reserve and seek grant funding to renew assets prior to end of useful life	<ul style="list-style-type: none"> <li>• Asset management plan developed and implemented</li> <li>• Grant funding successful</li> <li>• Cost to renew assets for council reduced</li> <li>• Assets renewed prior to end of life</li> </ul>	



**Table 8.7: Risk Management and Environmental Constraints**

**Management Objective 4:** To ensure the sustainable safe use of the natural and built environment of the reserve.

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>9</sup>
4.1. The reserve is a safe environment for appropriate sporting, recreational and compatible social and cultural activities	4.1.1 Formulate and implement risk management plans for the land and facilities on the reserve in consultation with stakeholders	<ul style="list-style-type: none"> <li>• Risk management plans are developed and implemented</li> <li>• Stakeholders consulted</li> <li>• Inspections and audits are undertaken at established service levels</li> <li>• Risk management issues are prioritised and rectified within reasonable timeframes</li> </ul>	<b>S1</b>
	4.1.2 Install hard stand ambulance areas, and provide and maintain emergency vehicle access points at strategic locations within the reserve and provide access plans to relevant emergency services organisations	<ul style="list-style-type: none"> <li>• Hard stand ambulance area constructed and maintained</li> <li>• Emergency vehicle access points maintained and regulated</li> <li>• Emergency services are provided updated</li> </ul>	<b>S1</b>

<sup>9</sup> These core objective reference codes refer to the LG Act category core objectives listed in Tables 8.1 – 8.3.

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>9</sup>
		access point plans <ul style="list-style-type: none"> <li>• General vehicle access restricted except under Council approval/licence during events</li> </ul>	
	4.1.3 Undertake compliance to ensure reserve users are acting in accordance with the requirements of relevant licences, approvals, Council policy and legislation	<ul style="list-style-type: none"> <li>• Compliance undertaken by Council Rangers</li> <li>• Reserve users comply with relevant authorities, licence and/or regulatory signage</li> <li>• Instances of vandalism investigated and dealt with</li> <li>• Reduction in complaints of anti social behavior and vandalism received by Council</li> </ul>	<b>S2</b>
	4.1.4 General waste bins are provided at strategic location around the reserve to reduce impacts on neighbours, amenity, the terrestrial and aquatic environment	<ul style="list-style-type: none"> <li>• General waste bins are provided and maintained at regular service levels</li> <li>• Rubbish within the sportsgrounds/bushland and entering waterways and neighbouring properties is minimised</li> </ul>	<b>S2, NA4, B3, B4</b>
	4.1.5 Investigate feasibility for the installation of traffic calming devices along the internal access road to slow traffic and improve public safety, and install as appropriate	<ul style="list-style-type: none"> <li>• Traffic calming devices installed and maintained</li> <li>• Public safety improved</li> </ul>	
	4.1.6 Access to sports fields are closed during hazardous conditions such as, during times of flood, boggy conditions and to areas	<ul style="list-style-type: none"> <li>• Regulatory signage is installed to notify of closure</li> <li>• Compliance with regulations are achieved</li> </ul>	<b>S1</b>

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>9</sup>
	undergoing operational works.	<ul style="list-style-type: none"> <li>Risks to park users and sporting infrastructure are reduced</li> </ul>	
	4.1.7 Install a pedestrian access gate in the south eastern section of the fenced to improve public safety	<ul style="list-style-type: none"> <li>Pedestrian access gate installed and maintained</li> <li>Public safety improved</li> </ul>	<b>S1</b>
4.2. Environmental constraints and impacts to the reserve are mitigated	4.2.1 Prepare and implement an erosion and sediment control plan for the reserve to reduce runoff to waterways, including the provision of bitumen seal the along the access road gutter drain to reduce run off to drain	<ul style="list-style-type: none"> <li>Erosion and sediment control plan prepared and implemented</li> <li>Gravel / gutter drain along internal road sealed</li> <li>Erosion and run-off potential to waterways reduced</li> <li>Leaf litter, groundcover and fallen logs retained, soil health improved and habitat maintained</li> </ul>	<b>NA1, NA2, B1, B5, B7</b>
	4.2.2 Ensure future development and operational works do not impact on potential acid sulfate soils	<ul style="list-style-type: none"> <li>All works that have the potential to impact acid sulfate soils have complied with the CVLEP clause 7.1</li> <li>Soil tests and analysis are undertaken prior</li> </ul>	<b>NA2, B7</b>

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>9</sup>
		<p>to development in accordance with the CVLEP when required</p> <ul style="list-style-type: none"> <li>• An acid sulfate soils management plan is developed in accordance with the CVLEP when required</li> </ul>	
	4.2.3 Undertake flood planning assessments and develop a mitigation strategy where necessary	<ul style="list-style-type: none"> <li>• Flood planning assessment and mitigation strategy undertaken</li> <li>• All works comply with clause 7.3 of the CVLEP and relevant DCP provisions when applicable</li> </ul>	
	4.2.4 Undertake all necessary precautions to ensure future development within the bushfire prone area of the reserve does not pose a risk to built assets and reserve users	<ul style="list-style-type: none"> <li>• NSW Rural Fire Service consulted</li> <li>• Compliance with NSW RFS - <i>Planning for Bushfire Protection 2019</i> and DCP</li> <li>• Risk to reserve assets and users minimised</li> </ul>	
	4.2.5 Future works and development consider potential climate change impacts, including sea level rise, increased storm intensity/frequency and heat waves to reduce potential risks to reserve assets and park users, including but not limited to - sun-safe structures installed adjacent to playing fields - suitable native shade trees planted at strategic locations	<ul style="list-style-type: none"> <li>• Design and location of structures considers potential climate change impacts</li> <li>• Natural and constructed asset risk minimised</li> <li>• Public safety improved</li> <li>• Compliance with relevant legislation and Council policy</li> </ul>	

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>9</sup>
	<ul style="list-style-type: none"> <li>- additional water fountains installed at high use areas of the reserve</li> <li>- installation of automatic irrigation systems to all fields not currently irrigated</li> </ul>		

Table 8.8: Cultural and European Heritage

**Management Objective 5:** To ensure the protection of heritage items and Aboriginal objects and facilitate awareness of the Aboriginal cultural heritage and European heritage values of the reserve

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>10</sup>
5.1. The heritage and cultural values of the reserve are showcased and promoted	5.1.1 Provide opportunities for promotion of Aboriginal and European cultural heritage information, activities and education	<ul style="list-style-type: none"> <li>Aboriginal and European cultural heritage information, activities and education provided and promoted</li> </ul>	
	5.1.2 Develop and install heritage interpretive signage at strategic locations within the park, including both Aboriginal and European heritage values of the reserve	<ul style="list-style-type: none"> <li>Yaegl TOAC have been consulted when developing first nation cultural heritage interpretation material</li> <li>Reliable historic records and the Port of Yamba Historic Society consulted when developing European heritage interpretation material</li> <li>'Interpreting Heritage Places and items Guidelines' has been used to assist in developing interpretation material</li> <li>Signage is developed, installed and maintained in compliance with relevant legislation and Council policy</li> </ul>	

<sup>10</sup> These core objective reference codes refer to the LG Act category core objectives listed in Tables 8.1 – 8.3.

Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>10</sup>
		<ul style="list-style-type: none"> <li>Signage is consolidated and impacts on reserve use and amenity are minimised</li> </ul>	
	5.1.3 Liaise with Yaegl TOAC to incorporate Indigenous place names into Ngayundi Yamba Sports Complex signage to acknowledge the traditional, social and cultural significance of places and reserve attributes	<ul style="list-style-type: none"> <li>Yaegl TOAC have been consulted</li> <li>Signage is developed, installed and maintained in compliance with relevant legislation and Council policy</li> <li>Signage is consolidated and impacts on sportsground use and amenity are considered</li> </ul>	<b>B2</b>
5.2. The Aboriginal and European heritage of the reserve are protected	5.2.1 Undertake a heritage assessment prior to any works or development affecting any heritage listed items or Aboriginal object on the reserve	<ul style="list-style-type: none"> <li>AHIMS, the State Heritage Register, CVLEP Schedule 5 and Council's Development Assessment staff have been consulted</li> <li>All development and operational work complies with CVLEP clause 5.10 – Heritage Conservation and Council's Heritage Strategy</li> <li>Heritage Impact Statement completed and implemented if applicable</li> </ul>	<b>B2, B3</b>
	5.2.2 Undertake all reasonable steps to ensure the effect of any works or development	<ul style="list-style-type: none"> <li>Compliance with Section 86 of the <i>National Parks and Wildlife Act 1994</i> and the <i>Due</i></li> </ul>	<b>B2, B3</b>



Performance Targets	Strategies/Actions for achieving objectives	Performance Measures	Core Objectives Reference codes <sup>10</sup>
	on any Aboriginal object known or reasonably likely to be located at the place is avoided	<p><i>Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (2010)</i></p> <ul style="list-style-type: none"> <li>• All development and work on site complies with CVLEP clause 5.10 – Heritage Conservation</li> <li>• Heritage Impact Statement completed and implemented if applicable</li> <li>• All work is stopped and the relevant traditional owners and authorities have been notified if an Aboriginal object is uncovered during works and that object as not subject to appropriate pre-work approval or consideration</li> </ul>	

## 9.0 PLAN REVIEW AND CHANGE

This PoM will require regular review in order to align with community values and changing community needs, and to reflect changes in Council priorities.

The performance of this PoM will also be reviewed on a regular basis to ensure the land and buildings are well maintained and provide a safe environment for the public.

Strategic reviews of this PoM will occur at 5 year intervals.

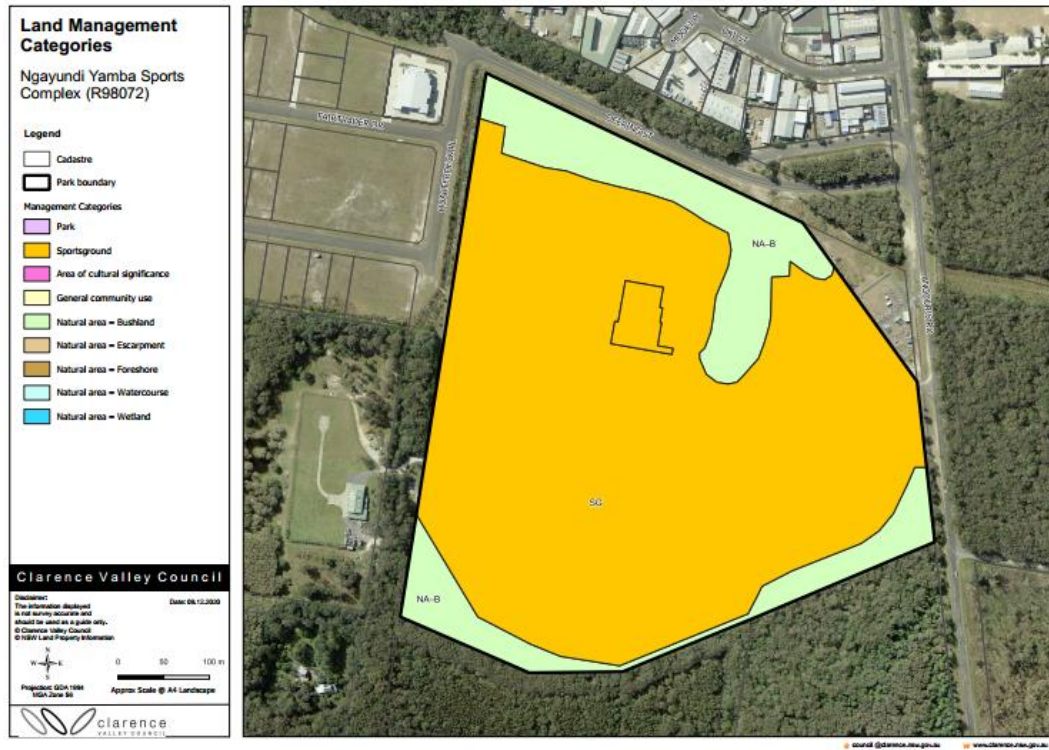
The community will have an opportunity to participate in reviews of this PoM as part of the planning process as required by legislation.

# REFERENCES

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# APPENDICES

## Appendix 1: Ngayundi Yamba Sports Complex Management Category Map



## Appendix 2: Ngayundi Yamba Sports Complex Asset Register Report (October 2020)

### Open Spaces & Facilities Assets

Asset Name	Facility	Component	Component Type	Condition	Renewal Year
Kiosk/office/plant room	Yamba Sports Complex (Pool)	Sub-Structure	Concrete	2	2114
Kiosk/office/plant room	Yamba Sports Complex (Pool)	Structure	Brick	1	2143
Kiosk/office/plant room	Yamba Sports Complex (Pool)	Floor Coverings	Ceramic Tiles	1	2047
Kiosk/office/plant room	Yamba Sports Complex (Pool)	Fit-Out	Plaster Board/Gyproc	2	2056
Kiosk/office/plant room	Yamba Sports Complex (Pool)	Roof	Metal Decking	1	2102
Kiosk/office/plant room	Yamba Sports Complex (Pool)	Serv - Elect	Electrical	2	2075
Kiosk/office/plant room	Yamba Sports Complex (Pool)	Serv - Hydr	Hydraulic System	2	2082
Amenities/Store	Yamba Sports Complex (Pool)	Sub-Structure	Concrete	2	2114
Amenities/Store	Yamba Sports Complex (Pool)	Structure	Brick	2	2128
Amenities/Store	Yamba Sports Complex (Pool)	Floor Coverings	Ceramic Tiles	2	2038
Amenities/Store	Yamba Sports Complex (Pool)	Roof	Metal Decking	1	2102
Amenities/Store	Yamba Sports Complex (Pool)	Serv - Elect	Electrical	2	2075
Amenities/Store	Yamba Sports Complex (Pool)	Serv - Hydr	Hydraulic System	2	2082
Raymond Laurie Sports Centre	Ngayundi Sports Complex	Sub-Structure	Concrete/timber	1	2030
Raymond Laurie Sports Centre	Ngayundi Sports Complex	Structure	Conc Block	1	2030
Raymond Laurie Sports Centre	Ngayundi Sports Complex	Floor Coverings	Polished	1	2025
Raymond Laurie Sports Centre	Ngayundi Sports Complex	Fit-Out	Plaster Board/Gyproc	1	2029
Raymond Laurie Sports Centre	Ngayundi Sports Complex	Roof	Metal Decking	1	2032
Raymond Laurie Sports Centre	Ngayundi Sports Complex	Serv - Elect	Electrical	1	2026
Raymond Laurie Sports Centre	Ngayundi Sports Complex	Serv - Hydr	Hydraulic System	1	2026

Asset Name	Facility	Component	Component Type	Condition	Renewal Year
Raymond Laurie Sports Centre	Ngayundi Sports Complex	Serv - Mechanical	Ventilation	1	2022
Raymond Laurie Sports Centre	Ngayundi Sports Complex	Serv - Fire	Incorporated Fire Services	1	2024
Raymond Laurie Sports Centre	Ngayundi Sports Complex	Serv - Security	Security	1	2021
Soccer Club & Changerooms	Yamba Sports Complex	Sub-Structure	Concrete	2	2161
Soccer Club & Changerooms	Yamba Sports Complex	Structure	Brick	2	2113
Soccer Club & Changerooms	Yamba Sports Complex	Floor Coverings	Ceramic Tiles	2	2038
Soccer Club & Changerooms	Yamba Sports Complex	Roof	Metal Decking	2	2086
Soccer Club & Changerooms	Yamba Sports Complex	Serv - Elect	Electrical	2	2065
Soccer Club & Changerooms	Yamba Sports Complex	Serv - Hydr	Hydraulic System	2	2072
Kiosk / Office / Public Toilet	Yamba Sports Complex	Sub-Structure	Concrete	2	2161
Kiosk / Office / Public Toilet	Yamba Sports Complex	Structure	Conc Block	2	2123
Kiosk / Office / Public Toilet	Yamba Sports Complex	Roof	Metal Decking	2	2086
Kiosk / Office / Public Toilet	Yamba Sports Complex	Serv - Elect	Electrical	2	2068
Kiosk / Office / Public Toilet	Yamba Sports Complex	Serv - Hydr	Hydraulic System	2	2072
Yamba Sporting Clubhouse	Yamba Sports Complex	Sub-Structure	Concrete	1	2165
Yamba Sporting Clubhouse	Yamba Sports Complex	Structure	Concrete	1	2226
Yamba Sporting Clubhouse	Yamba Sports Complex	Floor Coverings	Epoxy Coated	1	2034
Yamba Sporting Clubhouse	Yamba Sports Complex	Fit-Out	Plaster Board/Gyproc	1	2103
Yamba Sporting Clubhouse	Yamba Sports Complex	Roof	Metal Decking	1	2155
Yamba Sporting Clubhouse	Yamba Sports Complex	Serv - Elect	Electrical	1	2155
Yamba Sporting Clubhouse	Yamba Sports Complex	Serv - Hydr	Hydraulic System	1	2147
Yamba Sporting Clubhouse	Yamba Sports Complex	Serv - Fire	Incorporated Fire Services	1	2064
Internal sportsground fences - steel post & rail	Yamba Sports Complex	Fences	Steel Post and Rail	2	2057
Tennis court fences - chainwire	Yamba Sports Complex - Community Pool	Fences	Post and Chain Link	1	2044
Swimming pools - 25m	Yamba Sports Complex - Community Pool	Pool Assets	25 Metre Swimming Pool	3	2065
Toddlers pools	Yamba Sports Complex - Community Pool	Pool Assets	Freeform Swimming Pool	1	2070
Filtration plant & equipment	Yamba Sports Complex - Community Pool	Pool Assets	Pool Plant - Average Life	1	2056
Pool heating systems	Yamba Sports Complex	Pool Assets	Pool Plant - Average	2	2047



Asset Name	Facility	Component	Component Type	Condition	Renewal Year
	- Community Pool		Life		
Pool blankets	Yamba Sports Complex - Community Pool	Pool Assets	Pool Plant - Average Life	4	2028
Unsealed roads & car parks	Yamba Sports Complex	Hardstand and Internal Roads	Internal Road - Gravel	2	2045
Pool hardened surfaces	Yamba Sports Complex - Community Pool	Hardstand and Internal Roads	Hardstand - Concrete	1	2121
Swimming pool lighting	Yamba Sports Complex - Community Pool	Lighting	Sports Fields	2	2036
Tennis court lighting	Yamba Sports Complex	Lighting	Sports Fields	1	2040
Pool shade sails x 3	Yamba Sports Complex - Community Pool	Park Assets	Shade Structures	1	2040
Sports shelters	Yamba Sports Complex	Park Assets	Shelter	2	2049
Tennis court shelters	Yamba Sports Complex	Park Assets	Shelter	1	2061
Tennis courts x 4	Yamba Sports Complex	Sporting Equipment	Tennis Court	1	2043
Synthetic cricket wickets x 2	Yamba Sports Complex	Sporting Equipment	Cricket Pitches	1	2028
Water tanks	Yamba Sports Complex	Miscellaneous	Water Tanks	1	2039
Internal street and car park lighting	Yamba Sports Complex - Community Pool	Lighting	Car Parks	2	2038
Sealed roads & car parks	Yamba Sports Complex - Community Pool	Hardstand and Internal Roads	Internal Road - Bitumen	2	2042
Internal car park decorative wooden bollards	Yamba Sports Complex - Indoor Sports Complex	Fences	Bollards	1	2051
Sealed roads & car parks	Yamba Sports Complex - Indoor Sports Complex	Hardstand and Internal Roads	Internal Road - Bitumen	1	2062
Concrete kerb & gutters	Yamba Sports Complex - Indoor Sports Complex	Hardstand and Internal Roads	Hardstand - Concrete	1	2131
Internal street and car park lighting	Yamba Sports Complex - Indoor Sports Complex	Lighting	Car Parks	1	2051
Sports lighting	Yamba Sports Complex - Netball	Lighting	Sports Fields	1	2040
Brick retaining walls	Yamba Sports Complex - Community Pool	Retain Walls	Concrete Block	1	2081
Sports lighting	Yamba Sports Complex - Rugby Union	Lighting	Sports Fields	1	2040
Sports lighting	Yamba Sports Complex - Soccer / Cricket	Lighting	Sports Fields	2	2036
Concrete footpaths	Yamba Sports Complex	Hardstand and Internal Roads	Pathways - Concrete	1	2086
Unsealed roads & car parks	Yamba Sports Complex	Hardstand and Internal Roads	Internal Road - Gravel	1	2045

Asset Name	Facility	Component	Component Type	Condition	Renewal Year
Internal sportsground fences - chainwire	Yamba Sports Complex - Community Pool	Fences	Post and Chain Link	2	2038
Block retaining walls	Yamba Sports Complex	Retain Walls	Concrete Block	1	2090
Drinking Station	Ngayundi Yamba Sports Complex	Park Assets	Bubbler	1	2041
4m x 4 tier Grandstands	Yamba Sports Complex	Park Assets	Bench Seats	1	2048
4m x 4 tier Grandstands	Yamba Sports Complex	Park Assets	Bench Seats	1	2048
T2 Pool Chair Lifts - 160kg rating, battery powered, air actuated	Yamba Sports Complex - Community Pool	Pool Assets	Pool Plant - Short Life	2	2040
4m x 4 tier Grandstands	Yamba Sports Complex	Park Assets	Bench Seats	1	2061
4m x 4 tier Grandstands	Yamba Sports Complex	Park Assets	Bench Seats	1	2061
Telemetry System - Musco Control Link	Yamba Sports Complex - Yamba Rugby Field #2 Oval	Miscellaneous	Low Voltage Power Supply	1	2029
Telemetry System - Musco Control Link	Ngayundi Yamba Sports Complex	Miscellaneous	Low Voltage Power Supply	1	2029
Log Fencing - Post and Rail	Yamba Sports Complex - Indoor Sports Complex	Fences	Timber Post and Rail	2	2036
Pool Chainwire Fencing	Yamba Sports Complex - Community Pool	Fences	Post and Chain Link	2	2034
Bollards Yamba Sports Complex	Yamba Sports Complex	Fences	Bollards	1	2056
Yamba Sports Complex League Grandstands	Yamba Sports Complex	Sporting Equipment	Athletic Surface - Concrete Formed	1	2081
Yamba Soccer Work Bench	Yamba Sports Complex	Miscellaneous	Athletic Surface - Concrete Formed	1	2051
Superslave Blanket Winder	Yamba Sports Complex - Community Pool	Pool Assets	Pool Plant - Average Life	1	2074
Shade Sails	Yamba Sports Complex - Community Pool	Park Assets	Shade Structures	1	2046
Fence - Chainmesh - Tennis Courts	Yamba Sports Complex	Fences	Post and Chain Link	1	2058
Fence - Chainmesh - Yamba Community Pool	Yamba Sports Complex - Community Pool	Fences	Post and Chain Link	1	2058
Rock Bolders	Yamba Sports Complex	Fences	Bollards	1	2083
Bollards	Yamba Sports Complex	Fences	Bollards	1	2069
Car park - Soccer/Cricket - Formation	Yamba Sports Complex	Hardstand and Internal Roads	Hardstand - Asphalt	1	2221
Car park - Soccer/Cricket - Sub-base	Yamba Sports Complex	Hardstand and Internal Roads	Hardstand - Asphalt	1	2147
Car park - Soccer/Cricket - Base	Yamba Sports Complex	Hardstand and Internal Roads	Hardstand - Asphalt	1	2147
Car park - Soccer/Cricket - Surface	Yamba Sports Complex	Hardstand and Internal Roads	Hardstand - Asphalt	1	2040
Ambulance Access to Soccer/Cricket fields - Base	Yamba Sports Complex	Hardstand and Internal Roads	Internal Road - Bitumen	1	2147
Ambulance Access to Soccer/Cricket fields - Surface	Yamba Sports Complex	Hardstand and Internal Roads	Internal Road - Bitumen	1	2036

Asset Name	Facility	Component	Component Type	Condition	Renewal Year
Ambulance Access to Soccer/Cricket fields - Culvert	Yamba Sports Complex	Landscaping	Drainage	1	2145
Dish Drain	Yamba Sports Complex	Landscaping	Drainage	1	2054
Concrete Dish Drain (Car park - Soccer/Cricket )	Yamba Sports Complex	Hardstand and Internal Roads	Hardstand - Concrete	1	2186
Car park Kerb/Edge	Yamba Sports Complex	Hardstand and Internal Roads	Hardstand - Concrete	1	2131
Traffic Island - Concrete	Yamba Sports Complex	Hardstand and Internal Roads	Hardstand - Concrete	1	2131
Traffic Island - Concrete	Yamba Sports Complex	Hardstand and Internal Roads	Hardstand - Concrete	1	2131
Traffic Island - Concrete	Yamba Sports Complex	Hardstand and Internal Roads	Hardstand - Concrete	1	2131
Traffic Island - Planting	Yamba Sports Complex	Hardstand and Internal Roads	Hardstand - Gravel	1	2131
Traffic Island - Planting	Yamba Sports Complex	Hardstand and Internal Roads	Hardstand - Gravel	1	2131
Traffic Island - Planting	Yamba Sports Complex	Hardstand and Internal Roads	Hardstand - Gravel	1	2131
Disable Parking Sign x 2	Yamba Sports Complex	Miscellaneous	Signs	1	2048
Enrty Sign/No Exit Sign x 2	Yamba Sports Complex	Miscellaneous	Signs	1	2048
No Enrty Sign/Exit Sign x 2	Yamba Sports Complex	Miscellaneous	Signs	1	2048
Pathways - Rugby League	Yamba Sports Complex	Hardstand and Internal Roads	Pathways - Concrete	1	2081
Dug-out x 2	Yamba Sports Complex	Sporting Equipment	Sports Structures (other)	1	2083
Culvert Pipe- Headwalls (Rugby League - rear entrance)	Yamba Sports Complex	Landscaping	Drainage	1	2147
Pool blankets	Yamba Sports Complex - Community Pool	Pool Assets	Pool Plant - Average Life	1	2028
Car park - Lighting	Yamba Sports Complex	Lighting	Car Parks	1	2052

### Transport Assets

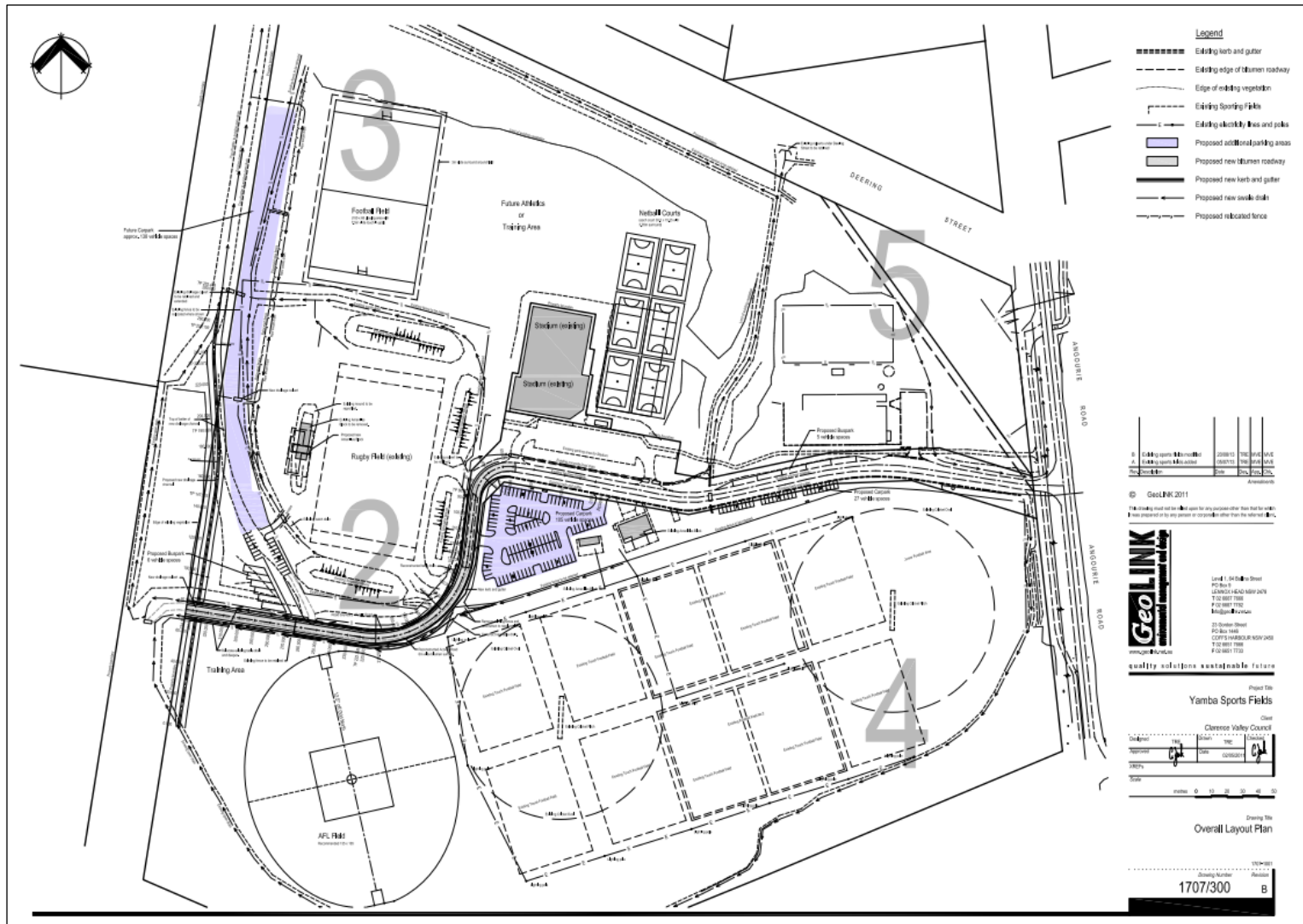
Asset Name	Asset Type	Component	Component Type	Condition Score	Renewal Year
SPORTS COMPLEX RD	Urban Local Access 1	Formation	Std	1	2120
SPORTS COMPLEX RD	Urban Local Access 1	Pavement	Std	4	2067
SPORTS COMPLEX RD	Urban Local Access 1	Surface	Bitumen Seal	1	2035

Asset Name	Asset Type	Component	Component Type	Condition Score	Renewal Year
SPORTS COMPLEX RD	Urban Local Access 1	Formation	Std	1	2220
SPORTS COMPLEX RD	Urban Local Access 1	Pavement	Std	1	2105
SPORTS COMPLEX RD	Urban Local Access 1	Surface	Bitumen Seal	1	2035
SPORTS COMPLEX RD	Drain	Standard	Dish Drain	3	2075
SPORTS COMPLEX RD	Drain	Standard	Open Unlined	3	2075
SPORTS COMPLEX RD	Drain	Standard	Open Unlined	3	2075
SPORTS COMPLEX RD	Kerb	Standard	Barrier Kerb & Gutter	2	2096
SPORTS COMPLEX RD	Kerb	Standard	Barrier Kerb & Gutter	2	2096
SPORTS COMPLEX RD	Kerb	Standard	Semi Mountable	1	2130
SPORTS COMPLEX RD	Stormwater Pipe	Standard	RCP375	2	2075
SPORTS COMPLEX RD - Cyclist path	Sign Panel	Sign	R9-1-3	2	2032
SPORTS COMPLEX RD - END	Sign Panel	Sign	R7-4	2	2032
SPORTS COMPLEX RD - GIVE WAY	Sign Panel	Sign	R1-2	2	2032
SPORTS COMPLEX RD - ILLEGIBLE	Sign Panel	Sign	UNKNOWN	2	2032
SPORTS COMPLEX RD - ILLEGIBLE	Sign Panel	Sign	Non Standard	3	2026
SPORTS COMPLEX RD - ILLEGIBLE	Sign Panel	Sign	Non Standard	2	2032
SPORTS COMPLEX RD - ILLEGIBLE	Sign Panel	Sign	UNKNOWN	2	2032
SPORTS COMPLEX RD - Public notice	Sign Panel	Sign	Non Standard	3	2026
SPORTS COMPLEX RD - SHARED FOOTWAY	Sign Panel	Sign	R8-2	2	2032
SPORTS COMPLEX RD - SHARED FOOTWAY	Sign Panel	Sign	R8-2	3	2026
SPORTS COMPLEX RD Segment 1	Sign Structure	Structure	1 Post Round	2	2032
SPORTS COMPLEX RD Segment 2	Sign Structure	Structure	1 Post Round	2	2032
SPORTS COMPLEX RD Segment 3	Sign Structure	Structure	1 Post Round	2	2032
SPORTS COMPLEX RD Segment 4	Sign Structure	Structure	2 Post Round	2	2032
SPORTS COMPLEX RD - Cyclist path	Sign Panel	Sign	R9-1-3	2	2032
SPORTS COMPLEX RD - END	Sign Panel	Sign	R7-4	2	2032
SPORTS COMPLEX RD - GIVE WAY	Sign Panel	Sign	R1-2	2	2032
SPORTS COMPLEX RD - ILLEGIBLE	Sign Panel	Sign	UNKNOWN	2	2032
SPORTS COMPLEX RD - ILLEGIBLE	Sign Panel	Sign	Non Standard	3	2026

Asset Name	Asset Type	Component	Component Type	Condition Score	Renewal Year
SPORTS COMPLEX RD - ILLEGIBLE	Sign Panel	Sign	Non Standard	2	2032
SPORTS COMPLEX RD - ILLEGIBLE	Sign Panel	Sign	UNKNOWN	2	2032
SPORTS COMPLEX RD - Public notice	Sign Panel	Sign	Non Standard	3	2026
SPORTS COMPLEX RD - SHARED FOOTWAY	Sign Panel	Sign	R8-2	2	2032
SPORTS COMPLEX RD - SHARED FOOTWAY	Sign Panel	Sign	R8-2	3	2026
SPORTS COMPLEX RD Segment 1	Sign Structure	Structure	1 Post Round	2	2032
SPORTS COMPLEX RD Segment 2	Sign Structure	Structure	1 Post Round	2	2032
SPORTS COMPLEX RD Segment 3	Sign Structure	Structure	1 Post Round	2	2032
SPORTS COMPLEX RD Segment 4	Sign Structure	Structure	2 Post Round	2	2032

Grade	Condition	Description
1	Very Good	Asset is new or near new. All components are in excellent condition, no damage to any major or minor components. Only planned maintenance required.
2	Good	All components are in good condition, no major damage to major components, and minor damage to minor components. Only minor maintenance required, plus planned maintenance.
3	Fair or Moderate	All components are still in good working condition but showing signs of wear and tear. No major damage to major components, minor damage to minor components. Significant maintenance required.
4	Poor	Major components require repair work, minor components may need replacing. Minor damage to major components and significant damage to minor components. Significant renewal/rehabilitation required.
5	Very Poor	Asset is unserviceable. Significant damage to major components. Physically unsound and/or beyond rehabilitation.

### Appendix 3: Ngayundi Yamba Sports Complex Overall Layout Plan







# No Parking AREAS 12PM - 5AM

Brooms Head Reserve  
(R65975)

### Legend

-  Cadastre
-  No Parking AREAS 12PM - 5AM



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Date: 03.12.2020



0 20 40 m



Approx Scale @ A4 Landscape

Projection: GDA 1994  
MZone 56GA







# No Parking AREAS 12PM - 5AM

Iluka Beach Carpark  
(R89464)

### Legend

-  Cadastre
-  No Parking AREAS 12PM - 5AM



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MZone 56GA  
Approx Scale @ A4 Landscape





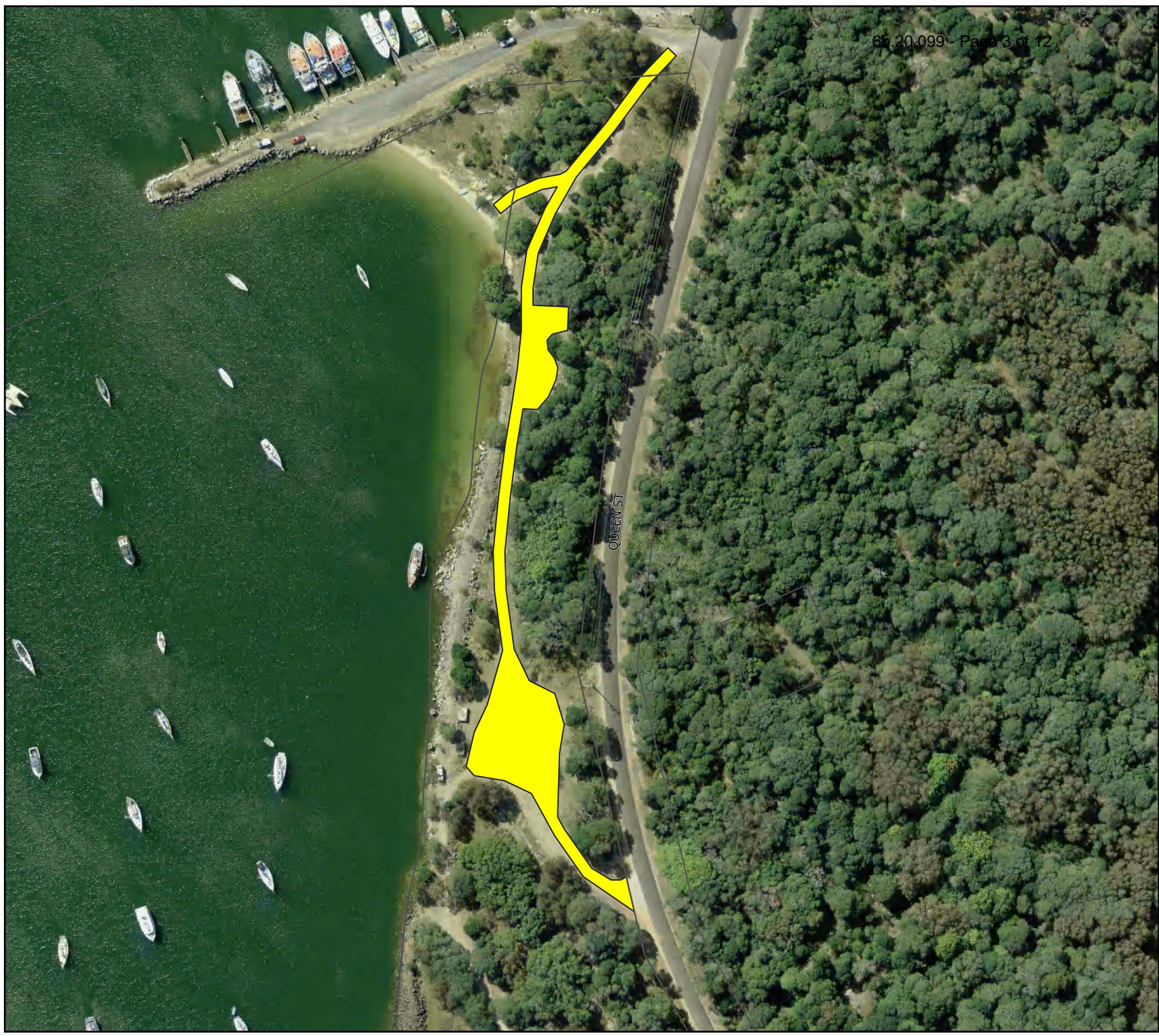


# No Parking AREAS 12PM - 5AM

Moriarty's Reserve (R8842)

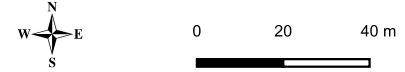
### Legend

-  Cadastre
-  No Parking AREAS 12PM - 5AM



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Approx Scale @ A4 Landscape







# No Parking AREAS 12PM - 5AM

## Minnie Water Foreshore Reserve (R84129)

### Legend

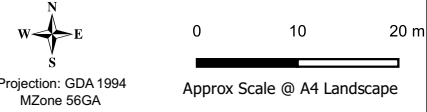
-  Cadastre
-  No Parking AREAS 12PM - 5AM



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# No Parking AREAS 12PM - 5AM

Minnie Water Foreshore  
Reserve (R84129)

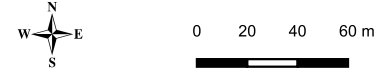
### Legend

-  Cadastre
-  No Parking AREAS 12PM - 5AM

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Date: 03.12.2020



Projection: GDA 1994  
MZone 56GA  
Approx Scale @ A4 Landscape







# No Parking AREAS 12PM - 5AM

Old Punt Road (Road Reserve)

## Legend

-  Cadastre
-  No Parking AREAS 12PM - 5AM



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Date: 07.12.2020



0 20 40 m



Approx Scale @ A4 Landscape

Projection: GDA 1994  
MZone 56GA







# No Parking AREAS 12PM - 5AM

Eastland Park (R91546) &  
Punt Lane (Road Reserve)

### Legend

-  Cadastre
-  No Parking AREAS 12PM - 5AM



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Projection: GDA 1994  
MZone 56GA







# No Parking AREAS 12PM - 5AM

South Terrace (R41752)

### Legend

-  Cadastre
-  No Parking AREAS 12PM - 5AM



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0 50 100 150 m



Approx Scale @ A4 Landscape

Projection: GDA 1994  
MZone 56GA







# No Parking AREAS 12PM - 5AM

Wooloweyah Foreshore  
Reserve (R95841)

## Legend

-  Cadastre
-  No Parking AREAS 12PM - 5AM



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0 10 20 m



Projection: GDA 1994  
MZone 56GA  
Approx Scale @ A4 Landscape







# No Parking AREAS 12PM - 5AM

Hickey Island Reserve  
(R1003009)

### Legend

-  Cadastre
-  No Parking AREAS 12PM - 5AM



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Date: 03.12.2020



0 20 40 m

Approx Scale @ A4 Landscape

Projection: GDA 1994  
MZone 56GA







# No Parking AREAS 12PM - 5AM

Flinders Park (R85724)

### Legend

-  Cadastre
-  No Parking AREAS 12PM - 5AM



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Date: 03.12.2020



0 20 40 60 m

Approx Scale @ A4 Landscape

Projection: GDA 1994  
MZone 56GA







# No Parking AREAS 12PM - 5AM

Flinders Park (R85724)

## Legend

-  Cadastre
-  No Parking AREAS 12PM - 5AM



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Date: 03.12.2020



0 20 40 m

Approx Scale @ A4 Landscape

Projection: GDA 1994  
MZone 56GA



## Carmen Landers

---

**From:** Rob Donges <rdongesyamba@icloud.com>  
**Sent:** Monday, 7 December 2020 6:23 PM  
**To:** Carmen Landers  
**Cc:** Neil Garrard  
**Subject:** Refund of Fees - SUB2020/0038

Dear Carmen

As you are aware the owner has withdrawn this application.

I understand Council's policy is to refund 50% of fees which I assume means 50% of unspent fees.

In this instance the initial fee was \$23,347.75 including advertising and archiving, both of which would have been spent. The additional fees associated with the RFS referral would also have been spent.

50% of the balance of \$22,830 is \$11,415. It is acknowledged that staff have carried out some preliminary assessment, which we could value at \$2,830 to give a total available of \$20,000.

Accordingly, on behalf of Kahuna No. 1 Pty Ltd, I request that the total refund be \$20,000.

Thanks  
Rob Donges - Planning Consultant  
Phone: 0467 664 633



## Schedule of Recommendations

Organisation Name	Funding Category	Eligible for funding	Brief Project Description	Assessment Criteria	Reason for Recommendation / Link to Our Community Plan	Amount requested	Amount recommended
Lower Clarence Community Radio Inc	Rates	Yes	Property No. 129099 2 Clarence Street, Yamba	6.4 Organisations involved in cultural development within the Clarence Valley. <b>Eligible for half annual general rates levy (\$592.89/2)</b>	1.1.3 Support, encourage and celebrate community participation, community organisations and volunteerism	\$1,449.89	\$296.45
Clarence Valley Anglican School	Education Instns	Yes	Towards the cost of awards for Presentation Night.	6.2 educational institutions in the Clarence Valley for award presentations only	1.3.1 Support arts, learning, cultural services, community events and festivals	\$100.00	\$100.00
Rotary Club of Yamba	Cash	Yes	Yamba Twilight Markets 1/01/21 and Yamba Family Fun day 10/01/21. Towards the costs of Park hire through Bookit, electricity & extra bins and entertainment \$468; bamboo yurt \$500; trophies \$50; Sandologist for beach event \$800.	6.4 organisations involved in cultural development within the Clarence Valley	1.1.3 Support, encourage and celebrate community participation, community organisations and volunteerism	\$1,968.00	\$1,968.00
Yamba Early Learning Centre	Cash	Yes	Towards the cost of installation of water tanks for Water Wise program.	6.1 NFP organisation providing a community service within the Clarence Valley region where there is a demonstrated community need or benefit	1.3.1 Support arts, learning, cultural services, community events and festivals	\$2,369.39	\$1,500.00
Happy Paws Haven Inc	Cash	Yes	Towards the cost of providing an outdoor table setting for Volunteer's Rest Area.	6.1 NFP organisation providing a community service within the Clarence Valley region where there is a demonstrated community need or benefit	1.1.3 Support, encourage and celebrate community participation, community organisations and volunteerism	\$2,000.00	\$1,500.00
CWA of NSW - Chatsworth Island	Fee Waiver	Yes	fee waiver of hire fees for Chatsworth Isl hall for monthly meetings and fundraisers	6.1 NFP organisation providing a community service within the Clarence Valley region where there is a demonstrated community need or benefit	1.1.3 Support, encourage and celebrate community participation, community organisations and volunteerism	\$150.00	\$150.00
Mudyala Aboriginal Corporation	Cash, Fee Waiver	Yes	Towards the cost of Northern NSW women's Rugby League KO 2021 at Yamba 12/13 June (Cash \$1,116.50 Winners/Runner Up medals; Fee Waiver \$840 fields)	6.1 NFP organisation providing a community service within the Clarence Valley region where there is a demonstrated community need or benefit	1.3.2 Support a diverse and rich local Aboriginal and Torres Strait Islander culture	\$1,956.50	\$1,956.50
Nymboida Public School	Education Instns	Yes	Towards the cost of awards for Presentation Night.	6.2 educational institutions in the Clarence Valley for award presentations only	1.3.1 Support arts, learning, cultural services, community events and festivals	\$100.00	\$100.00
Iluka Koala Reserve Trust	Cash	Yes	To cover the cost of a wildlife pond restoration & commemorative bench seat.	6.6 organisations that provide a valuable service or benefit for which there are no alternate funding sources.	1.1.2 Respect the heritage of the region by highlighting and enhancing our unique characteristics	\$1,564.97	\$1,564.97

Organisation Name	Funding Category	Eligible for funding	Brief Project Description	Assessment Criteria	Reason for Recommendation / Link to Our Community Plan	Amount requested	Amount recommended
Grafton Playgroup	Fee Waiver	Yes	To waive the fees of rent (50% insurance cost) for Westward Park 2020/21 <b>Usually INELIGIBLE: 7.2 for on-going operational or administration expenses of an organisation but COVID 19 has resulted in less income for the small organisation.</b>	6.1 NFP organisation providing a community service within the Clarence Valley region where there is a demonstrated community need or benefit	1.1.3 Support, encourage and celebrate community participation, community organisations and volunteerism	\$798.00	\$798.00
Yamba Al-Anon Family Group	Fee Waiver	Yes	To waive the fees of hiring TDCC for weekly ALANON meetings for the remainder of the financial year.	6.1 NFP organisation providing a community service within the Clarence Valley region where there is a demonstrated community need or benefit	1.1.3 Support, encourage and celebrate community participation, community organisations and volunteerism	\$290.40	\$314.60
Glenreagh Creative Group Inc	Cash	Yes	contribution towards venue space for craft group to host workshops and charity fundraisers from Glenreagh School of Arts hall 27/1/21 to 30/6/21	6.6 organisations that provide a valuable service or benefit for which there are no alternate funding sources.	1.1.3 Support, encourage and celebrate community participation, community organisations and volunteerism	\$1,000.00	\$1,000.00
Hernani P&C Association	Cash	Yes	Towards the cost of a shipping container for storage of equipment used for their fundraising activities for the school.	6.1 NFP organisation providing a community service within the Clarence Valley region where there is a demonstrated community need or benefit	1.1.3 Support, encourage and celebrate community participation, community organisations and volunteerism	\$1,500.00	\$1,500.00
The Shepherd Centre - For Deaf Children	Cash	Yes	Towards the cost of 'Talk Together Connection' - a telehealth early intervention program for children with hearing loss and their families in Clarence Valley. Program runs from 14/12/20 to 25/6/21 (benefit for one family in CV)	6.1 NFP organisation providing a community service within the Clarence Valley region where there is a demonstrated community need or benefit	1.4.1 Provide quality Community Care, Ageing and Disability services	\$1,000.00	\$500.00
Grafton Midday Rotary Club	Fee Waiver	Yes	Fee waiver for hire of Memorial Park and any power required for Rotary's 100th Centenary Baton Relay on Friday 5 February 2021 (start & finish at park)	6.6 organisations that provide a valuable service or benefit for which there are no alternate funding sources.	1.1.3 Support, encourage and celebrate community participation, community organisations and volunteerism	\$300.00	\$300.00
<b>Totals:</b>						<b>\$16,547.15</b>	<b>\$13,548.52</b>





New South Wales

# **Clarence Valley Local Environmental Plan 2011 (Amendment No 45)**

under the

**Environmental Planning and Assessment Act 1979**

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**DES SCHRODER, DIRECTOR ENVIRONMENT, PLANNING & COMMUNITY  
CLARENCE VALLEY COUNCIL**  
As delegate for the local plan-making authority

## Clarence Valley Local Environmental Plan 2011 (Amendment No 45)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of Plan

This Plan is *Clarence Valley Local Environmental Plan 2011 (Amendment No 45)*.

### 2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

### 3 Land to which Plan applies

This Plan applies to land at Summerland Way, Koolkhan, being part of Lot 102, DP 1221192.

### 4 Maps

The maps adopted by *Clarence Valley Local Environmental Plan 2011* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

### 5 Amendment of Clarence Valley Local Environmental Plan 2011

#### Schedule 1 Additional permitted uses

Insert after clause 6—

#### 7 Use of certain land at Summerland Way, Koolkhan

- (1) This clause applies to land at Summerland Way, Koolkhan, being part of Lot 102, DP 1221192, identified as “D” on the Additional Permitted Uses Map.
- (2) Development for the purposes of a dwelling house is permitted with development consent.

# Clarence Valley Council

Monthly Income & Expenditure Statements by Service - November 2020

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***"Discover the Clarence"***

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 1000 - Office of General Manager**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	0	0
Interest Income	0	0
Operating Grants & Contributions	0	(883,448)
Other Revenue	0	4,923
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>0</b>	<b>(878,525)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	1,154,026	517,602
Other Employee Costs	1,118	22,415
Borrowing Costs	0	0
Materials	17,800	16,853
Contracts & Consultancies	180,217	(31,850)
Legal Expenses	0	0
Depreciation	805	0
Insurance Expenses	0	0
Donations, Contributions & Taxes	0	0
Administration Expenses	0	39
Other Operating Expenses	0	19,793
Subscriptions & Memberships	4,536	3,233
Internal Expenses	8,000	3,333
Internal Plant Hire	0	0
<b>Total Expenditure</b>	<b>1,366,502</b>	<b>551,419</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>1,366,502</b>	<b>(327,107)</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>1,366,502</b>	<b>(327,107)</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	0
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	(805)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	0	0
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	(1,144,782)	(476,993)
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>(1,144,782)</b>	<b>(476,993)</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	0	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	(217)	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(217)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>220,698</b>	<b>(804,099)</b>

## Monthly Income &amp; Expenditure Statement - November 2020

## Service: 1010 - Elected Members

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	0	0
Interest Income	0	0
Operating Grants & Contributions	0	0
Other Revenue	0	0
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>0</b>	<b>0</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	912	0
Other Employee Costs	2,004	520
Borrowing Costs	0	0
Materials	9,500	1,231
Contracts & Consultancies	0	5,875
Legal Expenses	0	0
Depreciation	0	0
Insurance Expenses	0	0
Donations, Contributions & Taxes	0	0
Administration Expenses	310,424	116,861
Other Operating Expenses	0	709
Subscriptions & Memberships	56,524	53,912
Internal Expenses	12,000	4,333
Internal Plant Hire	0	0
<b>Total Expenditure</b>	<b>391,364</b>	<b>183,441</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>391,364</b>	<b>183,441</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>391,364</b>	<b>183,441</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	0
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	0	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	0	0
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	232,133	96,722
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>232,133</b>	<b>96,722</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	83,000	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>83,000</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>706,497</b>	<b>280,163</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 2000 - Corporate & Governance**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	0	0
Interest Income	0	0
Operating Grants & Contributions	(175,000)	0
Other Revenue	0	0
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(175,000)</b>	<b>0</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	886,014	337,199
Other Employee Costs	300	1,013
Borrowing Costs	0	0
Materials	127,838	(167)
Contracts & Consultancies	56,300	14,095
Legal Expenses	0	0
Depreciation	1,787	0
Insurance Expenses	0	0
Donations, Contributions & Taxes	0	47,838
Administration Expenses	0	123
Other Operating Expenses	0	187
Subscriptions & Memberships	1,800	1,950
Internal Expenses	21,500	8,958
Internal Plant Hire	0	0
<b>Total Expenditure</b>	<b>1,095,539</b>	<b>411,196</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>920,539</b>	<b>411,196</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>920,539</b>	<b>411,196</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	0
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	(1,787)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	0	0
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	(482,622)	(201,092)
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>(484,409)</b>	<b>(201,092)</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	0	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	(321,990)	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(321,990)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>114,140</b>	<b>210,103</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 2010 - Property Services**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	0	(311)
Interest Income	0	0
Operating Grants & Contributions	0	(4,678)
Other Revenue	(309,266)	(124,245)
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(309,266)</b>	<b>(129,234)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	184,462	77,902
Other Employee Costs	0	0
Borrowing Costs	270	(20)
Materials	0	0
Contracts & Consultancies	6,800	3,000
Legal Expenses	0	915
Depreciation	0	0
Insurance Expenses	15,789	0
Donations, Contributions & Taxes	0	0
Administration Expenses	0	1,717
Other Operating Expenses	5,005	2,908
Subscriptions & Memberships	0	0
Internal Expenses	25,058	(75)
Internal Plant Hire	0	0
<b>Total Expenditure</b>	<b>237,384</b>	<b>86,347</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>	<b>(71,882)</b>	<b>(42,887)</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>(71,882)</b>	<b>(42,887)</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	0
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	0	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	435	106
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	9,516	3,965
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>9,951</b>	<b>4,071</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	(104,291)	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(104,291)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>(166,222)</b>	<b>(38,817)</b>



**Monthly Income & Expenditure Statement - November 2020**  
**Service: 2020 - Community & Industry Engagement**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	0	0
Interest Income	0	0
Operating Grants & Contributions	0	(14,209)
Other Revenue	0	(1,243)
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>0</b>	<b>(15,452)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	617,960	235,205
Other Employee Costs	3,092	2,443
Borrowing Costs	310	138
Materials	158,020	39,904
Contracts & Consultancies	125,966	49,476
Legal Expenses	0	0
Depreciation	12,259	0
Insurance Expenses	49	0
Donations, Contributions & Taxes	140,000	7,862
Administration Expenses	197,982	40,432
Other Operating Expenses	0	732
Subscriptions & Memberships	31,152	23,337
Internal Expenses	8,094	2,383
Internal Plant Hire	3,265	1,102
<b>Total Expenditure</b>	<b>1,298,149</b>	<b>403,014</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>1,298,149</b>	<b>387,561</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>1,298,149</b>	<b>387,561</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	50,000	0
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	140,000	110,000
Depreciation	(12,259)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	1,390	682
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	94,909	39,546
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>274,040</b>	<b>150,227</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	(9,000)	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	(18,950)	0
S64 / S94 Contribution Reserves	(54,150)	0
<b>Total Transfers to/from Reserves</b>	<b>(82,100)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>1,490,089</b>	<b>537,789</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 2100 - Finance & Supply**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	(35,131,965)	(35,470,205)
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	(140,000)	(66,945)
General User Fees	(30,555)	(10,973)
Interest Income	(942,805)	(804,568)
Operating Grants & Contributions	(4,690,960)	(922,052)
Other Revenue	(241,200)	(22,935)
Internal Income	(6,603,564)	(2,101,897)
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(47,781,049)</b>	<b>(39,399,575)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	6,946,328	3,673,732
Other Employee Costs	245,188	169,405
Borrowing Costs	0	329
Materials	(650,123)	1,767
Contracts & Consultancies	196,921	(12,730)
Legal Expenses	209,760	0
Depreciation	250	0
Insurance Expenses	0	0
Donations, Contributions & Taxes	0	0
Administration Expenses	745,201	318,728
Other Operating Expenses	2,500	4,199
Subscriptions & Memberships	504	(35)
Internal Expenses	223,300	96,713
Internal Plant Hire	7,881	2,547
<b>Total Expenditure</b>	<b>7,927,710</b>	<b>4,254,653</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>(39,853,339)</b>	<b>(35,144,922)</b>
Capital Grants & Contributions	0	0
	<b>NET RESULT (39,853,339)</b>	<b>(35,144,922)</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	35,243	0
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	(250)	0
Employee Leave Accruals	0	(1,495,208)
Employee Leave Paid	0	1,063,357
Loan Funds Received	0	0
Loan Repayments (Principal Only)	0	0
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	(1,133,008)	(472,064)
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>(1,098,015)</b>	<b>(903,914)</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	(4,066,958)	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(4,066,958)</b>	<b>0</b>
	<b>ADJUSTED NET RESULT (45,018,312)</b>	<b>(36,048,836)</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 2200 - Information Services**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	(59,520)	(27,288)
General User Fees	(1,104)	(64)
Interest Income	0	0
Operating Grants & Contributions	0	0
Other Revenue	0	0
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(60,624)</b>	<b>(27,352)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	2,303,147	895,706
Other Employee Costs	14,314	3,925
Borrowing Costs	5,443	(92)
Materials	22,830	6,437
Contracts & Consultancies	75,260	10,920
Legal Expenses	0	0
Depreciation	439,915	0
Insurance Expenses	2,910	16,645
Donations, Contributions & Taxes	0	0
Administration Expenses	109,294	37,933
Other Operating Expenses	1,599,749	980,747
Subscriptions & Memberships	950	690
Internal Expenses	0	0
Internal Plant Hire	0	0
<b>Total Expenditure</b>	<b>4,573,812</b>	<b>1,952,912</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>4,513,188</b>	<b>1,925,559</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>4,513,188</b>	<b>1,925,559</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	369,370	96,793
Capital Works - Upgrade	365,000	135,830
Capital Works - Expansion	0	0
Capital Works - Renewal	388,000	19,639
Depreciation	(439,915)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	10,499	3,215
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	(3,406,291)	(1,419,288)
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>(2,713,337)</b>	<b>(1,163,811)</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	(369,370)	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(369,370)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>1,430,481</b>	<b>761,748</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 2300 - Governance & Business Improvement**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	(1,505)	(348)
General User Fees	(1,989)	(140)
Interest Income	0	0
Operating Grants & Contributions	0	0
Other Revenue	(60,000)	(32,512)
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(63,494)</b>	<b>(33,000)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	475,907	174,045
Other Employee Costs	0	0
Borrowing Costs	0	0
Materials	1,000	23,658
Contracts & Consultancies	183,983	10,972
Legal Expenses	100,000	2,662
Depreciation	1,515	0
Insurance Expenses	787,934	1,375,969
Donations, Contributions & Taxes	0	0
Administration Expenses	0	0
Other Operating Expenses	43,900	40
Subscriptions & Memberships	18,804	4,585
Internal Expenses	8,000	3,333
Internal Plant Hire	0	560
<b>Total Expenditure</b>	<b>1,621,043</b>	<b>1,595,824</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>1,557,549</b>	<b>1,562,824</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>1,557,549</b>	<b>1,562,824</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	0
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	(1,515)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	0	0
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	(1,102,155)	(459,231)
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>(1,103,670)</b>	<b>(459,231)</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	(40,083)	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(40,083)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>413,796</b>	<b>1,103,593</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 2310 - People, Culture, Risk & Safety**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	0	0
Interest Income	0	0
Operating Grants & Contributions	(21,539)	0
Other Revenue	0	0
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(21,539)</b>	<b>0</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	880,338	350,575
Other Employee Costs	475,998	36,111
Borrowing Costs	0	0
Materials	20,700	11,922
Contracts & Consultancies	226,795	45,591
Legal Expenses	10,000	10,146
Depreciation	640	0
Insurance Expenses	0	0
Donations, Contributions & Taxes	0	0
Administration Expenses	22,889	13,924
Other Operating Expenses	0	322
Subscriptions & Memberships	25,000	17,976
Internal Expenses	0	0
Internal Plant Hire	0	540
<b>Total Expenditure</b>	<b>1,662,360</b>	<b>487,106</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>1,640,821</b>	<b>487,106</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>1,640,821</b>	<b>487,106</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	0
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	(640)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	0	0
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	(1,347,649)	(561,520)
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>(1,348,289)</b>	<b>(561,520)</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	35,000	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>35,000</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>327,532</b>	<b>(74,414)</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 3000 - Works & Civil Management**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	376
Statutory & Regulatory User Charges	0	0
General User Fees	(308,256)	0
Interest Income	0	0
Operating Grants & Contributions	0	9,808,167
Other Revenue	(298,000)	(68,863)
Internal Income	(1,309,306)	(502,782)
Internal Plant Hire	(7,721,360)	(3,084,114)
<b>Total Income</b>	<b>(9,636,922)</b>	<b>6,152,785</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	1,019,203	329,503
Other Employee Costs	0	354
Borrowing Costs	0	0
Materials	5,944,260	1,435,382
Contracts & Consultancies	131,750	603,347
Legal Expenses	0	0
Depreciation	2,634,525	0
Insurance Expenses	474,270	388,204
Donations, Contributions & Taxes	0	0
Administration Expenses	0	519
Other Operating Expenses	0	510
Subscriptions & Memberships	1,836	1,250
Internal Expenses	126,438	144,505
Internal Plant Hire	415	154
<b>Total Expenditure</b>	<b>10,332,697</b>	<b>2,903,729</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>695,775</b>	<b>9,056,514</b>
Capital Grants & Contributions	0	(488)
<b>NET RESULT</b>	<b>695,775</b>	<b>9,056,025</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	0
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	5,667,988	1,925,607
Depreciation	(2,634,525)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	1,218	296
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	(1,535,117)	1,120,956
Net ABC Recovery	118,133	49,222
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>1,617,697</b>	<b>3,096,081</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	(3,374,421)	0
External Reserves	1,060,287	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(2,314,134)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>(662)</b>	<b>12,152,106</b>



**Monthly Income & Expenditure Statement - November 2020**  
**Service: 3010 - Emergency Services**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	0	0
Interest Income	0	0
Operating Grants & Contributions	(597,320)	1,004,688
Other Revenue	0	0
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(597,320)</b>	<b>1,004,688</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	18,504	28,242
Other Employee Costs	15,516	1,318
Borrowing Costs	1,427	(106)
Materials	462,690	153,437
Contracts & Consultancies	2,700	47,584
Legal Expenses	0	0
Depreciation	132,605	0
Insurance Expenses	33,016	707
Donations, Contributions & Taxes	1,171,512	(42,967)
Administration Expenses	10,250	960
Other Operating Expenses	89,834	21,387
Subscriptions & Memberships	0	0
Internal Expenses	21,006	10,721
Internal Plant Hire	0	181
<b>Total Expenditure</b>	<b>1,959,060</b>	<b>221,464</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>1,361,740</b>	<b>1,226,152</b>
Capital Grants & Contributions	(79,288)	159,750
<b>NET RESULT</b>	<b>1,282,452</b>	<b>1,385,902</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	35,000	2,500
Capital Works - Upgrade	79,288	61,125
Capital Works - Expansion	0	0
Capital Works - Renewal	10,000	(3,901)
Depreciation	(132,605)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	2,302	559
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	430	179
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>(5,585)</b>	<b>60,462</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	0	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>0</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>1,276,867</b>	<b>1,446,364</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 3100 - Roads Infrastructure**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	(34,867)	(13,831)
General User Fees	(4,139,091)	(912,709)
Interest Income	(121,446)	0
Operating Grants & Contributions	(12,489,339)	(2,348,205)
Other Revenue	(87,000)	(24,023)
Internal Income	0	(1,527)
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(16,871,743)</b>	<b>(3,300,294)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	5,326,949	2,132,728
Other Employee Costs	0	2,301
Borrowing Costs	523,451	5,488
Materials	2,254,134	811,236
Contracts & Consultancies	1,989,249	953,713
Legal Expenses	0	11,065
Depreciation	19,960,069	0
Insurance Expenses	2,046	4,579
Donations, Contributions & Taxes	0	(8,599)
Administration Expenses	2,773	7,856
Other Operating Expenses	319,931	205,494
Subscriptions & Memberships	8,196	0
Internal Expenses	304,578	586,967
Internal Plant Hire	2,855,243	1,094,603
<b>Total Expenditure</b>	<b>33,546,619</b>	<b>5,807,430</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>16,674,876</b>	<b>2,507,136</b>
Capital Grants & Contributions	(18,876,724)	(3,734,448)
<b>NET RESULT</b>	<b>(2,201,848)</b>	<b>(1,227,313)</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	1,653,406	1,692,176
Capital Works - Upgrade	16,859,647	4,841,589
Capital Works - Expansion	0	0
Capital Works - Renewal	16,750,926	3,087,643
Depreciation	(19,960,069)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	1,318,376	351,678
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	13,414
Net ABC Recovery	1,898,254	790,939
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>18,520,540</b>	<b>10,777,439</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	(2,152,358)	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	(216,772)	0
S64 / S94 Contribution Reserves	81,124	0
<b>Total Transfers to/from Reserves</b>	<b>(2,288,006)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>14,030,686</b>	<b>9,550,127</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 3110 - Regional Airport**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	(133,532)	(11,411)
Interest Income	0	0
Operating Grants & Contributions	(26,344)	(10,814)
Other Revenue	(16,500)	(1,212)
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(176,376)</b>	<b>(23,437)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	147,386	55,007
Other Employee Costs	0	0
Borrowing Costs	23,082	(1,030)
Materials	26,100	4,650
Contracts & Consultancies	16,610	109,648
Legal Expenses	0	0
Depreciation	219,339	0
Insurance Expenses	2,848	0
Donations, Contributions & Taxes	0	0
Administration Expenses	0	0
Other Operating Expenses	27,433	2,299
Subscriptions & Memberships	204	2,153
Internal Expenses	16,997	11,555
Internal Plant Hire	15,104	3,364
<b>Total Expenditure</b>	<b>495,103</b>	<b>187,647</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>318,727</b>	<b>164,210</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>318,727</b>	<b>164,210</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	0
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	430,175	(59,434)
Depreciation	(219,339)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	115,670	1,364
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	18,644	7,768
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>345,150</b>	<b>(50,302)</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	0	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	(300,000)	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(300,000)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>363,877</b>	<b>113,908</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 3120 - Quarries**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	(313,283)	(32,704)
Interest Income	(5,734)	0
Operating Grants & Contributions	0	0
Other Revenue	0	0
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(319,017)</b>	<b>(32,704)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	102,908	39,939
Other Employee Costs	0	255
Borrowing Costs	0	0
Materials	124,000	18,274
Contracts & Consultancies	50,200	5,926
Legal Expenses	0	1,870
Depreciation	11,423	0
Insurance Expenses	0	0
Donations, Contributions & Taxes	0	0
Administration Expenses	0	0
Other Operating Expenses	0	121
Subscriptions & Memberships	0	0
Internal Expenses	13,399	15,597
Internal Plant Hire	930	0
<b>Total Expenditure</b>	<b>302,860</b>	<b>81,982</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>(16,157)</b>	<b>49,279</b>
Capital Grants & Contributions	(10,001)	(5,671)
<b>NET RESULT</b>	<b>(26,158)</b>	<b>43,608</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	0
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	367,842	438,711
Depreciation	(11,423)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	0	0
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	8,194	3,414
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>364,613</b>	<b>442,125</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	(348,456)	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	10,001	0
<b>Total Transfers to/from Reserves</b>	<b>(338,455)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>0</b>	<b>485,733</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 3200 - Parks & Open Spaces**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	(6,069)	(1,735)
General User Fees	(422,052)	(93,327)
Interest Income	0	0
Operating Grants & Contributions	0	0
Other Revenue	(239,798)	(15,332)
Internal Income	(1,319,433)	(312,024)
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(1,987,352)</b>	<b>(422,417)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	2,096,551	1,006,512
Other Employee Costs	240	26
Borrowing Costs	102,369	3,513
Materials	622,093	219,761
Contracts & Consultancies	3,636,158	1,034,843
Legal Expenses	0	17,787
Depreciation	2,281,843	0
Insurance Expenses	182,837	0
Donations, Contributions & Taxes	29,527	0
Administration Expenses	314	1,712
Other Operating Expenses	182,253	50,608
Subscriptions & Memberships	2,676	64
Internal Expenses	549,420	293,797
Internal Plant Hire	1,020,339	382,876
<b>Total Expenditure</b>	<b>10,706,620</b>	<b>3,011,500</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>8,719,268</b>	<b>2,589,083</b>
Capital Grants & Contributions	(8,482,791)	(415,837)
<b>NET RESULT</b>	<b>236,477</b>	<b>2,173,245</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	7,549,943	989,071
Capital Works - Upgrade	2,672,107	400,472
Capital Works - Expansion	0	0
Capital Works - Renewal	3,206,700	2,463,027
Depreciation	(2,281,843)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	226,477	78,727
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	764,592	318,580
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>12,137,976</b>	<b>4,249,877</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	(969,517)	0
External Reserves	(25,000)	0
Unspent Loans	0	0
Unexpended Grant Reserves	(310,787)	0
S64 / S94 Contribution Reserves	(792,541)	0
<b>Total Transfers to/from Reserves</b>	<b>(2,097,845)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>10,276,608</b>	<b>6,423,123</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 3210 - Natural Resource Management**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	(296)
General User Fees	0	0
Interest Income	0	0
Operating Grants & Contributions	(513,430)	(110,500)
Other Revenue	0	(457)
Internal Income	0	(7,747)
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(513,430)</b>	<b>(119,000)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	712,685	241,112
Other Employee Costs	5,212	1,446
Borrowing Costs	0	0
Materials	186,995	20,225
Contracts & Consultancies	297,548	55,450
Legal Expenses	0	0
Depreciation	291	0
Insurance Expenses	0	0
Donations, Contributions & Taxes	0	0
Administration Expenses	0	1,893
Other Operating Expenses	0	323
Subscriptions & Memberships	0	0
Internal Expenses	17,218	94,256
Internal Plant Hire	64,704	29,507
<b>Total Expenditure</b>	<b>1,284,653</b>	<b>444,211</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>771,223</b>	<b>325,211</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>771,223</b>	<b>325,211</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	0
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	(291)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	0	0
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	115,932	48,305
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>115,641</b>	<b>48,305</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	(73,600)	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	(167,410)	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(241,010)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>645,854</b>	<b>373,516</b>



**Monthly Income & Expenditure Statement - November 2020**  
**Service: 3220 - Buildings & Facilities**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	0	0
Interest Income	0	0
Operating Grants & Contributions	0	0
Other Revenue	(265,751)	(81,487)
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(265,751)</b>	<b>(81,487)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	576,409	307,272
Other Employee Costs	0	3,940
Borrowing Costs	14,858	591
Materials	127,400	39,333
Contracts & Consultancies	1,498,738	381,136
Legal Expenses	0	0
Depreciation	725,067	0
Insurance Expenses	135,588	0
Donations, Contributions & Taxes	0	0
Administration Expenses	0	0
Other Operating Expenses	145,760	43,491
Subscriptions & Memberships	0	0
Internal Expenses	199,355	33,260
Internal Plant Hire	5,166	849
<b>Total Expenditure</b>	<b>3,428,341</b>	<b>809,872</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>3,162,590</b>	<b>728,385</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>3,162,590</b>	<b>728,385</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	0
Capital Works - Upgrade	6,747,866	227,915
Capital Works - Expansion	0	0
Capital Works - Renewal	503,331	552,271
Depreciation	(725,067)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	33,321	11,710
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	(100,335)	(41,806)
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>6,459,116</b>	<b>750,089</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	(6,635,831)	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	(380,866)	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(7,016,697)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>2,605,009</b>	<b>1,478,475</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 3230 - Waste Services**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	(9,589,208)	(8,658,387)
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	(7,135,421)	(2,240,450)
Interest Income	(259,909)	195
Operating Grants & Contributions	(977,136)	(547,748)
Other Revenue	(632,456)	(368,100)
Internal Income	(3,166,018)	(1,174,154)
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(21,760,148)</b>	<b>(12,988,643)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	965,818	416,181
Other Employee Costs	0	120
Borrowing Costs	367,365	35,611
Materials	94,300	27,737
Contracts & Consultancies	7,586,525	1,962,832
Legal Expenses	0	0
Depreciation	750,330	0
Insurance Expenses	16,140	0
Donations, Contributions & Taxes	3,600,000	1,273,236
Administration Expenses	15,903	5,295
Other Operating Expenses	5,767	21,498
Subscriptions & Memberships	46,460	0
Internal Expenses	2,722,886	838,890
Internal Plant Hire	106,144	30,106
<b>Total Expenditure</b>	<b>16,277,638</b>	<b>4,611,507</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>(5,482,510)</b>	<b>(8,377,136)</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>(5,482,510)</b>	<b>(8,377,136)</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	1,385,098	526,383
Capital Works - Upgrade	150,000	0
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	(750,330)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	609,751	154,695
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	499,560	208,150
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>1,894,079</b>	<b>889,228</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	3,885,686	0
External Reserves	(94,053)	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>3,791,633</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>203,202</b>	<b>(7,487,908)</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 3240 - Cemeteries**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	(587,196)	(180,528)
Interest Income	0	0
Operating Grants & Contributions	0	0
Other Revenue	(1,400)	0
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(588,596)</b>	<b>(180,528)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	349,404	132,431
Other Employee Costs	0	0
Borrowing Costs	310	138
Materials	67,870	29,093
Contracts & Consultancies	63,890	29,522
Legal Expenses	0	0
Depreciation	33,612	0
Insurance Expenses	866	0
Donations, Contributions & Taxes	0	0
Administration Expenses	0	0
Other Operating Expenses	0	266
Subscriptions & Memberships	0	0
Internal Expenses	59,794	31,013
Internal Plant Hire	18,988	4,850
<b>Total Expenditure</b>	<b>594,734</b>	<b>227,311</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>	<b>6,138</b>	<b>46,783</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>6,138</b>	<b>46,783</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	0
Capital Works - Upgrade	55,000	0
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	(33,612)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	1,390	682
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	46,117	19,215
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>68,895</b>	<b>19,897</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	(36,723)	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(36,723)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>38,310</b>	<b>66,680</b>

## Monthly Income &amp; Expenditure Statement - November 2020

Service: 3250 - Saleyards


  
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 VALLEY COUNCIL

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	(323,015)	(101,353)
Interest Income	(4,600)	0
Operating Grants & Contributions	0	0
Other Revenue	(1,267)	(1,278)
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(328,882)</b>	<b>(102,631)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	87,214	33,678
Other Employee Costs	0	0
Borrowing Costs	3,104	1,379
Materials	4,105	4,056
Contracts & Consultancies	117,915	56,281
Legal Expenses	0	0
Depreciation	113,502	0
Insurance Expenses	3,328	0
Donations, Contributions & Taxes	0	0
Administration Expenses	0	0
Other Operating Expenses	10,601	6,278
Subscriptions & Memberships	4,440	0
Internal Expenses	17,920	271
Internal Plant Hire	0	0
<b>Total Expenditure</b>	<b>362,129</b>	<b>101,942</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>	<b>33,247</b>	<b>(689)</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>33,247</b>	<b>(689)</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	0
Capital Works - Upgrade	50,000	29,755
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	(113,502)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	13,906	6,819
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	19,221	8,009
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>(30,375)</b>	<b>44,583</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	(2,872)	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(2,872)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>0</b>	<b>43,894</b>

## Monthly Income &amp; Expenditure Statement - November 2020

## Service: 3260 - Holiday Parks

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	(7,135,312)	(2,900,157)
Interest Income	(2,351)	(98)
Operating Grants & Contributions	(39,500)	(10,105)
Other Revenue	(10,000)	0
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(7,187,163)</b>	<b>(2,910,360)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	114,552	50,350
Other Employee Costs	0	0
Borrowing Costs	0	0
Materials	293,850	57,575
Contracts & Consultancies	2,322,445	587,979
Legal Expenses	0	1,500
Depreciation	479,444	0
Insurance Expenses	31,542	0
Donations, Contributions & Taxes	319,700	93,501
Administration Expenses	141,035	38,745
Other Operating Expenses	329,710	126,842
Subscriptions & Memberships	8,628	8,544
Internal Expenses	1,780,195	474,747
Internal Plant Hire	3,591	1,376
<b>Total Expenditure</b>	<b>5,824,692</b>	<b>1,441,159</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>(1,362,471)</b>	<b>(1,469,201)</b>
Capital Grants & Contributions	(6,400,000)	0
<b>NET RESULT</b>	<b>(7,762,471)</b>	<b>(1,469,201)</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	6,430,000	9,488
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	1,275,179	65,097
Depreciation	(479,444)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	0	0
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	124,164	51,735
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>7,349,899</b>	<b>126,319</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	0	0
External Reserves	412,572	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>412,572</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>0</b>	<b>(1,342,882)</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 3300 - Watercycle**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	(2,573,400)	(2,612,541)
User Charges	(12,807,500)	(2,053,608)
Statutory & Regulatory User Charges	(12,776)	(10,899)
General User Fees	(1,174,765)	(132,134)
Interest Income	(617,367)	1,992
Operating Grants & Contributions	(930,648)	75,670
Other Revenue	(130,821)	(87,363)
Internal Income	(613,854)	55,845
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(18,861,131)</b>	<b>(4,763,036)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	2,049,786	627,369
Other Employee Costs	516	7,099
Borrowing Costs	1,568,430	626,553
Materials	2,060,712	1,046,102
Contracts & Consultancies	2,821,665	720,823
Legal Expenses	0	6,667
Depreciation	6,666,148	0
Insurance Expenses	66,889	16,819
Donations, Contributions & Taxes	100,000	0
Administration Expenses	20,976	4,802
Other Operating Expenses	814,249	121,520
Subscriptions & Memberships	16,728	47
Internal Expenses	1,568,257	495,805
Internal Plant Hire	461,998	173,637
<b>Total Expenditure</b>	<b>18,216,354</b>	<b>3,847,243</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>(644,777)</b>	<b>(915,794)</b>
Capital Grants & Contributions	(1,130,000)	(394,526)
<b>NET RESULT</b>	<b>(1,774,777)</b>	<b>(1,310,320)</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	915,252	260,455
Capital Works - Upgrade	538,326	28,050
Capital Works - Expansion	0	0
Capital Works - Renewal	5,206,644	793,613
Depreciation	(6,666,148)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	1,086,588	498,740
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	(77,206)	0
Net ABC Recovery	2,444,033	1,018,347
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>3,447,489</b>	<b>2,599,205</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	0	0
External Reserves	3,854,839	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	630,000	0
<b>Total Transfers to/from Reserves</b>	<b>4,484,839</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>6,157,551</b>	<b>1,288,885</b>



## Monthly Income &amp; Expenditure Statement - November 2020

## Service: 3310 - Sewer Services

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	1
Annual Charges	(18,002,000)	(18,316,639)
User Charges	(1,587,000)	(298,151)
Statutory & Regulatory User Charges	(6,322)	(3,118)
General User Fees	(389,724)	(86,061)
Interest Income	(246,649)	18
Operating Grants & Contributions	(184,611)	7,389
Other Revenue	(21,631)	(811)
Internal Income	(436,758)	(8,736)
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(20,874,695)</b>	<b>(18,706,107)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	1,359,783	533,433
Other Employee Costs	0	203
Borrowing Costs	4,032,534	1,295,830
Materials	1,229,600	373,341
Contracts & Consultancies	2,259,780	548,821
Legal Expenses	0	0
Depreciation	8,157,012	0
Insurance Expenses	0	0
Donations, Contributions & Taxes	0	0
Administration Expenses	158	8,320
Other Operating Expenses	738,134	258,497
Subscriptions & Memberships	0	0
Internal Expenses	331,513	320,136
Internal Plant Hire	527,297	290,379
<b>Total Expenditure</b>	<b>18,635,811</b>	<b>3,628,960</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>(2,238,884)</b>	<b>(15,077,147)</b>
Capital Grants & Contributions	(447,000)	(686,861)
<b>NET RESULT</b>	<b>(2,685,884)</b>	<b>(15,764,008)</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	2,978,795	126,574
Capital Works - Upgrade	1,169,370	199,296
Capital Works - Expansion	0	0
Capital Works - Renewal	2,783,143	1,307,436
Depreciation	(8,157,012)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	4,514,037	1,523,706
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	(46,302)	0
Net ABC Recovery	35,442	14,768
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>3,277,473</b>	<b>3,171,779</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	0	0
External Reserves	(7,196,140)	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	447,000	0
<b>Total Transfers to/from Reserves</b>	<b>(6,749,140)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>(6,157,551)</b>	<b>(12,592,229)</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 3320 - Floodplain & Estuary Management**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	0	0
Interest Income	0	0
Operating Grants & Contributions	(652,988)	(198,789)
Other Revenue	0	(19,677)
Internal Income	(254,291)	(150,000)
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(907,279)</b>	<b>(368,466)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	702,335	260,842
Other Employee Costs	0	0
Borrowing Costs	49,065	3,222
Materials	140,650	30,114
Contracts & Consultancies	926,582	136,158
Legal Expenses	0	0
Depreciation	1,566,157	0
Insurance Expenses	0	0
Donations, Contributions & Taxes	0	0
Administration Expenses	785	0
Other Operating Expenses	15,459	9,059
Subscriptions & Memberships	0	1,591
Internal Expenses	31,500	120,764
Internal Plant Hire	66,651	29,326
<b>Total Expenditure</b>	<b>3,499,184</b>	<b>591,076</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>2,591,905</b>	<b>222,610</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>2,591,905</b>	<b>222,610</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	38,726	12,742
Capital Works - Upgrade	19,234	8,014
Capital Works - Expansion	0	0
Capital Works - Renewal	1,057,776	96,385
Depreciation	(1,566,157)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	215,265	39,960
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	197,997	82,499
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>(37,159)</b>	<b>239,600</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	(486,291)	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	(38,726)	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(525,017)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>2,029,729</b>	<b>462,210</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 4000 - EP&C Management**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	0	0
Interest Income	0	0
Operating Grants & Contributions	0	0
Other Revenue	0	0
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>0</b>	<b>0</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	234,241	100,360
Other Employee Costs	326	0
Borrowing Costs	0	0
Materials	0	0
Contracts & Consultancies	0	0
Legal Expenses	0	0
Depreciation	7	0
Insurance Expenses	0	0
Donations, Contributions & Taxes	0	0
Administration Expenses	0	381
Other Operating Expenses	0	121
Subscriptions & Memberships	924	0
Internal Expenses	8,000	3,333
Internal Plant Hire	0	0
<b>Total Expenditure</b>	<b>243,498</b>	<b>104,195</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>243,498</b>	<b>104,195</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>243,498</b>	<b>104,195</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	0
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	(7)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	0	0
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	3,727	1,553
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>3,720</b>	<b>1,553</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	0	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>0</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>247,218</b>	<b>105,748</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 4010 - Community Development**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	(46,893)	(10,127)
Interest Income	(23,783)	0
Operating Grants & Contributions	(324,769)	(188,119)
Other Revenue	0	0
Internal Income	0	(681)
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(395,445)</b>	<b>(198,927)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	707,563	321,461
Other Employee Costs	11,225	2,251
Borrowing Costs	0	0
Materials	56,218	3,421
Contracts & Consultancies	559,401	52,870
Legal Expenses	0	0
Depreciation	150,147	0
Insurance Expenses	22,142	0
Donations, Contributions & Taxes	105,000	1,344
Administration Expenses	54,658	743
Other Operating Expenses	29,814	10,646
Subscriptions & Memberships	15,696	11,918
Internal Expenses	17,038	3,863
Internal Plant Hire	0	0
<b>Total Expenditure</b>	<b>1,728,902</b>	<b>408,517</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>1,333,457</b>	<b>209,589</b>
Capital Grants & Contributions	(360,027)	(278,676)
<b>NET RESULT</b>	<b>973,430</b>	<b>(69,087)</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	10,000	0
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	(150,147)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	0	0
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	245,700	102,375
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>105,553</b>	<b>102,375</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	0	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	(61,800)	0
S64 / S94 Contribution Reserves	344,427	0
<b>Total Transfers to/from Reserves</b>	<b>282,627</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>1,361,610</b>	<b>33,288</b>

## Monthly Income &amp; Expenditure Statement - November 2020

## Service: 4020 - Library Services

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	(16,779)	(5,014)
Interest Income	(36,855)	0
Operating Grants & Contributions	(427,108)	(120,431)
Other Revenue	(15,842)	(1,718)
Internal Income	(978,110)	(271,614)
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(1,474,694)</b>	<b>(398,777)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	1,305,060	553,937
Other Employee Costs	15,682	746
Borrowing Costs	2,562	(190)
Materials	46,157	6,306
Contracts & Consultancies	192,045	33,344
Legal Expenses	0	0
Depreciation	447,609	0
Insurance Expenses	27,219	0
Donations, Contributions & Taxes	0	0
Administration Expenses	45,400	11,299
Other Operating Expenses	184,591	84,314
Subscriptions & Memberships	140,166	67,505
Internal Expenses	1,044,151	282,657
Internal Plant Hire	0	0
<b>Total Expenditure</b>	<b>3,450,642</b>	<b>1,039,918</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>1,975,948</b>	<b>641,142</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>1,975,948</b>	<b>641,142</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	1,338	145
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	469,964	151,546
Depreciation	(447,609)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	4,132	1,004
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	(1,482)
Net ABC Recovery	399,050	166,271
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>426,875</b>	<b>317,484</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	0	0
External Reserves	(353,344)	0
Unspent Loans	0	0
Unexpended Grant Reserves	(1,338)	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(354,682)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>2,048,141</b>	<b>958,626</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 4030 - Cultural Services**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	(95,374)	(34,061)
Interest Income	0	0
Operating Grants & Contributions	(28,000)	(2,500)
Other Revenue	(4,246)	(635)
Internal Income	(2,352)	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(129,972)</b>	<b>(37,196)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	349,320	125,647
Other Employee Costs	278	470
Borrowing Costs	8,241	(538)
Materials	81,400	36,599
Contracts & Consultancies	151,698	59,701
Legal Expenses	0	0
Depreciation	11,723	0
Insurance Expenses	30,334	10,439
Donations, Contributions & Taxes	26,000	24,761
Administration Expenses	43,450	6,325
Other Operating Expenses	32,083	5,641
Subscriptions & Memberships	3,924	1,232
Internal Expenses	15,475	3,080
Internal Plant Hire	0	0
<b>Total Expenditure</b>	<b>753,926</b>	<b>273,357</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>623,954</b>	<b>236,161</b>
Capital Grants & Contributions	(704,668)	0
<b>NET RESULT</b>	<b>(80,714)</b>	<b>236,161</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	66,220	28,636
Capital Works - Upgrade	4,508,615	2,807,902
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	(11,723)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	36,317	2,755
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	93,266	38,861
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>4,692,695</b>	<b>2,878,154</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	0	0
External Reserves	(22,145)	0
Unspent Loans	0	0
Unexpended Grant Reserves	(3,826,167)	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>(3,848,312)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>763,669</b>	<b>3,114,315</b>



**Monthly Income & Expenditure Statement - November 2020**  
**Service: 4100 - Environment, Development & Strategic Plannin**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	(2,157,569)	(1,379,038)
General User Fees	(151,697)	(59,405)
Interest Income	(56,623)	0
Operating Grants & Contributions	(12,100)	(5,217)
Other Revenue	(34,756)	(6,290)
Internal Income	0	(30,856)
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(2,412,745)</b>	<b>(1,480,806)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	3,715,680	1,399,461
Other Employee Costs	2,228	4,064
Borrowing Costs	0	0
Materials	49,500	6,651
Contracts & Consultancies	523,286	41,813
Legal Expenses	0	8,422
Depreciation	1,851	0
Insurance Expenses	0	675
Donations, Contributions & Taxes	208,000	29,029
Administration Expenses	1,000	483
Other Operating Expenses	0	2,222
Subscriptions & Memberships	26,328	2,320
Internal Expenses	138,500	82,354
Internal Plant Hire	0	0
<b>Total Expenditure</b>	<b>4,666,373</b>	<b>1,577,495</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>2,253,628</b>	<b>96,689</b>
Capital Grants & Contributions	(122,257)	(28,790)
<b>NET RESULT</b>	<b>2,131,371</b>	<b>67,899</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	0	1,114
Capital Works - Upgrade	0	0
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	(1,851)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	0	0
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	1,156,868	482,028
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>1,155,017</b>	<b>483,142</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	25,067	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	(152,576)	0
S64 / S94 Contribution Reserves	31,107	0
<b>Total Transfers to/from Reserves</b>	<b>(96,402)</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>3,189,986</b>	<b>551,041</b>

**Monthly Income & Expenditure Statement - November 2020**  
**Service: 4110 - Regulatory Services**

Description	Adopted Annual Budget	Actual YTD Figures
<b>Income</b>		
Rates Income	0	0
Annual Charges	0	0
User Charges	0	0
Statutory & Regulatory User Charges	0	0
General User Fees	0	0
Interest Income	0	0
Operating Grants & Contributions	0	0
Other Revenue	(189,184)	(14,944)
Internal Income	0	0
Internal Plant Hire	0	0
<b>Total Income</b>	<b>(189,184)</b>	<b>(14,944)</b>
<b>Expenditure</b>		
Salaries, Wages & Oncosts	730,412	164,923
Other Employee Costs	514	0
Borrowing Costs	1,102	294
Materials	1,855	3,524
Contracts & Consultancies	38,700	71,806
Legal Expenses	0	0
Depreciation	762	0
Insurance Expenses	205	0
Donations, Contributions & Taxes	0	0
Administration Expenses	1,100	40
Other Operating Expenses	5,979	3,973
Subscriptions & Memberships	0	0
Internal Expenses	74,296	30,135
Internal Plant Hire	0	0
<b>Total Expenditure</b>	<b>854,925</b>	<b>274,695</b>
<b>Net Operating Result for the year before Grants &amp; Contributions provided for capital purposes</b>		
	<b>665,741</b>	<b>259,751</b>
Capital Grants & Contributions	0	0
<b>NET RESULT</b>	<b>665,741</b>	<b>259,751</b>
<b>Balance Sheet Movements / Non-Cash Adjustments</b>		
Capital Works - New	20,000	110
Capital Works - Upgrade	55,000	0
Capital Works - Expansion	0	0
Capital Works - Renewal	0	0
Depreciation	(762)	0
Employee Leave Accruals	0	0
Employee Leave Paid	0	0
Loan Funds Received	0	0
Loan Repayments (Principal Only)	3,854	1,739
Long Term Debtor Repayments	0	0
Net Gains from Disposal of Assets	0	0
Net ABC Recovery	124,356	51,815
<b>Total Balance Sheet Movements / Non-Cash Adjustments</b>	<b>202,448</b>	<b>53,664</b>
<b>Adjust for Transfers to/from Reserves</b>		
Internal Reserves	0	0
External Reserves	0	0
Unspent Loans	0	0
Unexpended Grant Reserves	0	0
S64 / S94 Contribution Reserves	0	0
<b>Total Transfers to/from Reserves</b>	<b>0</b>	<b>0</b>
<b>ADJUSTED NET RESULT</b>	<b>868,189</b>	<b>313,415</b>

## **Easement Terms**

### **Easement to Drain Water**

Full and free right for the body in whose favour this easement is created, and every person authorised by it, from time to time and at all times to drain water (whether rain, storm, spring, soakage, or seepage water) in any quantities across and through the land herein indicated as the servient tenement, together with the right to use, for the purposes of the easement, any line of pipes already laid within the servient tenement for the purpose of draining water or any pipe or pipes in replacement or in substitution therefor and where no such line of pipes exists, to lay, place and maintain a line of pipes of sufficient internal diameter beneath or upon the surface of the servient tenement and together with the right for the body in whose favour this easement is created and every person authorised by it, with any tools, implements, or machinery, necessary for the purpose, to enter upon the servient tenement and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining, or renewing such pipe line or any part thereof and for any of the aforesaid purposes to open the soil of the servient tenement to such extent as may be necessary provided that the body in whose favour this easement is created and the persons authorised by it will take all reasonable precautions to ensure as little disturbance as possible to the surface of the servient tenement and will restore that surface as nearly as practicable to its original condition.

### **Right of Carriageway**

Full and free right for the body in whose favour this easement is created, and every person authorised by it, to go, pass and repass at all times and for all purposes with or without animals or vehicles or both over the land indicated herein as the servient tenement.

WARNING: Creasing or folding will lead to rejection

Sheet 1 of 1 Sheets

SURVEYING AND SPATIAL INFORMATION REGULATION 2017

MARK	MGA EASTING	MGA NORTHING	CLASS	ORDER	METHOD	STATE
SSM 67877	535 250.229	6 742 442.604	A	1	TRAVERSE	FOUND
SSM 116990	535 180.625	6 742 587.5	B	2	TRAVERSE	FOUND
SSM 11126	535 180.625	6 742 718.952	B	2	TRAVERSE	FOUND

MGA CO-ORDINATES ADOPTED FROM SCIMS AS AT 13th MAY 2020  
COMBINED SCALE FACTOR = 0.999608 ZONE 56

SCHEDULE OF REFERENCE MARKS

COR	FROM	BEARING	DISTANCE	PLAN
A	RM DH&W FD	326°10'15"	5.527	DPI047026
B	RM DH&W	55°47'30"	5.079	
C	RM DH&W	191°59'	3.95	DPI036683
D	RM DH&W FD	235°26'30"	0.248	DPI261938
E	RM DH&W FD	286°37'17"	6.435	DPI261938
F	RM GIP	33°18'	0.524	

SCHEDULE OF REFERENCE MARKS

COR	FROM	BEARING	DISTANCE	PLAN
G	RM NAIL&W KB	83°29'40"	16.71	
H	RM GIP	58°02'	0.49	
I	RM GIP	58°06'	10.58	
J	RM NAIL&W KB	275°27'20"	6.638	DPI261938
K	SSM 116990	283°52'33"	13.33	DPI261938

TABLE OF MGA COMPARISONS AND CONNECTIONS

FROM	TO	BEARING	DISTANCE	BY
SSM 67877	SSM 116990	23° 18' 34"	157.837	ME
		23° 18' 34"	157.834	MGA
SSM 116990	SSM 11126	134° 52' 25"	186.985	ME
		134° 52' 25"	186.986	MGA

E EASEMENT FOR UNDERGROUND POWERLINES 1 WIDE  
D EASEMENT FOR DRAINAGE 4 WIDE  
F EASEMENT FOR DRAINAGE VARIABLE WIDTH  
R RIGHT OF CARRIAGEWAY 4 WIDE

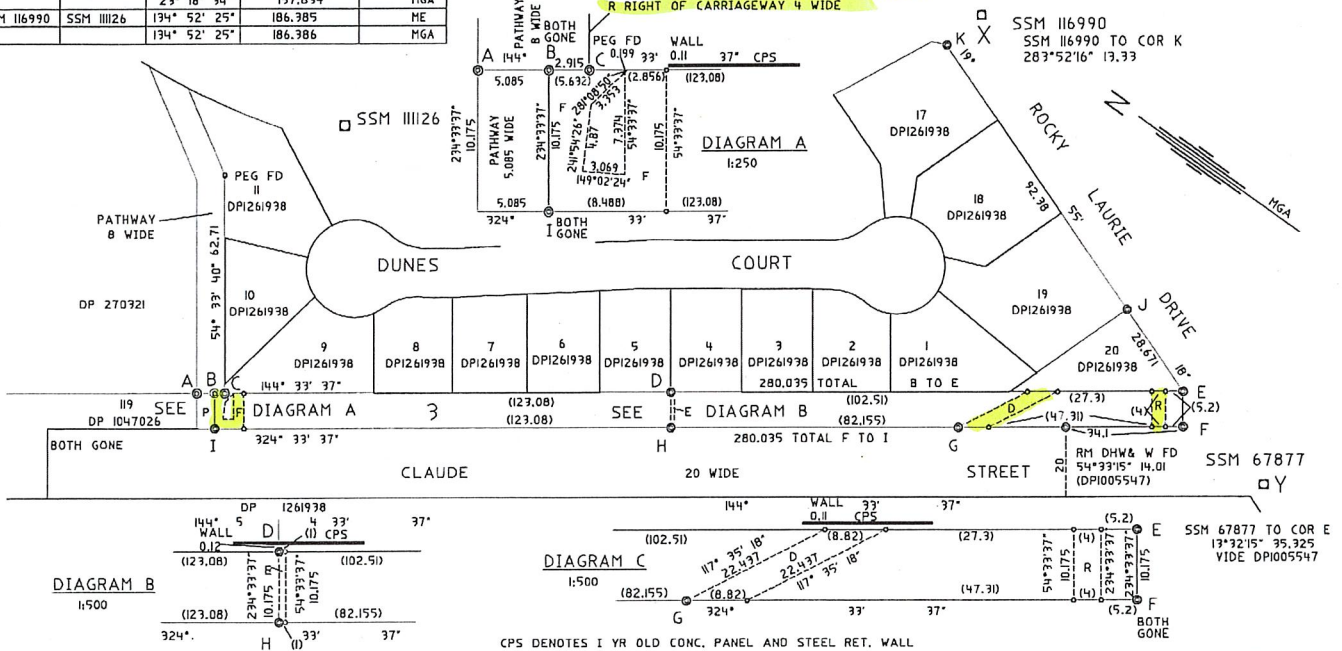


DIAGRAM B  
1:500

DIAGRAM C  
1:500

Surveyor: WENDY ANN SHEPHERD	PLAN OF EASEMENT FOR ELECTRICITY, RIGHT OF CARRIAGEWAY AND EASEMENTS TO DRAIN WATER OVER LOT 3 DPI005547	LGA: CLARENCE VALLEY	Registered
Date of Survey: 10th May 2020		Locality: YAMBA	DP
Surveyors Ref: 15096EASEDP		Subdivision No:	
		Lengths are in metres. Reduction Ratio 1:1000	

10	20	30	40	50	Table of mm	90	100	110	120	130	140	150
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**ACTION SCHEDULE FROM COUNCIL MEETINGS – 2020**

Meeting Date	Item No.	Report Title	Council Resolution	Officer	Actioned Date	Comments	Status	ECM No
<a href="#">18/4/17</a>	15.057/17	CCRT – Tree Vandalism at Flinders Park and South Head Park, Yamba – Follow Up Report (Reserve 85724)	That Council as corporate manager of the Clarence Coast Reserve Trust 1. Plant out areas at Flinders Park and South Head, Yamba [Reserves 85724 and 82661 respectively] to achieve revegetation of the areas affected by the significant dieback. 2. Approve the landscape plan for revegetation to include a combination of natural and formalized planting. 3. Preserve the view by planting and maintaining vegetation between the view corridors with species that do not exceed the view corridor heights as shown in Figure 3.0.	David Sutton	30/05/2017	Works to be completed in conjunction with Zig-Zag path construction to limit rework and to achieve economy of scale with work force.	B	1891312
					22/08/17	Related to exhibition of zig-zag pathway 15.056/17		
					7/3/18	Grant funding being sought to enable construction of complete project – no construction work planned until outcome of grant application known due to abort of work		
					30/7/19	To be funded out of 2019/20 projects, revised quotes being sought		
					02/10/20	Detailed design updated, request for tender documents in preparation to enable construction earlier 2021		
<a href="#">26/3/19</a>	11.001/19	Events Of Christchurch – New Zealand Friday 15 March 2019	That Council: 1. On behalf of all residents of the Clarence Valley offer condolences to all those touched by the tragic events that occurred in Christchurch New Zealand last Friday 15 March 2019 and convey that expression to the Mayor of Christchurch, her fellow Councillors and to the Christchurch community. 2. Open a “Book of Condolence” to the citizens of Christchurch for Clarence Valley residents to sign and the book be available until 30 April 2019 at Council’s Libraries at Grafton, Maclean, Yamba and Iluka and Council’s customer service offices at Grafton and Maclean. 3. Approve the Mayor and General Manager to attend a memorial service in Christchurch at the appropriate time at which the “Book of Condolence” be presented to the Mayor of Christchurch. 4. <b>Explore locations in the Grafton area for a permanent memorial to be erected to recognise the tragic events of 15 March 2019 and a report be provided to Council at a future Council meeting identifying potential locations and memorial options.</b> 5. Recognise the difficult time the local Tarrant family is facing and call on the community to be supportive at this time.	Ashley Lindsay	1/4/19	Condolence books delivered to the named locations Monday, 25 March 2019	B	
					3/5/19	Signed condolence pages being made into book.		
					10/9/19	Condolence Book ready for delivery.		
					21/2/20	Social Cohesion Forum held facilitated by Multicultural NSW		
					23/6/20	Condolence Book together with letter from Mayor sent to Christchurch Mayor		
					31/8/20	Acknowledgement letter received from Mayor of Christchurch		

<a href="#">27/8/19</a>	6b.19.021	Planning Proposal Junction Hill (REZ2019/0003)	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. As the Planning Proposal Authority, endorse the planning proposal and seek a Gateway Determination to amend the Clarence Valley Local Environmental Plan 2011 over part Lot 102 DP1221192, Summerland Way, Koolkhan, to rezone the land from E2 Environmental Conservation to E3 Environmental Management and otherwise give effect to achieving the objectives and intended outcomes of the planning proposal.</li> <li>2. Accept inconsistencies with Section 9.1 Directions 2.1 Environment Protection Zones and 4.1 Acid Sulfate Soils due to the inconsistencies being of a minor nature and advise the Department of Planning, Industry and Environment (the Department) accordingly.</li> <li>3. Forward the planning proposal to the Department requesting a "Gateway" Determination, pursuant to Section 3.34 (1) of the Environmental Planning and Assessment Act.</li> <li>4. Advise the Department that should the Gateway Determination allow the planning proposal to proceed, that it will accept any plan making delegations offered under Section 3.36 of the Environmental Planning and Assessment Act, 1979.</li> <li>5. Require the proponent, prior to exhibition of the planning proposal, to undertake and provide a Stage 1 Preliminary Investigation to form part of the publicly exhibited planning proposal. In order to comply with the relevant provisions of State Environmental Planning Policy No. 55 - Remediation of Land, the Stage 1 Preliminary Investigation should be prepared in accordance with Managing Land Contamination: Planning Guidelines - SEPP 55 - Remediation of Land (Department of Urban Affairs and Planning and NSW EPA 1998).</li> </ol>	Terry Dwyer	12/09/19	Planning proposal referred to Department of Planning, Industry and Environment on 12 September 2019.	B	2384443
					21/11/19	DPIE require a Stage 1 Preliminary Investigation (land contamination) prior to considering a Gateway determination; proponent advised to prepare & submit a Stage 1 Preliminary Investigation - Council still awaiting submission of the information.		
					1/05/20	The PP was publicly exhibited from 24 January to 10 February 2020; an objection was received from the Biodiversity and Conservation Division (BCD) of the Environment, Energy and Science Group in the NSW Department of Planning, Industry and Environment. Staff are trying to resolve the issues associated with the BCD objection before the PP is out back to Council.		
					23/06/20	Matter considered by Council post exhibition. Council resolved to endorse minor variations to the exhibited planning proposal; and to refer the amended planning proposal to the Minister/DPIE seeking the (Minister's) approval of the amended planning proposal without the need for re-exhibition		
					29/07/20	DPIE encourages Council to consider amending the proposal as recommended by BCD to resolve these outstanding matters. Council staff are in the process of trying to resolve the BCD matters with the proponent and BCD.		
					27/08/20	BCD further advises Council on the measures that could be implemented to resolve the BCD objection. The BCD advice is to be communicated to the proponent for consideration.		
					29/09/20	The draft LEP is currently with NSW Parliamentary Counsel's Office undergoing legal drafting.		



<a href="#">27/8/19</a>	6b.19.022	Proposed Amendment to Clarence Valley Contributions Plan 2011	That Council: 1. Initiate an amendment to Clarence Valley Contributions Plan 2011 to: (a) Make provision for a section 7.11 (former section 94) contribution for manufactured home estates and caravan park developments/conversions proposing long term caravan sites/moveable dwellings based on "assumed average household occupancy rate" of 1.5 persons per dwelling in a manufactured home in a manufactured home estate (MHE) or to proposed long term caravan sites/moveable dwellings in a caravan park; and (b) Update "old Act" references in the contributions plan to sections 94 and 94A to the correct references under the more recently amended and updated Environmental Planning and Assessment Act 1979. 2. Authorise a draft amendment to Clarence Valley Contributions Plan 2011 being prepared and being publicly exhibited in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000.	Terry Dwyer	24/09/19 & 21/11/19  3/08/20  29/09/20	Preparation of draft Contributions Plan amendment commenced. No further action has been taken at this stage due to higher priority tasks intervening. It is hoped to recommence work on this matter in the near future.	B	2384445
<a href="#">22/10/19</a>	6a.19.024	Nymboida Hydro Power Station – Desktop Investigation	That Council: 1. Receive and note the confidential report on the Desktop Investigation into the Economics of Clarence Valley Council Generating Electricity at the Nymboida Hydro Power Station. 2. Hold discussions with Essential Energy as the owner, to gain agreement on options for the future ownership transfer and/or potential joint venture opportunities. 3. Subject to the negotiations detailed in point 2, a scope of works be developed to enable quotations to be sought from suitably qualified consultants to undertake a detailed feasibility study into the recommissioning of the Nymboida Hydro Power Station. 4. Receive quarterly update reports in the progress of points 2 and 3.  Refer also Item 08.20.001 February 2020 Council meeting.	Greg Mashiah	29/10/19  25/11/19  1/07/20  3/8/20  28/09/20	Arrangements to be made for initial meeting with Essential Energy Still waiting on response from Essential Energy There has been no substantive change or progress made with this item. Meeting held with Meridian Energy however there has been no substantive change or progress made with this item. Due to COVID 19 restricting access to the site no further action has been taken	B	2415402
<a href="#">22/10/19</a>	6a.19.027	Strategic Road Improvement Reserve	That Council: 1. Undertake further analysis to identify specific projects on Clarence Way, Armidale Road and Orara Way for future funding. 2. Undertake Route Corridor Reviews into all of the identified sealed roads and prioritise the project outcomes from these reviews. 3. Undertake further technical and Benefit Ratio assessments of all unsealed roads to develop a prioritised road upgrading list. 4. Allocate up to \$150,000 to be equally funded from Section 7.11 and recurrent funds to undertake a high-level feasibility assessment for a bypass of Yamba along the reserved corridor.	Alex Dalrymple / Adam Cameron	9/12/19  31/08/20	AD - Items 1, 2 and 3 are in progress.  AD - Items 1, 2 and 3 are still in progress. AC – Item 4 - Work on scoping the required technical studies will soon commence.	B	2415405
<a href="#">17/12/19</a>	6c.19.100	Acquisition of Part Crown Reserve for Stormwater Infrastructure	That Council: 1. Acquire an easement over the stormwater pipes located on Lot 3 DP 1005547. 2. Enter into a Deed of Agreement with the landowner of Lot 104 DP 1047026 setting out that the landowner is to meet all costs associated with the acquisition and that the easement will be registered separately to the subdivision.	Kylee Baker	6/2/2020  22/6/20  3/8/2020  31/08/2020  29/09/2020	No action commenced yet.  PWA engaged to action. Waiting on deed of agreement.  Deed of agreement executed. Application lodged with Crown Lands for consent.  Application is with Crown Lands for consideration.  Application is with Crown Lands for consideration.	B	2448189

<a href="#">17/12/19</a>	6c.19.101	Acquisition of Land for Road Purposes	That Council: 1. Acquire part Lots - Lot 96 DP 751373, Lot 1 DP 826316, Lot 501 DP 703273, Lot 113 DP 751373, Lot 4 DP 746328, Lot 5 DP 1155528 and Lot 5 DP 746328 at Harwood as public road. 2. Acquire Lots 1-2 DP 126896 and part Lots – Lot 1 DP 435557 and Lot 2 DP 523333 at Palmers Island as public road. 3. Acquire part Lots – Lot 101 DP 1188377, Lot 2 DP 576021, Lot 1 DP 1078824 at Yamba as public road. 4. Meet all survey and legal costs. 5. Delegate authority to the General Manager to execute the documents associated with the survey and acquisition of the above mentioned Lots.	Kylee Baker	6/2/2020  22/6/20  3/8/2020  31/08/2020  29/09/2020	Matters progressing. Landowners consulted. Some at survey stage. Harwood – pending survey Palmers Island – contracts to exchange Yamba – pending survey  Matters progressing. Landowners consulted. Some at survey stage. Harwood – pending registration of survey plans Palmers Island – contracts exchanged. Settlement pending. Yamba – pending survey commencement.  Harwood – pending registration of survey plans Palmers Island – contracts exchanged. Settlement pending. Yamba – Surveyor engaged and survey in progress  Harwood – pending registration of survey plans Palmers Island – completed. Yamba – currently being surveyed	<b>B</b>	2448190
<a href="#">17/12/19</a>	6c.19.102	Closure and Sale of Part Queen Street Iluka Road Reserve – Concept Design Plan	That: 1. Council approve the concept design plan as per Attachment A subject to: a) A minimum of 40 car parking spaces being provided as public car parking area. b) The car parking area being constructed to Council standards and including kerb and guttering. c) The inclusion of suitable street landscaping. d) A foot path being incorporated into the design. e) The existing water main being relocated. f) The construction of the car parking being completed within 5 years from the date of settlement of the transfer of the road reserve or as part of the development of the premise on the adjoining land Lots 4-5 Section 2 DP 758535, whichever occurs first. 2. Council proceed with the closure, survey and sale of the road reserve as per Points 1-7 of Item 15.216/18 of 11 December 2018 meeting. 3. Income received from the sale of the road be retained for roadworks within the village of Iluka.	Kylee Baker / Christi Brown	23/12/19 6/2/2020  22/6/20  3/8/2020  31/08/2020  29/09/2020	CB - Future budget variation noted to account for income relating to 3. KB – Applicant advised. Solicitor is preparing legal documents  Pending legal documents.  KB – Contracts executed. To be exchanged and then survey commenced.  KB - Contracts exchanged. Surveyor engaged and survey in progress. KB – Surveyor engaged and survey in progress	<b>B</b>	2448191

**ACTION SCHEDULE FROM COUNCIL MEETINGS – 2020**

Item No.	Report Title	<a href="#">Council Resolution – 25 February 2020</a>	Officer	Date	Comments	Status	ECM No.
6c.20.001	Rotary Club of Yamba Storage Request at Yamba Works Depot	That Council support Yamba Rotary and acknowledge their enormous contribution over many years to the Clarence Valley community: 1. Develop an agreement to access part of the SES facility at the Yamba Works Depot until 30 June 2021 at no cost. 2. Assist the club to find an alternate location to construct a storage area to meet their needs. 3. Report back to Council the details of Council's assistance and outcomes of point 2 by December 2020.	Peter Birch	3/8/2020  8/9/2020	Yamba Rotary unable to access part of SES facility till SES relocate that is expected shortly. Contact made and action proceeding on Points 1 and 2  Yamba SES advised they should be in new depot from 7/9/2020	B	2491527

Item No.	Report Title	Council Resolution – <u>28 April 2020</u>	Officer	Date	Comments	Status	ECM No.
6c.20.039	Proposed Permanent Road Closure and Acquisition of Land – Part Youngs Lane, Harwood	That Council: 1. Acquire part of Lot 121-122 DP 751373 for road purposes. 2. Close the unused Council public road reserve within Lot 121-122 DP 751373. 3. Classify the newly created lot (closed road) as “operational” land. 4. Transfer the closed road section to the owner of Lot 121-122 DP 751373 in lieu of compensation for the acquired land. 5. Meet all survey and legal costs. 6. Affix the Common Seal to the survey and transfer documentation. 7. Authorise the General Manager to execute the transfer of land documents.	Kylee Baker	22/6/20  1/9/20  29/09/20  7/12/20	Survey commenced  Survey plan to be registered.  Survey plan to be registered  Survey plan to be registered	B	2532730
6c.20.040	Proposed Permanent Road Closure – Part Dianella Drive, Gulmarrad	That Council 1. Permanently close part of Dianella Drive, Gulmarrad, as per Figure 1, 2. Classify the newly created lot as “operational” land, 3. Transfer the newly created lot to the adjoining landowner for \$1.00. 4. The developer and/or landowner are to meet all costs associated with the road closure. 5. Affix the Common Seal to the survey and transfer documentation. 6. Authorise the General Manager to execute the transfer of land to effect the above requirements.	Kylee Baker	22/6/20  1/9/20  29/9/20  7/12/20	Survey commenced.  Pending exchange of contracts.  Pending exchange of contracts  Pending exchange of contracts	B	2532731

Item No.	Report Title	Council Resolution – <u>26 May 2020</u>	Officer	Date	Comments	Status	ECM No.
6c.20.066	Access Yamba – Progress Update on Funding and Easements	That Council: 1. Receive and note that Council has received approval from Restart NSW to vary the scope and time of the Access Yamba grant funding to fund two roundabouts at Treelands Drive/Yamba Road and Carrs Drive/Yamba Road. 2. Approve new allocations of \$115,000 from the sewer fund for sewer re6e.19.01 location works and \$276,000 from the water fund for water relocation works associated with the Access Yamba project. 3. Proceed with the acquisition of an easement to drain water and water supply over part Lot 1 DP 597075. 4. Delegate authority to the General Manager to execute the survey plan and associated documents to enable registration of the easement over Lot 1 DP597075.	Alex Dalrymple Kylee Baker	1/9/20 3/9/20  29/09/20  7/12/20	AD - 1 & 2 complete KB - 3 & 4 – Deed of agreement currently being reviewed – surveyor engaged  KB - 3 & 4 – Deed of agreement currently being reviewed – surveyor engaged No further action to report	B	2550370
6c.20.067	Acquisition of Land for Road Purposes – Middle Creek Bridge Upgrade, Kungala Road	That Council 1. Offer a compensation amount of \$1,500 plus survey and legal costs for the area to be acquired (approximately 530m <sup>2</sup> ) of Lot 24 DP752841 Kungala Road, Halfway Creek for the road re-alignment to the neadw bridge over Middle Creek, Kungala Road, Halfway Creek. 2. Delegate authority to the General Manager to execute all documents associated with the land acquisition.	Adele McGeary	1/6/20 6/8/20 2/9/20 7/12/20	Deed of agreement drafted for signing by landowner Deed executed. Awaiting survey and preparation of plan. Legal advice obtained. Surveyor engaged. Pending survey	B	2550373
6c.20.079	Scottish Statue Promotion Committee – Proposal for a Public Art Feature and Directional Signage for McLachlan Park, Maclean – On Crown Land – Status Report 1	That Council, and Council as Crown Land Manager of McLachlan Park: 1. Accept the offer by the Maclean Cultural Art Scottish Statue Promotion Committee to donate a ‘Contemporary Scotsman Statue’, at no cost to Council, for installation by Council in the location agreed to by the Maclean Cultural Art Scottish Statue Promotion Committee and Yaegl Traditional Owners Aboriginal Corporation following consultation and a meeting with both parties where agreement has been met before the July 2020 Council meeting. 2. Install a 12-blade fingerboard signpost, for installation by Council, to the design and road reserve location submitted by the Maclean Scottish Town in Australia Committee. 3. Replace the 3 banner poles to the footpath adjacent McLachlan Park, each having drop-down bases. Cost of materials to be borne by Maclean Scottish Town Committee, installation by Council. 4. Install drop-down bases to the 3 existing flagpoles, cost of bases to be borne by Maclean Scottish Town Committee, installation by Council. 5. Re-do the plaque array to the levee wall to a design incorporating individual frames around each plaque within an overall mural background of an Aboriginal art design to be approved by Yaegl Traditional Owners Aboriginal Corporation; with the plaque layout within the design to be to the satisfaction of Council and the Maclean RSL Sub-Branch. 6. Install a new triple-name sign to McLachlan Park showing firstly ‘McLachlan Park’, secondly a space for a name or a park name to be provided by Yaegl Traditional Owners Aboriginal Corporation and thirdly, the Gaelic spelling of McLachlan Park. 7. Receive a report on the costings of the above 6 points.	David Sutton	28/5/2020          01/09/2020	1. Contact made with Yaegl TOAC meeting being planned, 2. Council requirements provided to the manufacturer to enable fabrication; 3. Specification for pole base being confirmed 4. Specification for pole base being confirmed 5. Subject of report to Council 6. Contact made with Yaegl TOAC meeting being planned, 7. In progress  1. Item subject of separate report, no Council resolution, item closed 2. Item has been ordered, awaiting delivery to install 3. Contractor engaged to install bases on existing poles	C	2550431

Item No.	Report Title	Council Resolution – <a href="#">26 May 2020</a>	Officer	Date	Comments	Status	ECM No.
				30/09/2020	4. Contractor engaged to install bases on existing poles 5. Yaegl TOAC do not support artwork, basic wall paint being contracted 6. Sign fabricated installation being scheduled		
				2/10/20	2. Item has been ordered by MSTC, awaiting delivery to install 3. & 4. Contractor engaged to install bases on existing poles 4. Contractor engaged to install 6. Sign fabricated installation being scheduled Refer Item 6c.20.107 July 2020 Council meeting.		
07.20.003	Cr Baker – Amend Clarence Valley Local Environmental Plan 2011 Sub-Clause (3) of Clause 4.1B of Part 4 – to Delete Words preventing Beneficial Boundary Adjustment to Non-Adjoining Lots	That Council do all things necessary to cause: 1. Clarence Valley Council LEP 2011 Part 4 to be amended at Clause 4.1B sub-clause (3) by deleting the word 'adjoining' in 2 places shown as follows:  (3) Despite clause 4.1, development consent may be granted for the subdivision of land to which this clause applies by way of an adjustment of boundaries between <b>adjoining</b> lots where the size of at least one of the <b>adjoining</b> lots is less than the minimum lot size shown on the <a href="#">Lot Size Map</a> in relation to the land if the consent authority is satisfied that the subdivision will not result in—  (a) an increase in the number of lots, or (b) an increase in the number of lots that have an area that is less than the minimum size shown on the <a href="#">Lot Size Map</a> in relation to that land, or (c) an increase in the number of dwellings or opportunities for dwellings on each lot. 2. Amendment to any other LEP part or other instrument in such a way to ensure no conflict is caused with sub-clause (3), after amendment, as described above.	Terry Dwyer	9/06/20 25/06/20 29/09/20 - 1/09/20  29/09/20	1. Drafting of planning proposal has commenced. 2. Planning proposal submitted to DPIE with a request for a gateway determination. 3. DPIE requests the following additional information for it to make a thorough assessment before it can issue a gateway determination. The DPIE also suggests that Council might like to seek legal advice on boundary adjustment subdivision issues including the ability to use the existing clause 4.1B in some instances of non-adjoining lots. Council officers have instructed Marsden Law Group to provide legal advice to help guide its approach to recent/current subdivision proposals and the current planning proposal. 4. Council still awaiting the receipt of legal advice.	B	2550446
07.20.005	Cr Kingsley – Rescission Motion for 6c.20.048 Grafton Pool Master Plan Update – Located on Crown Land	That Council, as Crown Land Manager of the Grafton Westward and General Douglas MacArthur Park Reserve (R540035): 1. Allocate \$600,000 for the development of the detailed design documentation for the Grafton Pool Masterplan in the draft 2020/21 capital works program which is to be incorporated into Council's Draft 2020/21 Budget to be considered by Council for formal adoption at the 23 June 2020 Council meeting, noting the impact on the NET RESULT General Fund surplus being a reduction of \$600,000. 2. Note the price estimate for a new purpose built diving pool and associated infrastructure. 3. Include a new purpose built diving pool in the facility plan. 4. Investigate as part of the detailed design scope the required facility changes and the capital and operational cost impacts of including a low height diving board within the 50m pool, with the outcomes reported back as part of a project status report.	Rachelle Passmore	5/6/2020  03/08/2020  6/10/2020	Awaiting the results of the exhibition period to confirm the project budget.  Project included in 2020/21 capital works program. Project now in progress.  Complete Urban has been engaged to progress the detailed design. Items 1, 2, 3 included, item 4 to be finalised.	B	2550456



Item No.	Report Title	Council Resolution – <a href="#">23 June 2020</a>	Officer	Date	Comments	Status	ECM No.
6b.20.049	Planning Proposal – Part Lot 102, DP1221192, Summerland Way, Koolkhan (REZ2019/0003)	That Council: 1. Endorse minor variations to the exhibited planning proposal (REZ2019/0003) to rezone part Lot 102 DP1221192 Summerland Way, Koolkhan from E2 Environmental Conservation to E3 Environmental Management as described in this report and as indicated in the amended planning proposal <sup>#</sup> provided at Attachment 4 and that do not affect the original objectives/outcomes and accompanying explanation of provisions in Parts 1 and 2 of the planning proposal. 2. Refer the amended planning proposal to the Minister seeking the: (a) Minister's approval of the amended planning proposal without the need for re-exhibition or further community consultation, accepting the already acknowledged inconsistencies with Section 9.1 Directions 2.1 Environmental Protection Zones, and as being justified in this circumstance; and (b) Agreement of the Secretary to comply with the requirements of Section 9.1 Directions 2.1 Environmental Protection Zones and 5.10 Implementation of Regional Plans. 3. Should it receive advice from the Department of Planning Industry and Environment that the amended/varied planning proposal can proceed without the need for re-exhibition or further community consultation, proceed to exercise its delegated authority pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979 to finalise the amendment to Clarence Valley LEP 2011 to rezone part of Lot 102 DP1221192 Summerland Way, Koolkhan from E2 to E3. 4. Authorise Council staff to make any further amendments to the planning proposal that may be necessary to satisfy the Department of Planning Industry and Environment.  <sup>#</sup> the amended planning proposal at Attachment 4 is provided in tracked changes mode to assist in interpreting recommended changes.	Terry Dwyer	29/07/20  27/08/20  29/09/20	DPIE encourages Council to consider amending the proposal as recommended by BCD to resolve these outstanding matters. Council staff are in the process of trying to resolve the BCD matters with the proponent and BCD.  BCD further advises Council on the measures that could be implemented to resolve the BCD objection. The BCD advice is to be communicated to the proponent for consideration.  The draft LEP is currently with NSW Parliamentary Counsel's Office undergoing legal drafting.	B	
6c.20.082	Permanent Road Closure – Part Black Swan Drive, Coutts Crossing	That Council subject entirely to receipt of a deed of irrevocable undertaking from the owners of Lot 185 DP 752810 and Lot 2 DP 244349 to register on title a legal instrument giving right of way over the newly created lot (closed road) in times of local emergency to the benefit of Council as the authority necessary to vary or modify the legal instrument: 1. Close that section of Black Swan Drive, Coutts Crossing road reserve adjacent to Lot 185 DP 752810 and Lot 2 DP 244349. 2. Enter into a deed with the landowners of Lot 185 DP 752810 and Lot 2 DP 244349 for all costs associated with the closure to be met by the landowners. 3. Classify the newly created lot (closed road) as "operational land". 4. Transfer the newly created lot (closed road) to the owner of Lot 185 DP 752810 and Lot 2 DP 244349 at a price determined by an independent valuation. 5. Delegate authority to the General Manager to execute documents associated with implementation of this Item resolution.	Alex Dalrymple / Kylee Baker	1/7/2020 29/09/2020 7/12/20	Action required  Deed of agreement with owner for review  Waiting on response from owner	B	

Item No.	Report Title	Council Resolution – <a href="#">28 July 2020</a>	Officer	Date	Comments	Status	ECM No.
<a href="#">6a.20.024</a>	West Yamba Urban Release Area Sewer and Water Development Servicing Plan Exhibition	That following auditor review, Council place the draft West Yamba Urban Release Area Development Servicing Plans for Sewer and Water on public exhibition for 30 working days and that for exhibition purposes the following West Yamba Urban Release Area Sewer and Water Developer Contributions be adopted: <ul style="list-style-type: none"> <li>Sewer - \$13,472.70/Equivalent Tenement (ET)</li> <li>Water - \$5,697.00/Equivalent Tenement (ET)</li> </ul>	Greg Mashiah	31/07/2020  25/08/2020  30/09/2020  30/10/2020	Consultant advised of resolution to enable DSP documents to be finalised.  DPIE–Water auditor approval received and auditor engaged  Auditor report received and DSP documents being modified to incorporate auditor comments  DSP documents placed on public exhibition	C	
<a href="#">6a.20.026</a>	Market Scoping Study - Harwood Marine Precinct	That Council: 1. Notes it continues in-principle support for the establishment of Clarence Valley marine-related industry including the current basic concept of a Harwood Marine Precinct. 2. Advise the Department of Regional NSW that it will make no contribution toward a Market Sounding or any market development initiatives on the basis that Council considers the cost of	Des Schroder	6/10/20	Have met with Harwood Marine who have engaged a consultant (their funds) to prepare a plan to stage development of the newly zoned land dealing with flooding	B	



Item No.	Report Title	Council Resolution – 28 July 2020	Officer	Date	Comments	Status	ECM No.
		private developer market research should not be met by Council. 3. Receive a report at the earliest opportunity outlining the constraints and opportunities of a marine precinct in the Clarence Valley.			(some fill needed) and other infrastructure provision issues for the site		
<a href="#">6b.20.060</a>	(Draft) Grafton Waterfront Precinct Plan of Management	That Council: 1. Note the preparation of a draft plan of management for the Grafton Waterfront Precinct area. 2. Authorise the General Manager to refer the draft plan to the NSW Department of Planning, Industry and Environment (DPIE) as owner of the Grafton Memorial Park (Reserve 85477) for comment regarding this component of the plan using Form B ( <i>Notice of plan of management for Crown reserve—Alteration of categorisation or additional/new categorisation</i> ). 3. Place the draft plan on public exhibition (after it has been returned by DPIE and any corrections regarding Grafton Memorial Park are made) for a period not less than 28 days as required under the <i>Local Government Act 1993</i> . 4. Conduct a public hearing regarding the categorisation of the 'community' land recently acquired and for land currently under acquisition to be included under the plan. 5. Accept submissions on the draft plan for a period not less than 42 days from the date the plan is placed on public exhibition as required under the <i>Local Government Act 1993</i> . 6. Agree that after the submission period has closed a report be brought back for consideration for adoption or re-exhibition as per the requirements of section 40 of the <i>Local Government Act 1993</i> .	Danny Parkins	31/07/2020	1. Noted 2. Letter drafted & Form B completed for Ashley's signature. Documents emailed to Council CLM unit 31/07/2020. 3-6. Still to do	B	2133246
<a href="#">6c.20.109</a>	Property Rationalisation – Former Visitor Information Centre, South Grafton – Lot 2 DP 839420	That: 1. Council decline the offer as set out in Confidential Attachment A. 2. Council appoint an independent party to prepare the Planning Proposal to rezone the land to B5 Business Development. 3. The budget for the rezoning costs be funded from Property Management FP995005.	Kylee Baker	3/8/2020  1/9/20  29/9/20	Agent advised offer declined. PP commenced.  EOI advertising for consultant to prepare PP brief.  PP consultant applications received and being reviewed.	B	
<a href="#">6c.20.110</a>	Disposal of Part Lot 2 DP 238219 Golding Street Yamba	That Council: 1. Enter into a contract with the adjoining landowner of Lot 3 DP 238219 for the purchase of part Lot 2 DP 238219 subject to terms in the confidential attachment A, and if successful and once contract exchanged then:- 2. Remove drainage reserve caveat from title of Lot 2 DP 238219, 3. Subdivide Lot 2 DP 238219 into two lots, 4. Dedicate part Lot 2 DP 238219 as public road as shown in Figure 1, 5. Dispose of part Lot 2 DP 238219 as shown in Figure 1, 6. Delegate authority to the General Manager to finalise the contract in accordance with the terms in confidential attachment A and execute documents associated with survey, gazettal as public road and disposal of the land.	Kylee Baker	1/9/20  29/09/20  7/12/20	Adjoining landowner advised of offer. No reply to date.  No reply to date.  Offer under consideration	B	2133067
<a href="#">6e.20.018</a>	Option to Renew Agreement for Management and Operation of Minnie Water Holiday Park – on Crown Land	That Council as Crown Land Manager of Reserve 95566: 1. Endorse the continuation of the agreement with Jarah Management Pty Ltd on the same terms for the further term from 1 August 2020 to 31 July 2023. 2. Annual retainer for the further term is \$155,922.56 including GST. 3. Amend the new contract in accordance with subclause 17.2 of the existing agreement.	Julie Schipp				2133065

Item No.	Report Title	Council Resolution – 25 August 2020	Officer	Date	Comments	Status	ECM No.
<a href="#">6c.20.125</a>	Transfer of Lot 119 DP 1047026 (Yamba) to Council as Operational Land	That Council 1. Enter into an uncompleted works bond agreement for new works to be undertaken on Lot 119 DP 1047026 in accordance with CC2018/0688. 2. Accept the transfer of Lot 119 DP 1047026 for a nominal value of \$1.00, subject to appropriate provisions being in place to acknowledge the requirements of the existing deed relating to Stage 1 of the development and the deed proposed by the recommendation above. Classify Lot 119 DP 1047026 as operational land. 3. Delegate authority to the General Manager to execute documents associated with the transfer of the land. 4. Advise the developer, Beachside Pty Ltd, they are required to meet all of Council's costs	Kylee Baker	1/9/20  29/9/20  7/12/20	No action to date.  No action to date.  Point 1 to be completed first, development engineer actioning	B	2142784

Item No.	Report Title	Council Resolution – 25 August 2020	Officer	Date	Comments	Status	ECM No.
		associated with the above.					
<a href="#">6c.20.132</a>	Regional Road Classification and Transfer Review	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Nominate the following Regional Roads for transfer to State Road classification: <ol style="list-style-type: none"> <li>a. Big River Way and Ulugundahi View</li> <li>b. Armidale Road (MR74)</li> <li>c. Tyringham Road (MR119)</li> <li>d. Orara Way (MR151)</li> <li>e. Eight Mile Lane and Wooli Road (RR7738)</li> <li>f. Clarence Way (MR150)</li> <li>g. Grafton to Yamba Road (MR152)</li> <li>h. Iluka Road (RR7731)</li> <li>i. Goodwood Island Road (RR7732)</li> </ol> </li> <li>2. Nominate the following priority list of 7 Regional Roads as required by Council's road reclassification submission: <ol style="list-style-type: none"> <li>1. Grafton to Yamba Road (MR152)</li> <li>2. Eight Mile Lane and Wooli Road (RR7738)</li> <li>3. Armidale Road (MR74)</li> <li>4. Orara Way (MR151)</li> <li>5. Eight Mile Lane and Wooli Road (RR7738)</li> <li>6. Big River Way</li> <li>7. Ulugundahi View</li> </ol> </li> <li>3. Nominate the following roads for transfer to Regional Road Classification: <ol style="list-style-type: none"> <li>a. Angourie Road</li> <li>b. Brooms Head Road</li> <li>c. Gardiners Road, Amos Road and Palmers Channel South Bank Road</li> <li>d. Coaldale Road</li> <li>e. Rogans Bridge Road</li> <li>f. Pringles Way</li> <li>g. Ashby-Tullymorgan and Ashby-Jackybulbin Road</li> <li>h. Old Glen Innes Road</li> <li>i. Coldstream Road and Tucabia Road</li> <li>j. Sherwood Creek Road</li> </ol> </li> <li>4. Seek support from adjoining councils to make joint submissions for roads that cross LGA boundaries.</li> <li>5. The nominated list of roads contained in dot points (2), (3) and (4) are non binding and Council would consider a report detailing any subsequent recommendations of the road reclassification process that is conducted by the State Government.</li> </ol>	Alex Dalrymple	1/9/20	Being actioned.	B	2142800
<a href="#">6c.20.133</a>	Alcohol Prohibited Area – Reedy Creek Park, Yamba	<p>That:</p> <ol style="list-style-type: none"> <li>1. Council seek the approval of the Local Area Police Commander to establish an Alcohol Prohibited Area at Reedy Creek Park, Yamba.</li> <li>2. If approved, install signage to make designated area operational.</li> <li>3. Council update its Alcohol Free Zones and Alcohol Prohibited Areas webpage to reflect any changes.</li> </ol>	Gavin Beveridge	28/08/20  21/09/20	<ol style="list-style-type: none"> <li>1. Letter seeking approval forwarded to Coffs-Clarence Area Police Commander.</li> <li>2. Pending approval.</li> <li>3. Pending approval.</li> </ol> Resent letter seeking approval after no response within the defined timeframe.	B	2142798
<a href="#">08.20.005</a>	Lot 1 DP 796937 Maclean – Maclean RSL Sub-Branch	Adopt the recommendation of Item 08.20.005 Lot 1 DP 796937 Maclean – Maclean RSL Sub-Branch from the closed session but that it remain confidential under Section 10A 2 (d) ii of the Local Government Act.	General Manager	27/8/20	Contact made with Sub-Branch President	B	
<a href="#">08.20.006</a>	Wooli Holiday Park Management – On Crown Land	<p>That Council as Crown Land Manager:</p> <ol style="list-style-type: none"> <li>1. Not instigate the tender process for a management contract for the Wooli Holiday Park at the expiration of the current contract, due 30 November 2020.</li> </ol>	Julie Schipp				

Item No.	Report Title	Council Resolution – 25 August 2020	Officer	Date	Comments	Status	ECM No.
		<ol style="list-style-type: none"><li>2. Enter into an agreement with Jarah Management Pty Ltd for the management and operation of the Wooli Holiday Park (including training and mentoring of Yaegl Traditional Owners nominees) for a period of 12 months commencing on 1 December 2020 with one option to renew of 12 months.</li><li>3. Enter into discussions with Yaegl Traditional Owners regarding employment, training and development opportunities associated with holiday park management to be facilitated by Jarah Management Pty Ltd.</li><li>4. Utilise existing budget of \$110,000 (GST exclusive) on PJ996780 to fund the management, operation and training of Yaegl Traditional Owners nominees (in accordance with dot point 2) at the Wooli Holiday Park.</li><li>5. Authorise the General Manager to approve variations up to 10% of the allocation.</li></ol>					

Item No.	Report Title	Council Resolution – 22 September 2020	Officer	Date	Comments	Status	ECM No.
<a href="#">6a.20.034</a>	Local Traffic Committee	That the recommendations of the Local Traffic Committee included in the Minutes of its 2 September 2020 meeting be noted and adopted with the exception of: 1. Item 028/20 Marandowie Drive Iluka – Speed Zone Extension being amended as follows: a) Consideration for a speed zone extension be deferred until updated traffic counts and speed data is collected and reported back to a future Local Traffic Committee meeting. b) Clarence Valley Council's pedestrian access and mobility plan (PAMP) be updated, commencing with the village of Iluka. c) Councillors be invited to a site inspection of the location at a time to be determined. 2. Item 02.20 Driveway Warning Signage on Yamba Road being amended as follows: a) That consideration of the advanced warning T section symbolic sign for Palmers Channel North Bridge be replaced to include a small symbol on the left hand side slightly lower than the right hand symbol that warns motorists of both hazards, with the Watch for Turning Traffic auxiliary plate. b) A report with the considerations for and against this option from the Local Traffic Committee be brought back to Council.	Alex Dalrymple	9/10/2020	Notification has been issued to the LTC members of the outcome. The other tasks are in progress	B	2152781
<a href="#">6c.20.143</a>	Acquisition of Land for Water Supply at Lawrence	That: 1. Council proceed with the compulsory acquisition of the land described as part Lot 2 DP 567494 for the purpose of water supply in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> . 2. Council make an application to the Minister and the Governor for approval to acquire part Lot 2 DP 567494 by compulsory process under section 186(1) of the <i>Local Government Act 1993</i> . 3. The land is to be classified as operational. 4. Authority is delegated to the Mayor and General Manager to sign any documentation necessary to complete the acquisition.	Kylee Baker	24/9/20 7/12/20	Solicitor advised to proceed.  Pending registration of acquisition plan	B	2152760
<a href="#">07.20.012</a>	Cr Toms – Report to Council on Advertising Expenditure Disclosed in Audited Financial Statements for 2018 and 2019	That Council incorporate into future budget reports the advertising breakup by Service and Sub-Service.	Kate Maginness	6/10/2020	Under investigation. Advertising is a one of 223 Natural Account Codes and is currently reported with 17 others under Administration Expenses. Council groups it's natural accounts for reporting in a 'parent/child' arrangement for compliance with Accounting Standards.	A	2152770
<a href="#">07.20.013</a>	Cr Williamson – Naming of Road "Shirley Adams Way"	That Council 1. Support the proposal to name the roadway on the Summerland Way from the roundabout on Big River Way, South Grafton to the traffic lights at the Clarence Street intersection "Shirley Adams Way". 2. Place the proposed name on public exhibition for a period of 28 days. 3. Seek approval from Transport for NSW and the Geographic Names Board for this name and. 4. Meet the advertising and new signage costs from existing budget allocations.	Alex Dalrymple	9/10/2020	Not commenced	A	2152859
<a href="#">08.20.009</a>	Receipt of Waste from Coffs Harbour City Council	Adopted	Ken Wilson / Peter Birch	25/9/2020 25/9/20 6/10/2020  10/11/20	Waiting on confidential minutes to action Minutes sent to Peter Birch Coffs Councils informed of decision and resolution in the process of being actioned Meeting organised with Coffs Council 12/11/20	B	2153043

Item No.	Report Title	<a href="#">Council Resolution 27 October 2020</a>	Officer	Date	Comments	Status	ECM No.
<a href="#">6b.20.081</a>	DA2020/0354 – Extensions to Grafton Food Emporium Lot 11 DP615268 - 25 King Street, Grafton	That Council approve DA2020/0354 with the schedule of draft advices and conditions of consent listed in Schedule 1 of this report and require that the shopping centre provide five spaces that are time limited to a maximum period of 30 minutes to address the shortfall in parking spaces.	Pat Ridgway				
<a href="#">6b.20.084</a>	Yulgilbar Foundation Donation To The Grafton Regional Gallery	That Council: 1. Accept the generous support of the Yulgilbar Foundation and writes a letter to thank the Yulgilbar Foundation for their on-going support of arts and cultural activities that enrich the lives of the community of the Clarence Valley. 2. Acknowledge the significant long term support of the Yulgilbar Foundation by installing a plaque in the new Gallery in line with the new Gifting & Donor Wall Policy. 3. Note the proposed program of activity funded by this support in the attached confidential document. 4. Note that the support does not replace Create NSW grant or Council operational funding.	Niomi Sands	30/10/2020	A letter has been draft and will be sent out to the Yulgilbar Foundation Chair. An email has been circulated to the various Gallery support organisation to gain approval for the acknowledgment within the new building as per the Gifting & Donor Wall policy. NS	B	
<a href="#">6c.20.152</a>	Request for Concession on Water Usage Charges – PN107758	That Council amend the water consumption account issued for the period 24 February 2016 to 31 May 2016 to \$53.48 based on the average daily consumption for the same two periods in 2017 and 2018 and reverse legal costs totalling \$739.00 and interest of \$1,628.67 associated with the non payment of this account.	Paula Krahe				
<a href="#">6c.20.153</a>	Disposal of Council Property – Lot 1 DP 1154607 Known as Flood Levee Grafton	That Council 1. Subdivide Lot 1 DP 1154607 into lots matching the current lot layout and register on title an appropriate easement for access and protection of flood infrastructure, 2. Approach adjoining landowners to purchase the adjacent lot as per the terms set out in the confidential attachment A. 3. Delegate authority to the General Manager to execute documents associated with the subdivision and transfers.	Kylee Baker	7/12/20	Solicitor engaged, preparing letters of offer	B	
<a href="#">6c.20.157</a>	2020/21 Quarterly Budget Review Statement – September 2020	That Council receive at or before the December 2020 meeting reports on: 1. Reconciliation of the efficiency savings and improvement opportunities from the Uniqco Review of Light and Heavy Plant Fleet with a report to include any further savings available. 2. Projected efficiency savings from the rationalisation of Council's 5 depots with estimated minimum annual savings from 2020/21. 3. Any other efficiency savings that may be available to Council.	Jamie Fleeting / Nigel Longstaff				
<a href="#">6c.20.160</a>	Update – Cyclist Safety & Improvements to Cycleway Network in Grafton	That: 1. Council endorse establishing a Road Safety Officer (RSO), with 50% of the salary co funded from Transport for NSW (TfNSW). 2. Council endorse inclusion of its contribution of up to \$64,600 to FP 95300, for inclusion in the Q2 QBRS to be reported in February 2021. 3. A further report be provided with details and estimates of any additional resources that are required and in consideration of endorsement of item 1. 4. A new Active Transport Plan be developed that incorporates and updates the existing (2015) Pedestrian Access and Mobility Plan (PAMP) and Bike Plan and is placed on public exhibition prior to adoption.	Alex Dalrymple				
<a href="#">6c.20.161</a>	Draft Street Light Shielding Policy	That Council endorse the draft Street Light Shielding Policy for public consultation for 28 days and if there are no objections or submissions adopt the policy as attached.	Alex Dalrymple				

Item No.	Report Title	<a href="#">Council Resolution 27 October 2020</a>	Officer	Date	Comments	Status	ECM No.
07.20.014	Installation of a kerb ramp at Iluka Spenser Street Boat Ramp Picnic Area	That <ol style="list-style-type: none"> <li>1. Council install a kerb ramp to facilitate access from the kerb and gutter to the reserve at an estimated cost of \$1,250 before the Christmas holiday period ensuring people with disabilities can access the reserve.</li> <li>2. The location of the kerb ramp is to be determined by staff in consideration of a future designated disabled access car parking spot.</li> <li>3. Consideration be given to the connection of footpaths to the open space facilities through a design process that considers Native Title with a budget and implementation schedule to be reported to Council for the 2021/22 capital works program.</li> <li>4. Funding for the kerb ramp to be allocated from Sub-Service (311) Local Roads- K &amp; G Maintenance (PJ 931125).</li> <li>5. The Disability Action Plan be a standing item on Council's Access Committee Agenda to ensure regular discussions and consultation.</li> </ol>	Alex Dalrymple				
<a href="#">08.20.011</a>	Essential Energy and Nymboida Water Supply Assets	Recommendation adopted.	Greg Mashiah	28/10/20	Resolution noted.	B	



Item No.	Report Title	Council Resolution – 24 November 2020	Officer	Date	Comments	Status	ECM No.
<a href="#">05.20.013</a>	General Manager's Contract of Employment	That Council: 1. Note the Strategic and Operational Objectives against which the General Manager's Performance Agreement will be assessed. 2. Enter an agreement with Local Government Management Solutions to facilitate the General Manager's performance appraisals. 3. Reaffirm the General Manager's Performance Review Panel for the remainder of the term of Council as comprising the Mayor Cr Simmons, Deputy Mayor Cr Kingsley, Cr Williamson and Cr Ellem who was nominated by the General Manager.	Laura Black				
<a href="#">6a.20.043</a>	Audited 2019/20 Financial Statements	That Council: 1. Receive and note the auditor's presentation on the audit of Council's 2019/20 Financial Statements. 2. Note that upon receipt of the Independent Auditor's Reports, Council will place the Audited 2019/20 Financial Statements on public exhibition with any submissions to be presented to the December Council meeting. 3. Present the Audited 2019/20 Financial Statements to the December Council meeting. 4. Note that the Audited 2019/20 Financial Statements will be submitted to the Office of Local Government by the required due date of 30 November 2020.	Michael Salvestro	24/11/20  15/12/20  26/11/20		C  B  A  C	
<a href="#">6a.20.044</a>	Former Grafton Gaol Site	That Council: 1. Advise NSW Corrections and NSW Department of Planning, Industry & Environment that Council is not in a position to acquire the former Grafton Gaol site at the present time but would consider any offer of perpetual funding support from the state government to cover ongoing maintenance costs. 2. Assist NSW Corrections and NSW Department of Planning, Industry & Environment with any community consultation that they may undertake to inform the future re-purposing of the Grafton Gaol site. 3. Recommend that the future re-purposing of the Grafton Gaol site include opportunities for health, education and accommodation that address a range of social outcomes including but not limited to homelessness, emergency and low cost.	Ashley Lindsay	27/11/20	Email issued to NSW Corrections and NSW DPIE advising of Council's resolution.	B	
<a href="#">6a.20.045</a>	Northern Rivers NSW Brand	That Council: 1. Support the Northern Rivers NSW brand, in principle, by signing the MOU with Northern Rivers Together, 2. Encourage local Clarence Valley businesses to sign up to use the Northern Rivers NSW brand, 3. Not contribute \$50,000 to Northern Rivers Together to become a founding partner at this time, 4. Consult with local Clarence Valley Business Chambers of Commerce to inform Council's future support for the Northern Rivers NSW brand.	Ashley Lindsay	27/11/20	Email issued to Northern River Together advising of Council's resolution.	B	
<a href="#">6a.20.046</a>	December 2020 and January 2021 Council Meeting Arrangements	That the following meeting schedule be adopted: 1. Combined Committee/Council Meeting to be held at Maclean on 15 December 2020 commencing at 2.00 pm. 2. A tentative date of Tuesday, 19 January 2021 for a Council Meeting for urgent matters only and subject to a quorum being available commencing at 2.00 pm in Maclean.	Lesley McBay	27/11/20	Noted and actioned	C	
<a href="#">6a.20.047</a>	Natural Disaster Funding Arrangements	That Council accept the offer of becoming an 'Opt-in' Council for the purposes of assessing Disaster Recovery Funding Arrangements.	Alex Dalrymple				
<a href="#">6a.20.048</a>	Grafton Saleyard Infrastructure Upgrade and Improvements	That Council nominate 'Grafton Regional Livestock Selling Centre – Infrastructure Upgrade and Improvements' as detailed below (Table 1) as the project proposal for \$1 million grant funding under the Drought Communities Programme Extension.	Julie Schipp	27/11/20	Noted and completing funding application	C	
<a href="#">6a.20.049</a>	Mining in the Clarence Valley	That Council acknowledges that: 1. the Clarence River System is one of the largest river systems in eastern Australia. It is the	Des Schroder				

Item No.	Report Title	<a href="#">Council Resolution – 24 November 2020</a>	Officer	Date	Comments	Status	ECM No.
		<p>lifeblood of our community and its health is essential to the environmental, social, cultural and economic wellbeing of our constituents. The Clarence and Nymboida Rivers and their tributaries support an abundant variety of natural ecosystems, many being home to endangered species, as well as being the playground for our water based lifestyle and leisure. Our river and its surrounds hold immense spiritual and cultural importance to the local Indigenous communities, the Gumbaynggirr, Bundjalung and Yaegl people and form the common link between dreamtime stories of each Nation. The Clarence River supports a number of essential, well established local industries also, such as timber, aquaculture, including fish, shellfish, farmed and wild caught prawn sectors, agriculture, including livestock grazing, crop production and our ever growing agri-food sectors. Tourism, both international and domestic, surfing, fishing, ecotourism and nature exploration sectors also influence the success of local retail and hospitality sectors and all rely on our environment's health. Employment within these industries makes up a high proportion of job numbers in the local area.</p> <ol style="list-style-type: none"> <li>2. there are a number of mining exploration licences active within the Valley, including those of Castillo Copper at Cangai, Corazon on Mount Gilmore Coombadjha and the Sons of Bavaria at Ewingar and Wilson Investments near Coramba.</li> <li>3. the potential for pollution of the waters of the Clarence and Nymboida River systems is high, despite likely assurances that will be given by mining companies to the contrary;</li> <li>4. some of the proposals include open cut, and full mountain-top removal mining methods which would involve the decimation of plateaus causing large amounts of sediment runoff which could contain dangerous minerals and chemicals used in the mining process;</li> <li>5. the current exploratory mining and the potential for full scale mining has created great concern in the local community with in excess of 10,000 signatures being gathered to date on a petition to the state government, initiated by the Clarence Catchment Alliance.</li> </ol> <p>Further that Council resolve to oppose mining in the Clarence River Catchment and to seek the support of both state and federal governments to impose a moratorium on further mining exploration licences and to cancel existing licences.</p>					
<a href="#">6b.20.085</a>	MOD2020/0014 – Section 4.55 Modification of SUB2016/0020 to Vary Contributions Towards Future Roundabout and Landscaping Requirement in E2 Zone – Summerland Way, Koolkhan	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Delete Condition 2 and Advices 2 and 3 in their entirety having considered all of the following: <ol style="list-style-type: none"> <li>a. The development does not trigger the need for a roundabout in its own right and,</li> <li>b. The developer has constructed suitable intersection works with the Summerland Way to service the development and,</li> <li>c. The developer is required to contribute over \$226,000 towards future road and traffic facilities through the payment of section 7.11 contributions and:</li> </ol> <p><i>Noting all residential subdivision development within the urban release area is required to contribute to road and traffic facilities through the payment of section 7.11 contributions and construct any necessary infrastructure to service their development.</i></p> </li> <li>2. Modify Condition 4 to remove reference to the Amos Plan and landscaping of the E2 zone.</li> </ol>	Carmen Landers				
<a href="#">6b.20.086</a>	DA2020/0534 – Dual Occupancy – 746 Brooms Head Road, Gulmarrad	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Support the requested variation under Clause 4.6 – Exceptions to Development Standards of the <i>Clarence Valley Local Environmental Plan 2011</i> to enable the proposed second dwelling to be located approximately 140 metres from the existing dwelling; and</li> <li>2. Approve Development Application DA2020/0534 subject to the draft conditions and advices contained in Schedule 1 attached.</li> </ol>	James Hamilton	30/11/2020	Notice of determination issued.	C	

Item No.	Report Title	<a href="#">Council Resolution – 24 November 2020</a>	Officer	Date	Comments	Status	ECM No.
<a href="#">6b.20.087</a>	Flinders Park Draft Plan of Management	That Council: <ol style="list-style-type: none"> <li>Note the preparation of a draft plan of management for the Flinders Park reserve area.</li> <li>Authorise the General Manager to refer the draft plan to the NSW Department of Planning, Industry and Environment (DPIE) as owner of Flinders Park (Reserve 85724) for comment using Form B (<i>Notice of plan of management for Crown reserve—Alteration of categorisation or additional/new categorisation</i>).</li> <li>Place the draft plan on public exhibition (after it has been returned by DPIE and any corrections regarding Flinders Park are made) for a period not less than 28 days as required under the <i>Local Government Act 1993</i>.</li> <li>Conduct a public hearing regarding adding additional categories of ‘community’ land effectively altering the category(s) assigned by the Minister.</li> <li>Accept submissions on the draft plan for a period not less than 42 days from the date the plan is placed on public exhibition as required under the <i>Local Government Act 1993</i>.</li> <li>Bring the draft plan back to Council after the submission period has closed for consideration of its adoption or re-exhibition as per the requirements of section 40 of the <i>Local Government Act 1993</i>.</li> </ol>	Danny Parkin				
<a href="#">6b.20.088</a>	Review of Advertising Fee and LEP/DCP Variation Fee	That the: <ol style="list-style-type: none"> <li>DA advertising fee be reduced to \$140.00</li> <li>LEP/DCP variation fee for variations greater than 10% be restructured as follows: <ul style="list-style-type: none"> <li>LEP variations greater than 10% to remain at \$1,000.00.</li> <li>DCP variations greater than 10% for Class 1-9 buildings (single/multiple dwellings, motels, caretaker’s residences, offices, shops, storage buildings, factories and assembly buildings) to be \$650.00.</li> <li>DCP variations greater than 10% for Class 10 buildings (garages, carports, pools and similar outbuildings) to be \$350.00.</li> </ul> </li> <li>Revised charges be placed on public exhibition for a period of 28 days, subject to no submissions being made, Council adopt the fees as above.</li> </ol>	Kerry Harre				
<a href="#">6b.20.089</a>	Additional Fees and Charges for Clarence Valley Libraries – 3D Printing	That: <ol style="list-style-type: none"> <li>The following additional fees and charges at Clarence Valley Libraries be placed on public exhibition for a period of 28 days: <ul style="list-style-type: none"> <li>3D Printing – Per Item and First Hour (or part thereof) – Minimum Charge \$3.00 including GST.</li> <li>3D Printing – Charge per Additional Hour (or part thereof) - \$3.00 including GST.</li> </ul> </li> <li>Subject to no submissions being made, the above fees be accepted as adopted by Council.</li> <li>Should there be submissions, these be reported to Council for consideration.</li> </ol>	Katrina Shillam	27/11/20	Actioned. Additional fee on public exhibition for 28 days.	B	
<a href="#">6c.20.170</a>	Annual Report	That: <ol style="list-style-type: none"> <li>Council note the 2019/2020 Annual Report.</li> <li>The 2019/2020 Annual Report be made available to the community on Council’s website.</li> <li>The URL link to the 2019/2020 Annual Report be sent to the Office of Local Government, in accordance with the checklist for completing the Annual Report, in order that the Minister for Local Government be advised of its availability.</li> </ol>	Alex Moar				
<a href="#">6c.20.171</a>	2020/21 Monthly Financial Report – October 2020	That Council: <ol style="list-style-type: none"> <li>Receive and note the monthly financial information report for October 2020, attached to this report.</li> <li>Endorse the proposed General Fund variations as set out in this report totalling (\$13,364) for inclusion in the December Quarterly Budget Review Statement to be reported in February 2021.</li> <li>Endorse the proposed variations, which decrease Financial Reserves by \$1,007,012 for inclusion in the December Quarterly Budget Review Statement to be reported in February 2021.</li> </ol>	Christi Brown	2/12/20	All Variation Journals posted with one exception – Jaca Park Lighting and Light up Event as new Financial Projects not yet created.	A	2175764

Item No.	Report Title	<a href="#">Council Resolution – 24 November 2020</a>	Officer	Date	Comments	Status	ECM No.
<a href="#">6c.20.172</a>	Classification of Lot 20 DP 1261938 at Yamba as Operational Land	That Council classify Lot 20 DP 1261938 located at Rocky Laurie Drive, Yamba, as operational land.	Kylee Baker	7/12/2020	Complete. Land register and corporate systems updated.	C	
<a href="#">6c.20.173</a>	Request from Account 2090843 for further reduction in water account	That Council grant an additional concession of \$3,040.80 to that already granted under the Concealed Leak Policy on Account 2090843.	Paula Krahe				
<a href="#">6c.20.174</a>	Harwood Riverside & Village Precinct Plan	That the draft Harwood Riverside & Village Precinct Plan be placed on exhibition for a minimum of 28 days to enable broader community feedback.	David Newberry	27/11/20	Actioned. Plan placed on Public Exhibition for 28 days.	C	
<a href="#">6c.20.175</a>	Council Meeting Checklist – Update on Actions Taken	That the schedule of actions taken on Council resolutions be noted and those resolutions marked as complete be removed from the checklist.	Lesley McBay	27/11/20	Action taken	C	
<a href="#">6c.20.176</a>	Local Traffic Committee Minutes and Report on Signage at Palmers Channel North Bridge	That this item be deferred to the next Ordinary meeting of Council.	Alex Dalrymple				
<a href="#">6c.20.177</a>	Baryulgil Waste Transfer Station	That waste disposal charges being introduced from 1 January 2021 at the Baryulgil Waste Transfer Station apply to non domestic waste, as per Council's adopted fees, and that charges for all domestic waste received at the facility be exempt.	Richard Roper	2/12/20	Noted. Contractor managing the site has been notified of changes.	C	
<a href="#">6c.20.178</a>	Blueberry Lane Woombah – Update	That Council: <ol style="list-style-type: none"> <li>1. Allocate \$20,000 from the Local Road and Community Infrastructure Grant Program to upgrade 2 km of Blueberry Lane, Woombah to a Category 2 type road.</li> <li>2. Add 2 km of Blueberry Lane, Woombah to the Council Road Maintenance Register as a Category 2 type road.</li> <li>3. Provide 90 days written notice to the owner of the private water service to relocate their private service. If it is not relocated from the road pavement within that time, Council advise the owner of the private water service that it will be permanently disconnected.</li> </ol>	Alex Dalrymple				
<a href="#">6c.20.179</a>	Proposed Dam Safety Levy on Dam Owners	That Council endorse the submission to Dams Safety NSW on the proposed dam safety levy.	Greg Mashiah	24/11/2020	Noted	C	
<a href="#">6c.20.180</a>	Local Roads and Community Infrastructure Program - Extension	That Council adopt the Priority 1 Projects in the attached schedule for submission for funding under the Federal Government's Local Roads and Community Infrastructure Program.	Alex Dalrymple				
<a href="#">6e.20.028</a>	RFT 20-30 Supply of Quarry Products	1. That Council accept the Tenders from: <ul style="list-style-type: none"> <li>• BD &amp; MC Lewis Pty Ltd</li> <li>• Kangaroo Creek Recycling</li> <li>• CW &amp; VJ Cooper Pty Ltd</li> <li>• Green Bros Investments Pty Ltd</li> <li>• TG Jung Quarries</li> <li>• Kis Quarries</li> <li>• Lurcock's Quarry</li> <li>• Newman Quarrying Pty Ltd</li> <li>• RM Earthmoving Pty Ltd</li> <li>• Sheridan's Hard Rock Quarry</li> <li>• McLennan Earthmoving Pty Ltd</li> <li>• Mt Zion Quarry Pty Ltd</li> <li>• State Road Quarry</li> </ul>	Bruce Shorrock		Noted – Deeds of agreement sent to tenderers.	c	

Item No.	Report Title	<a href="#">Council Resolution – 24 November 2020</a>	Officer	Date	Comments	Status	ECM No.
		<ul style="list-style-type: none"> <li>• VK &amp; NJ Ellem</li> <li>• Boral Resources</li> </ul> <p>for the supply of quarry products (gravel, crushed concrete and rock) until 30 June 2021, with the preferred supplier for each order determined by an assessment undertaken having regard to cost and program requirements applicable at the time of the order.</p> <p>2. That in accordance with the terms of the Contract, the General Manager is authorised to extend the contract period with optional two (2) x one (1) year extensions for 2021/2022 and 2022/2023 financial years, if that arrangement is to the best advantage of Council.</p>					
<a href="#">6e.20.029</a>	RFT 20-22 - 2 Prince Street, Grafton Redevelopment	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Accept the tender from FDC Fitout &amp; Refurbishment (NSW) Pty Ltd for RFT 20-22 No 2 Prince Street Redevelopment at a cost of \$6,795,960.36 (GST excl) to be funded from Administration Building 2 Prince St Improvements (FP 530140 Sub-Service 343) with the budgeted allocation being now increased by \$545,960 from Heavy Plant Reserve RA10010 (\$245,960) and Grafton Regional Landfill Reserve RA10815 (\$300,000) to cover the shortfall.</li> <li>2. Authorise the General Manager to approve variations up to 10% of the contract sum.</li> <li>3. Endorse project budget variations (FP 530140 Sub-Service 343) at a cost of \$579,072.51 for completion of the detailed design; project and contract management; the early works to relocate the IT server room; and staff relocation to the 42 Victoria Street offices with the budgeted allocation being funded from Administration Building Improvement Reserve RA10125 (\$151,256.58), the Strategic Building Reserve RA10520 (150,748.43), and the Heavy Plant Reserve RA10010 (\$277,067.50) to cover the shortfall.</li> <li>4. Endorse the internal borrowings from both the Heavy Plant Reserve RA 10010 (\$2,792,920) and Grafton Regional Landfill Reserve RA10815 (\$2,569,893) identified in Points 1, and 3 above to be repaid over a maximum 10 year period commencing July 2021 with interest to be based on Council's average interest for investments for the proceeding financial year.</li> <li>5. Receive project implementation reports every two months on the delivery of the project.</li> <li>6. Write to the Office of Local Government (OLG) advising of the project cost in accordance with the requirement of the Capital Expenditure Guidelines.</li> </ol>	Peter Birch				
<a href="#">6e.20.030</a>	RFT20-32 Provision of Street Sweeping Services	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Accept the tender from Specialised Pavement Services Pty Ltd (ABN 46 076 353 887) for RFT20/32 (Provision of street sweeping services) for the period 1 December 2020 to 31 December 2023 at an initial lump sum annual cost of \$92,627 (including GST), to be funded from FP931130 (Urban Roads – Street Sweeping), plus schedule of rates for additional sweeping services.</li> <li>2. Authorise the General Manager to approve the annual rise and fall of the lump sum amount and schedule of rates in accordance with the annual increase or decrease in the Consumer Price Index (Sydney All Groups) (CPI).</li> </ol>	David Sutton				
<a href="#">08.20.012</a>	Lot 20 DP1265103 Compulsory Acquisition	As per confidential report	Kylee Baker	7/12/2020	Solicitor advised	C	



# Policy

## Gallery Gifting & Donor Wall

Responsible Manager (Title)	Regional Gallery Director		
Adopted by Council		Minute Number	
File Reference Number	DWS	Version V1.0	Review Due: Nov 2024
Document(s) this policy Supersedes			
Community Plan Linkage	<b>1 Society</b>		
	1.3 We will have a diverse and creative culture		
	1.3.1 Supports arts, learning, cultural services and festivals		

### 1 Purpose

The purpose of Gifting & Donor Wall at the Grafton Regional Gallery is to raise funds to support the ongoing sustainable development of Gallery infrastructure and major projects and to publicly acknowledge financial support provided by philanthropists, non profit organisations, businesses, individuals and the local community. This Policy sets out Council’s position on the acknowledging support through the Gifting & Donor Wall program of the Grafton Regional Gallery.

### 2 Definitions

*Buildings* – the existing and future infrastructure of the Grafton Regional Gallery and includes buildings, facilities and spaces managed by the Gallery and owned by the Clarence Valley Council

*Collection* – held and managed by the Grafton Regional Gallery

*Council* – Clarence Valley Council

*Donor* – the individual, group, company or institution making the donation

*Donation* – a financial payment made to Clarence Valley Council specifically for a naming right

*Exhibition* – an exhibition presented by the Gallery

*Gallery* – Grafton Regional Gallery

*House style* – the style used by the Gallery for all signage

*Infrastructure development* – additions to and upgrading of the buildings of the Grafton Regional Gallery, including buildings managed by the Gallery and owned by the Clarence Valley Council

*Operational Costs* – defined ongoing daily operational expenditure for specific purposes or projects.

*Gifting* – the recognition of a donor for their support and donation, on, and associated with buildings, programs, projects or publications as outlined in the Gifting & Donor Wall Policy. Gifting can be temporary or permanent.



*Gifted Acknowledgment Tier 1* – Permanent Gifting is given when the donation is equal to or greater than 70% of the cost of future major infrastructure projects to the value of \$7,500,000, or contributions as noted in the schedule. Allocations of Gifting for the 2021 Development are exclusive and if allocated, Galleries 2-5 then become ineligible for Gifting and will be excluded from the program.

*Gifted Acknowledgment Tier 2* – Temporary Gifting has a maximum time limit of 10 years and the cost is as per the Gifting Schedule.

*Gifted Acknowledgment Tier 3* – Long Term Gifting has a time limit of 25 years and the cost is as per the Gifting Schedule.

### **3 Background/legislative requirements**

This Regional Gallery Gifting & Donor Wall Internal Policy replaces the previous Clarence Valley Council Policy on Naming Rights at Grafton Regional Gallery. The new policy facilitates the management of the Gifting & Donor Wall program within the internal policy framework and reflects the operational aspect of the program.

### **4 Policy statement**

#### **Gifting**

- 4.1 The structures and facilities or designated major projects of the Grafton Regional Gallery as described in Schedule 1 of the Gifting & Donor Wall Policy may be named to recognise the support of philanthropists, non profit organisations, businesses, individuals and the local community who donate funds to support the Grafton Regional Gallery under the Gifting & Donor Wall program.
- 4.2 The funds are to be held in trust by Clarence Valley Council for any dedicated Gallery activity including, infrastructure, major projects, new creative programs or designated operational costs related to Grafton Regional Gallery.
- 4.3 The Grafton Regional Gallery is responsible for promoting and obtaining donations for the Gifting & Donor Wall program according to the policy. From time to time the Gallery Foundation and Friends of the Grafton Gallery may refer Gifting enquiries to the Grafton Regional Gallery.
- 4.4 Gifting can be acknowledge as described in Schedule 1 of the Gifting & Donor Wall Policy.
- 4.5 The acknowledgement used should normally be the shortest possible name which recognises the donor's intentions and presented in house style.
- 4.6 Donations under the Gifting policy will only be accepted if:
  - a) the applications are approved by a nominated selection committee that includes the Gallery Director and representatives from the CVC Executive, Gallery Foundation and Friends of Grafton Gallery and Art Gallery Advisory committee groups.
  - b) it will place no limitation on Council's ability to impartially carry out its full range of functions;
  - c) there is no conflict between the objectives and mission of Council and those of the donor;
  - d) no personal benefit is sought or received by any staff member of Council from the donation;
  - e) no personal benefit is sought or received by any Councillor of Clarence Valley Council from the donations.
  - f) the opportunity to donate along with the conditions of donating have been advertised; and
  - g) there is a legal written agreement between Council and the donor.

- 4.7 If the donor and, or, the form of recognition used as the acknowledgement falls into disrepute, the Council reserves the right to remove the name after notifying the donor, or change the name in consultation with the donor.
- 4.8 Buildings, facilities and spaces of buildings, including council buildings managed by the Gallery, can host acknowledgments as set out in the Gifting Schedule. Entire buildings and parts of buildings can be named including wings, halls, galleries, rooms and outdoor facilities such as gardens, parking areas, walkways and courtyards.
- 4.9 The Gallery and Clarence Valley Council reserves the right to permanently or posthumously acknowledge long term or significant supporters of the Gallery as a form of recognition for their support. This type of acknowledgement is subjects to the same approvals as other Gifting applications.

## **Donor Wall**

- 4.9 Glass tiles as part of the Donor Wall located at Grafton Regional Gallery as described in Schedule 2 of the Gifting & Donor Wall Policy may be named to recognise the support of philanthropists, non profit organisations, businesses, individuals and the local community who donate funds to the Grafton Regional Gallery under the Donor Wall program.
- 4.10 The Donor Wall is a permanent feature of the 2021 Grafton Regional Gallery Development. This program will be ongoing until all available glass tiles are allocated. Glass tiles will feature donor names and three inspirational words of up to 60 characters, amendments may be made where first name and surnames are extra long.
- 4.11 The funds are held in trust by Clarence Valley Council for any infrastructure, or major project, or designated operational cost related to Grafton Regional Gallery.
- 4.12 The Grafton Regional Gallery is responsible for promoting and obtaining donations for the Donor Wall program according to the policy.
- 4.13 Donor Wall tiles are permanent, unless the donor or organisation falls into disrepute. The Council reserves the right to remove the tile, after notifying the donor.
- 4.14 Donations under the Donor Wall program will only be accepted if:
  - a) there is no conflict between the objectives and mission of Council and those of the donor;
  - b) no personal benefit is sought or received by any staff member of Council from the donation;
  - c) no personal benefit is sought or received by any Councillor of Clarence Valley Council; from the donations
  - d) the opportunity to donate along with the conditions of donating have been advertised; and
  - e) there is a legal written agreement between Council and the donor.
- 4.15 The Gallery and Clarence Valley Council reserve the right to allocate posthumous Donor Walls titles for long term significant supporters of the Gallery as a form of recognition. This is subjects to the same approvals as others Donor Wall applications.

## **5 Implementation**

- 5.1 The Gallery will maintain a list of the structures, facilities and programs available to be named and the list will include a schedule of costs for naming rights.
- 5.2 Clarence Valley Council will receive and manage all financial payments for Gifting & Donor Wall programs.
- 5.3 Funds from the program will be utilised by the Grafton Regional Gallery to administer the delivery of the benefits associated with Gifting contracts and the donor wall program.
- 5.4 Gifting & Donor Wall Funds will be utilised to support infrastructure, or major projects, or designated operational costs related to Grafton Regional Gallery. The CVC Executive will approve access to funds raised by the Gifting & Donor Wall program when presented with an approved project proposal under the CVC Project Framework.

## **6 Appeal/objections process**

- 6.1 Clarence Valley Council reserves the right to approve or reject any donation as part of the Gifting & Donor Wall Program.
- 6.2 Any appeals or objections to participation in the Naming Right & Donor Wall programs must be submitted in writing to Clarence Valley Council. The Council reserves the right to make the final decision relating to donations as part of the Gifting & Donor Wall Program.

## **7 Related Documents**

- 5.1 Grafton Regional Gallery Strategic Plan
- 5.2 Art Collection Policy
- 5.3 Marketing collateral produced to advertise the program
- 5.4 Gifting Agreements and Donor Wall Application

## **8 Attachments**

- Schedule 1 – Structures, Collections and Programs Available for Gifting  
Schedule 2 – Donor Wall program

## SCHEDULE 1 – STRUCTURES, COLLECTIONS AND PROGRAMS AVAILABLE FOR ACKNOWLEDGMENT

This Schedule relates to the Clarence Valley Council Policy on Gifting & Donor Wall Programs at Grafton Regional Gallery version V3.0 Policy No. 6.01.

The Schedule sets out what is available for naming at the Grafton Regional Gallery.

### General Guidelines

Gifting Acknowledgements Tier 1 is allocated when the donation is equal to or greater than 70% of the cost of future major infrastructure projects to the value of \$7,500,000 or contributions as noted in the schedule. The allocation of naming rights for the 2021 Development are exclusive and if allocated, Galleries 1-4 will then become ineligible for naming rights and will be excluded from the program.

Gifting Acknowledgements Tier 2, have a time limit of 25 years and the cost is as per the Gifting Schedule. Gifting Acknowledgements Tier 3, have a maximum time limit of 10 years and the cost is as per the Acknowledgement Schedule and Major Event acknowledgement for large scale single or multi year events.

### Gifting Acknowledgment Schedule

Gifting Acknowledgments available for the following buildings or parts of:									
		Tier 1	Tier 2	Tier 3					
1	2021 New Development	≥ \$5,000,000	≥ \$1,500,000	10 yrs.	≥ \$600,000	5 yrs.	≥ \$300,000	2 yrs.	≥ \$120,000
2	Prentice House Galleries	≥ \$1,500,000	≥ \$500,000	10 yrs.	≥ \$200,000	5 years	≥ \$100,000	2 yrs.	≥ \$40,000
Gifting Acknowledgments available for unallocated separate rooms									
3	Gallery 1	≥ \$1,500,000	≥ \$500,000	10 yrs.	≥ \$200,000	5 yrs.	≥ \$100,000	2 yrs.	≥ \$40,000
4	Gallery 2	≥ \$1,500,000	≥ \$500,000	10 yrs.	≥ \$200,000	5 yrs.	≥ \$100,000	2 yrs.	≥ \$40,000
6	Gallery 3	≥ \$1,000,000	≥ \$300,000	10 yrs.	≥ \$120,000	5 yrs.	≥ \$60,000	2 yrs.	≥ \$25,000
6	Gallery 4	≥ \$1,000,000	≥ \$300,000	10 yrs.	≥ \$120,000	5 yrs.	≥ \$60,000	2 yrs.	≥ \$25,000
7	Courtyard Gallery	N/A	N/A	10 yrs.	≥ \$100,000	5 yrs.	≥ \$50,000	2 yrs.	≥ \$20,000
8	Courtyard Room	N/A	N/A	10 yrs.	≥ \$50,000	5 yrs.	≥ \$25,000	2 yrs.	≥ \$10,000
9	Sculpture Garden	N/A	N/A	10 yrs.	≥ \$50,000	5 yrs.	≥ \$25,000	2 yrs.	≥ \$10,000
10	Artist Cottage	N/A	N/A	10 yrs.	≥ \$50,000	5 yrs.	≥ \$25,000	2 yrs.	≥ \$10,000

11	Studio	N/A	N/A	10 yrs.	≥ \$50,000	5 yrs.	≥ \$25,000	2 yrs.	≥\$10,000
12	Library	N/A	N/A	10 yrs.	≥ \$20,000	5 yrs.	≥ \$10,000	2 yrs.	\$4,000
13	Major Project	N/A	N/A	10 yrs.	≥ \$500,00	Single Event	≥ \$100,000	N/A	N/A

### Additional Gifting Acknowledgement Schedule

Additional Gifting Acknowledgment		Tier 1	Tier 2	Tier 3
1	<b>New Development</b>	<ul style="list-style-type: none"> <li>- The building would be permanently named and known as “the {insert family/organisation name} centre” (Ian Potter Centre – NGV as an example)</li> <li>- Quality permanent signage installed outside the building and the name utilised on all internal and external print, marketing and educational material and logos utilised as required</li> <li>- Appropriate acknowledgment on recognition board and all other donor &amp; supporter areas</li> <li>- Free VIP admission for donor family members to all gallery events, access to all other VIP programs</li> </ul>	<ul style="list-style-type: none"> <li>- The building would be known as “the {insert family /organisation name} centre” (Ian Potter Centre – NGV as an example) for the term of the contract.</li> <li>- Signage installed outside the building and the name utilised on all internal and external print, marketing and educational material and logos utilised as required for the term of the contract.</li> <li>- Appropriate acknowledgment on recognition board and all other donor &amp; supporter areas for the term of the contract.</li> <li>- Free VIP admission for donor family members to all gallery events, access to all other VIP programs for the term of the contract.</li> <li>- Donor would be given first option for renewal</li> </ul>	<ul style="list-style-type: none"> <li>- The building would be known as “the {insert family/organisation name} centre” (Ian Potter Centre – NGV as an example) for the term of the contract.</li> <li>- Signage installed outside the building and the name utilised on all internal and external print, marketing and educational material and logos utilised as required for the term of the contract.</li> <li>- Free VIP admission for donor family members to all gallery events, access to all other VIP programs for the term of the contract.</li> <li>- Listing on recognition board.</li> <li>- Donor would be given first option for renewal</li> </ul>

2	<b>Prentice House</b>	<ul style="list-style-type: none"> <li>- Prentice House would be permanently named and known as “the {insert family/organisation name} Prentice House”</li> <li>- Quality permanent signage installed in the Prentice House Foyer and the name utilised on all internal and external print, marketing and educational material and logos utilised as required</li> <li>- Appropriate acknowledgment on recognition board and all other donor &amp; supporter areas</li> <li>- Free VIP admission for donor family members to all gallery events, access to all other VIP programs</li> </ul>	<ul style="list-style-type: none"> <li>- Prentice House would be known as “the {insert family/organisation name} Prentice House”</li> <li>- Signage installed in the Prentice House Foyer and the name utilised on all internal and external print, marketing and educational material and logos utilised as required for the term of the contract.</li> <li>- Appropriate acknowledgment on recognition board and all other donor &amp; supporter areas for the term of the contract.</li> <li>- Free VIP admission for donor family members to all gallery events, access to all other VIP programs</li> </ul>	<ul style="list-style-type: none"> <li>- Prentice House would be known as “the {insert family/organisation name} Prentice House”</li> <li>- Signage installed in the Prentice House Foyer and the name utilised on all internal and external print, marketing and educational material and logos utilised as required for the term of the contract.</li> <li>- Free VIP admission for donor family members to all gallery events, access to all other VIP programs</li> <li>- Listing on recognition board</li> <li>- Donor would be given option for renewal</li> </ul>
4	<b>Galleries 1 to 4* Subject to availability</b>	<ul style="list-style-type: none"> <li>- Gallery would be permanently named and known as “the {insert family name} function space”</li> <li>- Quality permanent signage installed in the Gallery and the name utilised on all internal and external print, marketing and educational material</li> <li>- Appropriate acknowledgment on recognition board and all other donor &amp; supporter areas for the term of the contract.</li> <li>- Free VIP admission for donor family members to all gallery events, access to all other VIP programs</li> </ul>	<ul style="list-style-type: none"> <li>- Gallery would be known as “the {insert family name} Gallery” for the term of the contract.</li> <li>- Signage installed in the Gallery and the name utilised on all internal and external print, marketing and educational material and logos utilised as required for the term of the contract.</li> <li>- Appropriate acknowledgment on recognition board and all other donor &amp; supporter areas for the term of the contract.</li> <li>- Free VIP admission for donor family members to all gallery events, access to all other VIP programs</li> <li>- Donor would be given first option for renewal</li> </ul>	<ul style="list-style-type: none"> <li>- Gallery would be known as “the {insert family name} Gallery” for the term of the contract.</li> <li>- Signage installed in the Gallery and the name utilised on all internal and external print, marketing and educational material and logos utilised as required for the term of the contract.</li> <li>- Free VIP admission for donor family members to all gallery events, access to all other VIP programs for the term of the contract.</li> <li>- Listing on recognition board</li> <li>- Donor would be given option for renewal</li> </ul>



3	<b>Courtyard Room, Courtyard Gallery, Sculpture Garden, Studio, Artist Cottage, Library</b>	N/A	N/A	<ul style="list-style-type: none"> <li>- Rooms would be known as “the {insert family name} Studio” for the term of the contract.</li> <li>- Signage installed in the studio and the name utilised on all internal and external print, marketing and educational material and logos utilised as required for the term of the contract.</li> <li>- Free VIP admission for donor family members to all gallery events, access to all other VIP programs for the term of the contract.</li> <li>- Listing on recognition board</li> <li>- Donor would be given option for renewal</li> </ul>
11	<b>Major Project - Multi year Event - Single Event</b>	<ul style="list-style-type: none"> <li>- The major project would be permanently named and known as “This major project is proudly presented by {insert family name}”</li> <li>- The name and logos utilised on all internal and external, project signage, print, marketing and educational material.</li> <li>- Appropriate acknowledgment on recognition board and all other donor &amp; supporter areas</li> <li>- Free VIP admission for donor family members to all project events, access to all other VIP programs</li> </ul>	N/A	N/A

## SCHEDULE 2 – Donor Wall

This Schedule relates to the Clarence Valley Council Policy on Gifting & Donor Wall program at Grafton Regional Gallery.

The Schedule sets out the glass tiles available to be named as part of the Donor Wall program at the Grafton Regional Gallery.

### General Guidelines

The Donor Wall is a permanent feature of the 2021 Grafton Regional Gallery Development. This program will be ongoing until all available glass tiles are allocated.

Glass tiles will feature donor names and three inspiration words up to 60 character spaces, amendments may be made where first name and surnames are extra long.

### Donor Wall Schedule

DONOR Wall Tiles are available for		Cost NB: costs are exclusive of GST
1	Individual/Family	\$1,200 (This payment can be made over 20 months at \$60 per month)
2	Corporate	\$5,000 (this payment can made over 12 months at \$1250 per quarter)

# Policy

## Voluntary House Raising

Responsible Manager (Title)	Manager Water Cycle		
Adopted by Council	Date	Minute Number	
File Reference Number	DWS	Version <u>1</u>	Review Due
Document(s) this policy Supersedes			
Community Plan Linkage	<b>2 Infrastructure</b>		
	2.1 We will have communities that are well serviced with appropriate infrastructure		
	2.1.2 Ensure adequate natural disaster management		

### 1 Purpose

The purpose of this Policy is to supply specific guidance in the management of future house raising projects. House raising was recommended as a floodplain risk management measure in the Grafton and Lower Clarence Floodplain Risk Management Plan adopted by Council in 2013.

### 2 Definitions

**Habitable floor level** – as per the Building Code of Australia means the level containing habitable rooms, meaning a room used for normal domestic activities including a bedroom, living room, lounge room, kitchen, dining room, study, etc but excluding rooms such as a bathroom, laundry, water closet, pantry, walk-in wardrobe, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

**1 in 100 year flood** – refers to a flood height that has a long-term likelihood of occurring once in every 100 years (also called a 1% probability flood).

**1 in 20 year flood** – refers to a flood height that has a long-term likelihood of occurring once in every 20 years (also called a 5% probability flood).

### 3 Background/legislative requirements

The Grafton and Lower Clarence Floodplain Risk Management Plan recommend the establishment of a Voluntary House Raising (VHR) scheme. This document aims to define the Clarence Valley’s VHR scheme and outline a process for the owners of identified properties to access the scheme

The Clarence Valley contains many flood prone dwellings that are subject to over-floor flooding in minor and moderate flood events. The economic and social burden of flooding on the community can be reduced by raising these dwellings to increase their flood immunity. The VHR scheme is part of an overall floodplain risk management strategy for the Clarence Valley.

VHR is aimed at reducing the flood damage to dwellings by raising the habitable floor level of individual buildings to the levels outlined in Council's Residential Zone Development Control Plan). It should be noted that VHR schemes can actually increase residual risk (risk leftover after mitigation) if the occupants of a raised dwelling incorrectly assume that raising has eliminated all flood risk. In most cases the dwelling will still be susceptible to over floor flooding in extreme events. Occupants are still advised to evacuate their properties when advised to do so by emergency services.

## 4 Policy statement

In addition to the requirements outlined in the NSW Government Department of Planning, Industry and Environment "Guidelines for voluntary house raising schemes" the following criteria shall apply to dwellings that are to be included in the VHR.

- a) Dwellings may be located in any locality on the Grafton and Lower Clarence floodplain with the exception of dwellings protected by levees in Grafton, South Grafton, Iluka and Maclean.
- b) Dwellings may also be located in the area covered by the Glenreagh Floodplain Risk Management Plan.
- c) To be eligible for inclusion the dwelling must have been constructed prior to 1986 and the main habitable floor level must be at or below the 1 in 100 year flood level, and constructed of a material that is suitable for raising (i.e. wood, not brick).
- d) Priority will be given to dwellings that are at most risk of over floor flooding from floods less than the 1 in 20 year event.
- e) The dwelling must be located in a low hazard flood area. For the purpose of this Policy this can be interpreted to be H1-H4 areas as per Figure 1.
- f) Dwellings will be raised to a minimum height of the 1 in 100 year flood plus 500mm freeboard.
- g) Commercial buildings will not be included in this scheme.
- h) A subsidy of two thirds of the cost will be offered for dwellings (up to a maximum of \$60,000) with a main living floor level at or below the 1 in 100 year flood level.

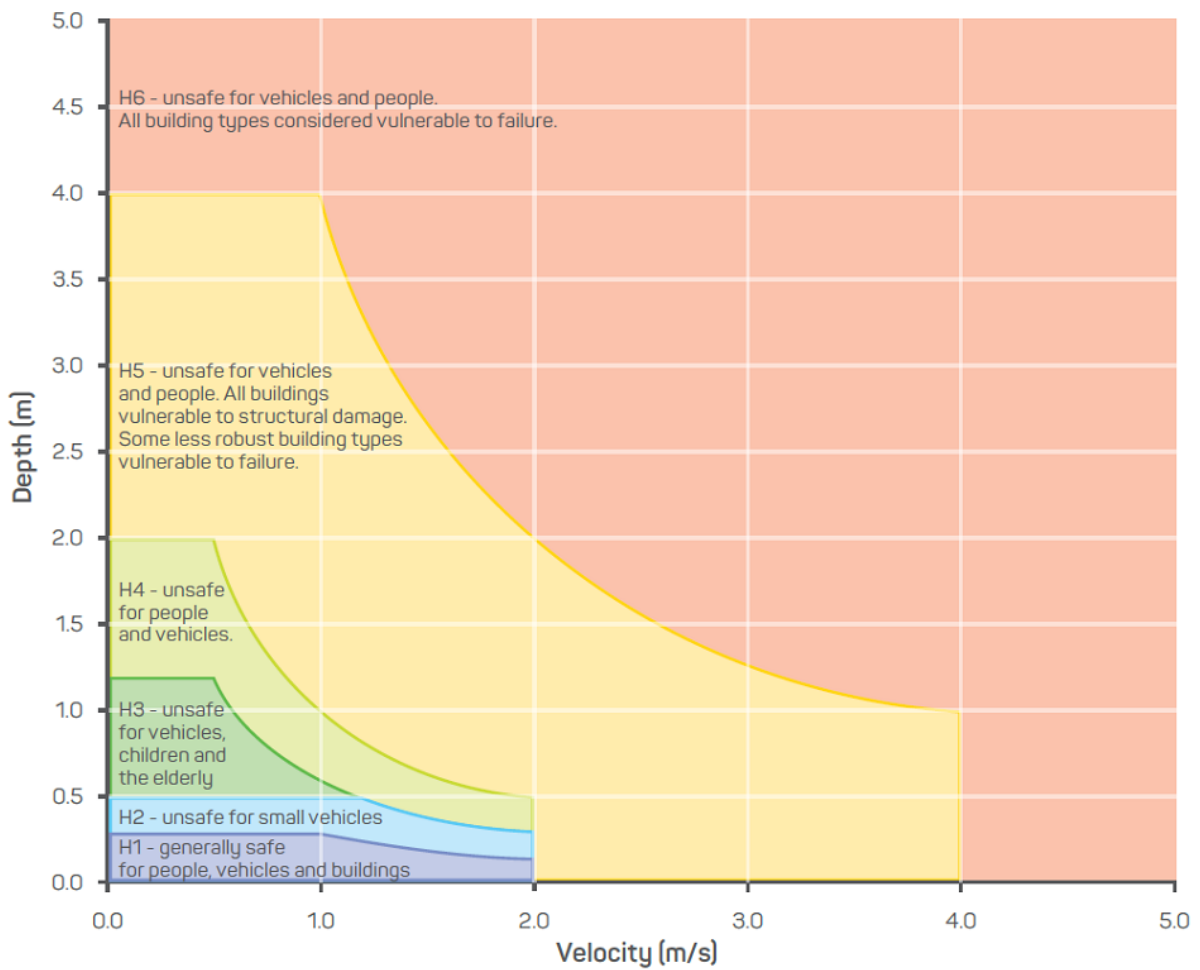


Figure 1. Australian Institute Disaster Resilience (AIDR) Handbook 7 – Flood Hazard Vulnerability Curves

## 5 Policy Implementation

### 5.1 Funding

Funding for VHR is provided by the State Government, via the Department of Planning, Industry and Environment (DPIE). Council manages and administers the VHR program.

Funding is available on a 2:1 basis. The NSW Government will fund two-thirds of the eligible cost (up to a maximum of \$60,000) of raising the dwelling. The owner of the dwelling is responsible for the remaining one third of costs.

Inclusion of a property within this VHR Scheme is not necessarily confirmation that the property will be eligible for access to State Government funding. Further checks against the VHR Guidelines will be undertaken at the application stage for each property.

VHR grant funding is paid to the landowner in arrears upon submission of evidence of spending and confirmation of completion of milestones. Therefore, the landowner must be prepared to pay all expenses associated with the house raising upfront and then be reimbursed later. Milestones will be established through the house raising process, such as completion of DA approvals, to ease cash flow constraints.

Importantly, only the costs directly related to raising the dwelling are eligible for grant funding. Ancillary building activity costs (i.e. renovations) will not be considered. These activities can occur in parallel to house raising, but the costs need to be separated and carefully monitored.

Quotes for the raising of a dwelling will need to be itemised. Where additional works are also to occur Council may require additional assurances to be satisfied that only the eligible activities are being funded. Government funds will be made available on receipt of tax invoice for the works.

## 5.2 Ineligible costs

Costs which are not eligible for funding are:

- a) Additional features, improvements, renovations and substitutions of services requested by the homeowner, such as landscaping and concrete floor to the understorey, which must be undertaken at the owner's full expense
- b) Any relocation costs incurred during the work
- c) Remedial works to the house if the house needs to be brought up to a standard to allow it to be raised
- d) Retrospective works

## 5.3 Procedure

The owner of the property is responsible for managing the various activities associated with the actual raising the dwelling. Council officers only provide oversight, guidance and administration of the VHR scheme.

Therefore, the owner is responsible for:

- Gaining the relevant development approvals
- Seeking quotes for raising works
- Engaging a suitable contractor
- Monitoring the works
- Organising certification of the works
- Submission of grant funding claims to Council

To access grant funding under the VHR scheme a property owner must:

- a) Submit an Expression of Interest in the VHR scheme to Council
- b) When funding becomes available Council will make a formal grant application for VHR grant funding for the property. If successful, a grant funding agreement and liability waiver is signed by all parties. This will identify milestones when the landowner can claim grant funding reimbursement. It will also indemnify Council and the State Government from or against all claims, expenses and damages for loss or damage to the house or personal injury (including death) arising out of the house raising work.



- c) If owners do not have the capability to commence house raising within 6 months then funding may be withdrawn.
- d) The owner must acquire all relevant building approvals for the house raising
- e) The owner must seek up to three quotes for raising/building work
- f) The owner will review the quotes and endorse acceptance of the preferred offer. The owner is encouraged to check that the builder is qualified and licensed to carry out this type of work. The homeowners should keep copies of the builder's licences and insurance documents.
- g) The house raising works are completed
- h) The owner gains an Occupation Certificate for the raised dwelling
- i) The owner submits signed claim form, invoices, an Occupation Certificate and a statement from the builder or a qualified surveyor verifying the height the home was raised for grant acquittal.

Throughout the above process the owner is responsible for completing all relevant claims for reimbursement, as required by Council, at the agreed grant funding milestones. Whilst Council is the administrator of the VHR scheme this does not exempt the owner from any relevant planning and building approval process or their costs.

Part of the required building approvals process will be a requirement for certification of the structural integrity of the raised dwelling by a suitably qualified (NER Registered) structural engineer. From 1 July 2021 this will need to be a professional engineer registered in the structural engineering area under the Design & Building Practitioners Act, 2020

It will also be a condition of approval for all raised dwellings that the areas below design flood level (the lower storey) are not to be used for habitable purposes (i.e. enclosed as bedrooms or similar). Council officers will inspect raised dwellings periodically going forward to ensure compliance with Development Control Plan.

## **6 Attachments**

Form - Expression of Interest Voluntary House Raising Program

# Policy

## DRAFT Memorials and Plaques on Public Land

Responsible Manager (Title)	Peter Birch, Manager Open Spaces & Facilities		
Adopted by Council	Date	Minute Number	
File Reference Number	DWS	Version	Review Due
Document(s) this policy Supersedes			
Community Plan Linkage	<b>2 Infrastructure</b>		
	2.1 We will have communities that are well serviced with appropriate infrastructure		
	2.1.4 Manage and enhance our parks, open spaces and facilities		

### 1 Purpose

The purpose of this policy is to provide a framework for the installation of memorials and plaques on public lands. Memorials and plaques installed on public land within the Clarence Valley will need to conform to this policy.

Objectives in relation to memorials and plaques on public land are to:

- a) minimise the occurrence of memorials and plaques;
- b) restrict memorials and plaques to persons, associations or events of outstanding significance to a place; and
- c) minimise any perceived public risks and environmental impacts of memorials and plaques.

The creation or placement of memorials and plaques on public land is only permitted with the approval of Council.

### 2 Definitions

**Plaque** is a flat object, often of stone or metal, with text that records information about a person, association, place or event.

**Memorial** is an object established in memory of a person, association, place or event and includes a monument.

**Public Land** means any land (including a public reserve) vested in or under the control of the Council, but does not include a public road.

### **3 Background/legislative requirements**

Memorials and plaques to commemorate the life of a family member may not have any significance to the broader community. However, the appearance of such memorials and plaques may also be offensive to other members of the community and can have the effect of creating a cemetery appearance on public land.

Council has powers pursuant to the Local Government Act 1993 to regulate the use of its public lands.

## **4 Policy statement**

### **4.1 Existing Memorials and Plaques**

Existing memorials and plaques will generally be retained. If the existing site is inappropriate, maintenance costs prohibitive, of poor condition, create a public risk and / or environmental impact, those originally involved in its placement should, where practical, be consulted before resited, replaced or removed. Resiting or replacement of existing memorials and/or plaques will need to conform to this policy.

### **4.2 Proposed Memorials and Plaques**

- 1) Council does not encourage the installation of memorials and plaques on public lands. Subjects for plaques and memorials will be limited to the following:
  - a) an individual or association that has contributed significantly to the cultural, political, social or environmental aspects of the Clarence Valleys development;
  - b) an individual or association strongly linked to the Clarence Valley and its history;
  - c) a significant anniversary of an event unique to the history and development of a place;
  - d) historical or other information relevant to a place;
  - e) recognition of significant contributions for community infrastructure.
- 2) Memorials and plaques shall be designed in consideration of the general character of the area and sited so as not intrude upon or damage the structure or environment, or otherwise create a public risk. Their construction should require little maintenance and should be resistant to vandalism.
- 3) Applications must be in writing to the General Manager, and must demonstrate in detail how the proposed memorial and/or plaque accords with this policy. Applications should include the type of plaque and/or memorial, the proposed design (including dimensions, wording, colour, and materials) as well as the preferred location.
- 4) If Council agree to accept a memorial and/or plaque, the costs of the design, supply and installation, and any associated development fees will be covered by the applicant.
- 5) The decision to accept a memorial and/or plaque will not prejudice Council's determination of any development application submitted for that memorial and/or plaque.

- 6) If a development application is required for a memorial and/or plaque on Crown reserves, notification under the Native Title Act 1993 (Cth) to the traditional owners will be required if native title is determined to exist.
- 7) The development application assessment process will include a cultural assessment involving a check of the Aboriginal Heritage Information Management System (AIHMS) and any other cultural heritage information known to be recorded by Council concerning the Crown Reserve.
- 8) Recognition of significant contributions for community infrastructure can be acknowledged by way of a small plaque mounted to the infrastructure. Funding agreements from Government agencies regularly have this as a requirement. Refer to Donated Facilities on Public Land Policy.
- 9) While an approved memorial and/or plaque will be located at the designated site for a period of not less than ten years, Council maintains the right to remove or resite it should the site be redeveloped or significantly changed in character. Council does not guarantee the retention of any memorial or plaque.

## **5 Implementation**

### **5.1 Application Process**

Persons wishing to erect a memorial or plaque on public land are required to complete the form “Application Form for Memorials and Plaques on Public Land” and submit to Council for approval prior to proceeding with the installation.

### **5.2 Assessment Process**

- a) The application will be initially assessed by Council’s Open Spaces and Facilities Section against the guidelines provided in this Policy.
- b) The applicant will be advised if the proposal is deemed inappropriate.
- c) If deemed appropriate, Council’s Open Spaces and Facilities Section will submit the application to Council for approval, if the memorial and/or plaque is on Crown land under the control of Council, advise the State Government Department administering the Crown Lands Management Act.
- d) The applicant will be advised by Council’s Open Spaces and Facilities Section on the outcome of the decision by Council or by the relevant State Government Department.
- e) Council’s Open Spaces and Facilities Section will consult with the applicant of a proposal deemed appropriate to implement the memorial and/or plaque.

### **5.3 Unapproved Memorials and Plaques**

Memorials or plaques which have been placed on public land after the adoption of this policy without Council approval will be removed. Prior to removal, all reasonable efforts will be made to identify and contact the persons responsible for placing the item to advise them of this policy, and the proposed removal. Reasonable attempts will be made to hold a removed item for collection by the persons responsible for its placement.

## **6 Appeal/objections process**

Appeals/objections related to the implementation of this policy will be dealt with in accordance with the Complaints Management Policy.

## **7 Related Documents**

Privacy Management Plan

Road Side Memorials Policy

Donated Facilities on Public Land Policy

Complaints Management Policy

## **8 Attachments**

Application Form for Memorials and Plaques on Public Land

# Policy

## Borrowing

Responsible Manager (Title)	Manager Finance & Supply		
Adopted by Council		Minute Number	
File Reference Number	ECM	Version 7.0	Review Due Jul-21
Document(s) this policy Supersedes	V6.0 – 23/07/2019 – 6c.19.026		
Community Plan Linkage	<b>5 Leadership</b>		
	5.2 We will have an effective and efficient organisation		
	5.2.1 Operates in a financially responsible and sustainable manner		

### 1 Purpose

To ensure Council has a structured and disciplined approach to borrowing of funds for the purpose of funding new infrastructure and renewal of existing infrastructure as outlined in Council’s long term financial plan.

### 2 Definitions

<b>Minister</b>	Refers to the NSW Minister for Local Government.
<b>Borrowing(s)</b>	Includes conventional loans, deferred payment arrangements, finance leases and any other forms of raising new capital funds. From 1 July 2019 as per Australian Accounting Standard AASB 16 Leases, operating leases will be recognised as borrowings.
<b>Debt Service Ratio</b>	This is an indicator of the extent to which council’s operating revenue is committed to servicing both interest and the repayment of principal on existing borrowings.
<b>Debt Service Cover Ratio</b>	This is an indicator that assesses the impact of principal and interest repayments on borrowings on the discretionary revenue of council.
<b>Finance Lease</b>	Leases of property, plant and equipment where Council, as lessee, has substantially all the risks and rewards of ownership.
<b>Operating Lease</b>	Leases in which a significant portion of the risks and rewards of ownership are not transferred to Council as lessee.



### **3 Background/legislative requirements**

#### **3.1 Local Government Act 1993 – Part 12 – Loans**

- *Section 621* - When and for what may a council borrow?

A council may borrow at any time for any purpose allowed under this Act.

- *Section 622* – What form may a council borrowing take?

A council may borrow by way of overdraft or loan or by any other means approved by the Minister.

- *Section 623* – Security for borrowings

1. A council may give security for any borrowing in such manner as may be prescribed by the regulations.
2. All such securities rank on any equal footing, despite any other Act.

- *Section 624* – Are there any restrictions on a council borrowing?

The Minister may, from time to time, impose limitations or restrictions on borrowings by a particular council or councils generally despite the other provisions of this Part.

- *Part 3 Delegation of functions, Section 377* - General power of the council to delegate

A council may not delegate to the general manager or any other person or body (not including another employee of the council) the borrowing of money.

#### **3.2 Local Government (General) Regulation 2005**

- *Clause 229* – Loan to council to be charged on the council's income.

The repayment of money borrowed by a council (whether by way of overdraft or otherwise), and the payment of any interest on that money, is a charge on the income of the council.

- *Clause 230* – General Manager to notify borrowings to Director-General

1. Within seven (7) days after a Council borrows money under a loan contract, the General Manager must notify the Director-General of the borrowing.
2. This clause extends to further advances made to a Council under an existing loan contract, but does not apply to a borrowing by a Council by way of overdraft.

#### **3.3 Ministers Borrowing Order (as per Section 624 of the Local Government Act 1993)**

The Ministers Borrowing Order states that a council shall not borrow from any source outside the Commonwealth of Australia nor in any currency other than Australian currency.

## 4 Policy statement

Council recognises that borrowings for capital works are an important funding source for Local Government and the full cost of infrastructure should not be borne entirely by present-day ratepayers, but be contributed to by future ratepayers who will also benefit. This principle is known as inter-generational equity.

Council will restrict all borrowings to fund the delivery of capital projects that are considered by Council to be of the highest priority and which are unable to be funded from general revenue. Under no circumstances should Council borrow funds for recurrent expenditure.

Council will ensure the cost of borrowings is sustainable in terms of Council's ability to meet future repayments within budgetary constraints.

## 5 Issues

The report "Revenue Framework for Local Government" by the Independent Pricing and Regulatory Tribunal states that the financial position of a council is considered to be healthy when financial liabilities, including debt, are at levels where council's activities and the cost of servicing the debt can be met comfortably from its existing annual operating revenue. Ideally, council should be a modest debtor with loans comprising a minority of the total capital invested in its infrastructure and other assets. The report goes on to say that as a general guideline, councils should have a combination of debt and revenue funding for capital purposes and that additional debt may be justifiable if a council is committed to reducing operating expenses or is willing and able to progressively increase its revenue over time.

Clarence Valley Council's various Asset Management Plans indicate that there is a significant shortfall between what Council is currently spending on maintaining and renewing its asset base and what is required. Whilst maintenance is funded through operating revenue, capital expenditure is funded by a combination of grants, loans, cash reserves in addition to an allocation of operating revenue.

To address the significant shortfall between what Council is currently spending on maintaining and renewing its asset base and what is required, Council engaged consultants Ernst & Young in February 2015 to complete a review of Council's current debt management practices to identify potential savings from improved debt management. The review was a 2 stage process.

Firstly the review conducted an evaluation of Council's current debt portfolio and financing strategy. The key findings of this stage of the review process were:

- a. A revised borrowing philosophy be implemented, focussing on a sustainable target debt level which incorporates a transition to interest only ("I/O") debt.
- b. Refinancing where possible immediately after the review to take advantage of favourable market conditions which will drive interest savings.

The next stage of the review involved market testing of the above findings, and evaluation of responses. The key findings of this stage of the review process were:

Partial transition to new borrowing philosophy being a combination of I/O on both fixed and floating rate basis for new debt may provide the following key benefits

- o Asset / liability matching

- Surplus cash
- Flexibility
- Access to other debt sources and structures
- Operational efficiency

Partial refinance of existing debt may achieve interest savings

The review found that Council's current debt levels are high as suggested by the credit metrics/ Key Financial Indicators (KFIs) and market feedback from banks and it was recommended that Council's total debt over the long term to be managed within a sustainable target debt range as determined through revised KFI's used by the Office of Local Government and Moody's credit rating agency.

At the 18 October 2016 Ordinary Council meeting (Item 15.112/16) in response to a report from Ernst and Young (EY) titled 2016 Debt Review Update, Council resolved 'That Council update its Loan Borrowing Policy to reflect the increased Sustainable Debt Level of \$131M.' EY's report stated that the proposed \$21M increase in Council's assessed sustainable debt level is explained by Council's improved financial performance over the period since EY's debt review in 2015, including increased revenues and Council efficiency improvements (e.g. operating cost reductions and reduced interest costs).

EY's updated 2016 Debt Review report supports an additional \$5M in General Fund borrowings to address the backlog based on analysis of the General Fund sustainable debt level by EY (utilising consistent methodology to that employed on a consolidated basis) which suggests the General Fund on a standalone basis has additional debt capacity of up to approximately \$40M (for 2015/16 and 2016/17). However EY highlighted a number of financial considerations in relation to Council's capacity to increase borrowing going forward, including:

Council's sustainable debt levels should be assessed on a regular basis given Council's sustainable debt levels may fluctuate over time due to the interrelationship between financial performance (i.e. revenues, operating result, efficiency) and the ability to service debt obligations (i.e. interest and principal payments).

Increased sustainable debt levels may be achieved via operational and financing efficiencies and increased revenues over time.

- g. Debt levels above the sustainable debt range may be justified in the short term to support essential capital works given Council's strong credit profile (Aa3), however it is suggested that where this is the case a clear plan be implemented to reduce debt levels back to within the target range benchmark.
- h. Forecast sustainable debt level analysis is subject to the risk of Council achieving its financial forecasts.
- i. Whilst the General Fund has additional debt capacity on a standalone basis, it is prudent to consider this in the context of Council's consolidated sustainable debt level.

The KFI Council has adopted in its current Financial Planning Policy to measure debt management performance is the Debt Service Ratio (DSR). The DSR measures how much Council is spending servicing debt as a percentage of operating revenue. Up until 30 June 2013 this was the NSW Office of Local Government (OLG) accepted KFI, and the OLG accepted benchmarks for the DSR were as follows:

Less than 10% - satisfactory

Between 10% and 20% - fair

Over 20% - could be of concern

Council has adopted the following DSR benchmarks per the Financial Planning Policy at the 26 June 2018 Ordinary Council Meeting.

General Fund	Less than 12%
Water Fund	Less than or equal to 50%
Sewer Fund	Less than or equal to 50%

Applicable from the 2013/14 financial year the OLG introduced the Debt Service Cover Ratio (DSCR). The DSCR measures the operating results before capital excluding interest and depreciation divided by debt servicing costs. The OLG benchmark for the DSCR is greater than 2, regardless of the fund. Council's Financial Planning Policy has been revised to reflect this new OLG debt management performance KFI.

## 6 Procedures

- 6.1 All borrowings will be subject to Council approval and should be in accordance with the Revenue Policy within the adopted Operational Plan.
- 6.2 Council will not borrow money to fund operating expenditure. This type of expenditure should be funded through operating revenue.
- 6.3 Before borrowing, a complete analysis of all funding options as outlined in Council's Long Term Financial Plan is required, including a forward program of capital works identified as part of Council's long term management of its infrastructure assets, to determine borrowing requirements.
- 6.4 Where a capital project for a service that is funded by user charges (e.g. Water, Sewer, Domestic Waste) is determined to be funded by way of borrowings, the user charge should reflect the cost of providing the service (including any borrowing repayments).
- 6.5 Other specific capital projects, not funded by user charges, should only be considered for borrowings when all alternate funding sources have been exhausted.
- 6.6 Borrowings for infrastructure that provides a revenue stream to Council will take priority over borrowing for other assets.
- 6.7 The term of any borrowings should not exceed the expected economic life of the asset being funded.
- 6.8 Prior to undertaking any borrowings, Council shall assess its capacity to repay the borrowings by factoring the associated debt service costs into the long term financial plan.
- 6.9 Funds raised for a specific purpose as the result of levying a special rate or charge, are not to be re-allocated to other areas without justification in terms of service provision and compliance with internal loan requirements, which require Council to obtain approval from the Minister of Local Government.

- 6.10 The nature of any borrowings (short or long term) and the interest rate (fixed, variable or a combination of fixed and variable), if applicable, will take into account the purpose of the borrowings and seek to minimise interest rate exposure.
- 6.11 Council's goal for the General Fund Debt Service Ratio is to achieve a financial indicator of less than 12% and for the Water and Sewer Fund an upper limit of 50% for each Fund.
- 6.12 Council maintains a portfolio approach towards debt management and targets a long term sustainable debt range of \$131,000,000.
- 6.13 Council transitions its loan portfolio from principal and interest repayment loans to interest only loans over time.

## 7 Overdraft Facilities

Council has an overdraft facility with the Commonwealth Bank. The overdraft facility is to be utilised for short term, unavoidable and essential cash flow requirements only. Use of the overdraft facility is to be minimised by employing careful cash management practices that ensure sufficient cash at bank to satisfy daily expenditure requirements.

## 8 Determination of appropriate lending institution

- 8.1 Once a borrowing has been approved by Council, an "Expression of Interest" (EOI) process will be conducted whereby appropriate lending institutions (Authorised Deposit Taking Institutions for loan borrowings) will be invited to submit written quotations on Council's borrowing requirements.
- 8.2 Written quotations for loan borrowings must include the:
  - Interest rate and whether the rate is fixed, variable, or a combination of fixed and variable
  - Term of the loan
  - Repayment intervals (monthly, quarterly, etc.)
  - Interest only repayment instalment amount
  - Any applicable fees.
- 8.3 A minimum of three (3) written quotations will be obtained for Council's approved loan borrowing from Authorised Deposit Taking Institutions.
- 8.4 Appropriate and acceptable documentation must be provided to Council by any prospective lender during the EOI process.
- 8.5 The calculation process for any loan break costs must be clearly set out in the loan documentation.
- 8.6 The General Manager has authority to accept loan offers, subject to the loan borrowing amount being previously approved by Council and the requirements of the "Borrowing Policy" being adhered to.

# Policy

## Donations

Responsible Manager (Title)	Community Services Coordinator		
Adopted by Council		Minute Number	
File Reference Number	DWS	Version 10.0	Review Due Sept-24
Document(s) this policy Supersedes	V9.0 – 15/09/2015 – 13/123.15		
Community Plan Linkage	<b>5 Leadership</b>		
	5.1 We will have a strong, accountable and representative government		
	5.1.4 Ensures transparent accountable decision making for our community		

### 1 Purpose

Clarence Valley Council values the contribution made by community and sporting organisations to enhance the culture, health and heritage of the Clarence Valley. The purpose of this Policy is to enable Council to support the local projects and initiatives put forward by the organisations that promote these values. In doing so, the Policy aims to:

- 1.1. secure an open and transparent decision-making process for requests for donations from Council, and
- 1.2. provide an accessible and equitable process for groups and organisations seeking donations from Council.

### 2 Policy Objectives

- 2.1 To establish guidelines for determining donations to be made by Council within the adopted budget allocation.
- 2.2 To establish two (2) on-line application rounds annually donation requests.
- 2.3 To provide clear guidance on the criteria by which donation applications will be assessed and allocations determined.
- 2.4 To provide a process which allows Council to conduct a meaningful comparison of requests for donations.
- 2.5 To provide a process which allows Council to maintain an efficient and equitable distribution of Council donations.



- 2.6 To enhance Council's appreciation and understanding of community groups operating in the Clarence Valley.

### **3 Definitions**

**Donations** includes 'financial assistance' 'in-kind assistance', sponsorship and the waiving of fees and charges.

### **4 Background/legislative requirements**

- 4.1 S.356 of the Local Government Act gives Council the power to make donations.
- 4.2 S.377 of the Local Government Act states that this power cannot be delegated but must be exercised by Council at a Council meeting

### **5 Policy statement**

- 5.1 This Policy supports financial assistance under the Community Initiatives Program. A separate *Sponsorship Policy* is in place for Council's Festivals and Events Development Program.
- 5.2 Each year, Council will make provision in its budget to provide financial assistance to selected organisations which meet the criteria set out in this Policy.
- 5.3 Nothing in this Policy restricts Council from making recurrent donations, subject to Council receiving an annual application from the applicant organisation. Funding in any one year will neither preclude nor guarantee funding in any other year.
- 5.4 Generally, Council will only provide financial assistance to incorporated organisations or unincorporated organisations auspiced by an incorporated organisation, although it may provide financial assistance to an unincorporated organisation making application under the Community Initiatives Program, if that organisation maintains its own bank account. Council will only provide financial assistance to individuals in exceptional circumstances and only then if the application for assistance is made by an incorporated organisation.
- 5.5 Council may consider requests from organisations not based in the Clarence Valley provided that the service they provide benefits the Clarence Valley community.
- 5.6 All applicants for funding must complete a Community Initiatives Program online application form via a SmartyGrants link on Council's website. If your organisation has multiple projects or events, all proposed dates should be included on one application form.
- 5.7 Council may support fundraising activities by organisations that provide social benefit within the Clarence Valley.
- 5.8 Council will not provide funding under this Policy to sporting associations unless the organisation is a

member, or is in the process of becoming a member, of the *Goodsports* Program under Council's Sports Management Policy.

5.9 This Policy does not apply to any requests for assistance from:

5.9.1 the Clarence Valley Sport and Cultural Trust Fund (this is a separately funded Trust of Council with its own Policy and funding criteria);

5.9.2 the Sports Councils;

5.9.3 the Clarence Valley Cultural Committee; or

5.9.4 s355 Committees of Council.

The Sports Councils, Cultural Committee and s355 Committees are all committees of Council and funding for them is separately allocated through the budget process.

5.10 All funding is allocated at the discretion of Council and subject to budgetary constraints. No application is guaranteed funding support or that the full amount requested will be donated.

5.11 All donations require the PRIOR approval of Council. Council will not make retrospective donations. Donation applications can only be received via the SmartyGrants link on Council's website during the specified period for that Round.

5.12 Donation requests which do not meet the criteria of this Policy will be declined without report to Council for consideration.

## 6 Criteria

Applications under the Community Initiatives Program are to relate their submission to one or more of the following criteria:

6.1 not for profit community organisations (excluding sporting associations) providing a community service within the Clarence Valley region where there is a demonstrated community need or benefit;

6.2 educational institutions in the Clarence Valley for award presentations only – see Clause 8.6;

6.3 sporting associations to assist with sponsorship of an event or an award only (as distinct from funding for an event itself - see Events and Festivals);

6.4 organisations involved in cultural development within the Clarence Valley

6.5 financial viability of the organisations or groups making the applications (profit and loss or income and expenses and balance sheet information will be required)

6.6 organisations that provide a valuable service or benefit for which there are no alternate funding sources.

6.7 Preference will be given to donations that:

6.7.1 assist to provide a service that falls within Council's area of responsibility, or

6.7.2 benefit or assist a target group or activity identified in one of Council's strategic plans.

6.8 the donation request must be for an activity or service to be provided within that financial year as approved by Council.

6.9 Council will only make, except in very exceptional circumstances, one donation to any organisation each financial year

## **7 Ineligible Activities**

Council will not approve financial assistance:

7.1 for community initiatives or events that generate financial profits for commercial companies and/or individuals,

7.2 for on-going operational or administration expenses of an organisation with the exception of donations for rates in accordance with clause 8.2 - examples of on-going operational or administration expenses include insurance, utility expenses (electricity, phone, etc) computers and rent,

7.3 retrospectively,

7.4 for capital works and major building repairs (as opposed to minor maintenance).

## **8 Procedures**

### **8.1 Donation of Council Development Application fees**

Council will consider applications to donate DA, CC, archive and compliance and occupation certificate fees as follows:

8.1.1 in respect of buildings on Council owned land or Crown land by community based non-profit organisations –

8.1.1.1 where the facility is for the exclusive use of the organisation – 50% donation, and

8.1.1.2 where the facility is for general public use – 100% donation.

8.1.2 in respect of buildings on private property by community based non-profit organisations – 30% donation, and

8.1.3 in respect of Rural Fire Service brigade sheds – 100% donation.

Council will not donate any portion of these fees that relate to Building & Construction Industry long service leave contributions, advertising or Plan First contributions. These fees will be required to be paid in full by the applicant in all circumstances.

## **8.2 Donations of rates**

Council may consider applications for donations for the payment of general rates from organisations that meet the criteria set out 6.0 above and:

- 8.2.1 the property is located within the Clarence Valley Council area,
- 8.2.2 the organisation is providing a community service within the Clarence Valley Council area and that service is identified in Council's strategic plan,
- 8.2.3 the property is an integral part of the service provision and is not used for any commercial activity, and
- 8.2.4 the organisation demonstrates, through its financial statements, a need for assistance to pay its rates (provided that the organisation sets its fees and charges at a proper rate of cost recovery).

Council will consider applications for donations for water charges from organisations that provide a public toilet facility for the community and it can be demonstrated that there are no other public toilet facilities in the vicinity.

NB: General rates do NOT include water, sewer, garbage, waste levy unless specifically agreed to.

## **8.3 Donations Keep Australia Beautiful Council Tidy Towns Program**

Council will fund entry fees only and provide in-kind assistance to towns and villages wishing to participate in the Tidy Towns program subject to budget restraints.

Any community seeking funds for the Tidy Towns program should apply through the Council's annual Community Initiatives Program for funding for entry fees only, works and on ground activities relating to the objectives of that program.

## **8.4 Applications invited by Council twice annually**

Each year, Council will publicly advertise for applications from not-for-profit organisations seeking donations from Council during the forthcoming and during the current financial year. To be eligible for a donation from Council, these organisations must submit an application on the prescribed form via the SmartyGrants link on Council's website and meet the criteria set out in this Policy.

There will be two application rounds under the Community Initiatives Program in each financial year. The first round will close in late April for report to Council's June meeting with approved donations being paid in the forthcoming financial year. The second round will close in late October for report to Council's December meeting.

The application rounds will be publicly promoted as much as possible to maximise the response to the calls for applications as there will be no ad hoc / out of Round applications throughout the year.

Council will determine the level of financial assistance to be included in its budget for the relevant year.

Each applicant will be advised of Council's decision.

## **8.5 Donations to Educational Institutions**

Financial assistance of an amount fixed annually by Council will be provided to the Grafton and Maclean Campuses of TAFE and to the schools, both public and private, in the Clarence Valley, subject to submission of a written application. This will be reported in conjunction with the report submitting the Community

Initiatives Program applications to the June meeting for consideration. The financial assistance will only be provided for the purpose of assisting the institutions with their annual awards presentations.

Any donation requests from Educational Institutions within the Clarence Valley local government area that are not eligible under this Policy must be reported to Council as a separate item for decision. (Reference Council Resolution 15.019/14, 21 October 2014)

## **9 Attachments**

Nil

# Policy

## Performance Management – General Manager

Responsible Manager (Title)	Director Corporate & Governance		
Adopted by Council		Minute Number	
File Reference Number		Version 2.0	Review Due Sept-22
Document(s) this policy Supersedes	V1.0 – 16/10/2018 – 15.180/18		
Community Plan Linkage	<b>5 Leadership</b>		
	5.1 We will have a strong, accountable and representative government		
	5.1.8 Ensures good governance, effective risk management and statutory compliance		

### 1 Purpose

The Policy gives guidance to the performance management of the General Manager.

### 2 Background/legislative requirements

Reference material – Office of Local Government’s Guidelines for the Appointment and Oversight of General Managers.

### 3 Policy statement

The performance of the General Manager must be reviewed at least annually against the agreed performance criteria for the position. Council may also choose to undertake more frequent interim reviews of the General Manager’s performance.

Performance review will be by way of an established Performance Review Panel, membership of which will be resolved by the Council.

### 4 Procedures

Council is to establish a Performance Review Panel and delegate the task of performance reviews of the General Manager to this panel. It is recommended by the Office of Local Government (guidelines) that the whole process of performance management be delegated to the Performance Review Panel, including



discussions about performance, any actions that should be taken and the determination of the new performance agreement.

Performance Review Panels should comprise the Mayor, the Deputy Mayor, another Councillor nominated by Council and a Councillor nominated by the General Manager.

Opportunities for training of Panel members in the performance management of General Managers will be provided, as required.

The role of the Performance Review Panel includes:

- conducting performance reviews
- reporting the findings and recommendations of those appraisals to council
- development of the performance agreement
- negotiating any performance based increases in the General Manager's total remuneration package.

The Council and the General Manager may agree on the involvement of an external facilitator to assist with the process of performance appraisal and the development of new performance plans. This person should be selected by the Council on the recommendation of the Performance Review Panel.

All Councillors will be notified of relevant dates in the performance review cycle and be kept advised of the panel's findings and recommendations.

Councillors not on the panel, can contribute to the process by providing feedback to the Mayor on the General Manager's performance.

# Policy

## Local Studies Collection Development

Responsible Manager (Title)	Regional Librarian		
Adopted by Council	Date:	Minute Number:	
File Reference Number	DWS	Version:	Review Due:
Community Plan Linkage	1 Society		
Community Plan Linkage	1.3 We will have a diverse and creative culture		
Community Plan Linkage	1.3.1 Supports arts, learning, cultural services and festivals		

### 1. Purpose

The purpose of the Local Studies Collection is to provide materials relating to the local and family history of the area covered by the member councils of the Clarence Regional Library. Such materials will be relevant to the social, physical, economical and political heritage of the region.

### 2. Definitions

<i>Collection Development</i>	Collection Development is based on ongoing assessments of the information needs of library clientele, usage statistic analysis, and demographic projections.
<i>Selection criteria</i>	Criteria used in the selection of items for the library collection.

### 3. Background/legislative requirements

The Clarence Regional Library (CRL) Local Studies collections are part of the heritage of the CRL Service area. The materials themselves and/or the subject areas they represent have permanent value to the community and are made available to the public on a limited basis for research on local, genealogical and/or historical issues.

The historical and informational value of the items in the Local Studies collections is more important than visual appeal. The materials in these collections are intended for research and therefore are not usually lent. A lending copy of selected items may be provided. Preservation efforts, while attempting to conform to accepted conservation practice, will be undertaken so as not to restrict public access to the informational value of the item.

#### 3.1 Scope

- To provide a collection of current and retrospective material in various formats



relating to the member councils of the Clarence Regional Library.

- To promote the study and promotion of local history and family history within the areas covered by the member councils of the Clarence Regional Library.
- To actively engage in the systematic selection of materials.
- To preserve historical items for posterity
- To record the ongoing developments and activities within the areas covered by the member councils of the Clarence Regional Library.

## 4. Policy statement

To objectively select, acquire and purchase materials relevant to the local history (past, present and future) of the CRL Service area for inclusion in the library's local studies collections.

Collection materials may include:

- Published books (local and family history)
  - Newspapers (selected hard copy and in microform) and digital where available
  - Published and unpublished reports
  - Photographs
  - Maps
  - Pamphlets / ephemera
  - Donations of materials from CRL residents and others; and
  - Other items relating to the CRL Service area
1. CRL will ensure due diligence in regard to copyright and intellectual property rights
  2. CRL will ensure optimum access to materials wherever possible or practicable
  3. The selection, acquisition and cataloguing of material for the Local Studies Collection will be made by the designated library staff

### 4.1 Published Works

The Collection Development Policy provides for at least one (1) not-for-loan copy of published works and if available a lending copy.

This component of the collection may include:

- Published material regarding any aspect of the CRL Service area
- Published material related to adjacent areas and their historical connection to the region
- Material written by authors living or who have lived (where appropriate) in the region.
- State or Federal Government reports concerning the region
- Material published by local business
- Local directories
- Local biographies / autobiographies

- Local bibliographies
- Local family histories
- Council publications (regional Council members)
- Material produced by regional Council bodies or bodies wholly or partly financed by a regional Council.

#### 4.2 Newspapers and Periodicals

- Any newspaper, periodical / magazines containing local content in hard copy bound issues, on microfilm/fiche, or in digitised form where available.
- Community groups and school newsletters
  - Any known titles are included in Appendix 3
- Selected newsletters from local businesses, organisations or groups
  - Any known titles are included in Appendix 3

#### 4.3 Pictorial Materials

Pictorial material includes:

- Photographs (paper based and digital)
  - Video
  - Films
  - Slides
  - Artworks (as deemed appropriate, and affordable. Includes photographic copies)
1. Wherever possible original material will be acquired / collected or a legal copy if originals are not available
  2. All items must depict people, places, culture and events relating to the region
  3. Wherever possible, culturally appropriate, and depending on copyright permission pictorial materials will be digitised for access via the library's catalogue and /or webpage.
  4. Procedures for digitisation utilising the Library Management System are included in the Appendices to this document.
  5. Storage medium for digital copies may vary with changes to technologies.
  6. Original materials are to be appropriately archived.

#### 4.4 Unpublished Material

Material includes (but is not limited to):

- Collections of unpublished letters
- Diaries (or extracts)
- Oral histories (transcripts and recordings) – see also Oral History section below
- Personal research notes
- Manuscripts relating to the region or a resident / family / business etc
- Theses

#### 4.5 Documents / Ephemera



A representative collection of local / regional material including:

- Pamphlets
- Leaflets (including as appropriate a representative selection of local 'junk mail')
- Postcards
- Election materials (local and regional)
- Minutes
- Any other item deemed of importance

#### 4.6 Maps / Plans

- Published and unpublished maps
- Survey plans
- Land subdivision maps / plans
- Aerial photographs

#### 4.7 Oral History

Oral histories (recordings and / or transcripts) relating to:

- A specific local area or areas within the region
- Persons and identities (of local and /or regional interest or significance)
- Genealogy (family history interviews, recordings etc)
- Indigenous histories, stories etc

Note: Oral histories may also be collected on video or from video recordings

#### 4.8 Artefacts

Artefacts may be collected if assessed to have an intrinsic relationship to other items held in the collection and if storage space is available

#### 4.9 Born Digital Material

Born digital items can include

- Instagram photos
- Twitter posts
- Facebook posts
- Emails
- Text messages
- Other social media posts
- Digital images

## 5. Implementation

### 5.1 Materials not Collected

Includes:

1. Council records – these records at present are the responsibility of the Clarence Regional Library member Councils, and as such are not the responsibility of the library
2. Photocopies – photocopies are not included, except where the library has photocopied original copyright material too fragile to be handled, or where the library is given the right to photocopy original material owned by a resident etc
3. Material deemed outside the collections scope
4. Deteriorated material or material lacking in physical integrity
5. Material unable to be preserved
6. Non – authentic
7. Duplicate material (unless duplication enhances access demands)

### 5.2 Methods of Collecting Material

- Purchase – dependent on budget available and the items collection priority.
- Donation / Gift – donors are required to read and sign an agreement form, which addresses copyright, access and reproduction of material issues (see section on Donations/Gifts below for more detail)
- Creation – publications, e.g. booklets

### 5.3 Access to the Collection

1. Most of the Local Studies Collection material is not for loan but may be used in the library.
2. Irreplaceable or rare materials are not for general access, however, where possible copies of these materials will be created for public use.
3. Duplicate copies of popular material will also be held in the general library collection where possible and available for borrowing.
4. Where possible materials will be duplicated in digital format and this will be made available in preference to original print materials.





## 5.4 Method of Disposal of Material

The CRL Service reserves the right to dispose of materials as seen fit adhering to the following procedures:

### 5.4.1 Deselecting the Collections

In keeping with the purpose, nature and scope of the CRL Local Studies Collection, deselection of collections does not follow the same guidelines as those set out for the circulating and general reference collections. The materials housed in CRL Local Studies collections are part of the heritage of the CRL Service area, and as such, have permanent historic and cultural value.

However, considerations of physical space limitations combined with the need to add new materials to the collections, make it imperative that the composition of the collection is re-evaluated periodically. At the same time, advances in technology, in archival preservation practices and the availability of previously scarce materials in reprint, micro format or online are changing the range of options available to the library to manage its collections.

### 5.4.2 Deselection criteria

The first consideration in applying a deselection policy to these collections is the recognition of three distinct categories of materials and the nature of each category.

These categories can be defined as follows:

#### **Permanent Intrinsic Value:**

Items and collections that have permanent intrinsic value, including such individual items as:

- First editions of local histories, biographies and fictional works by local authors;
- Items signed by, or from the collections of, prominent local residents; original documents, pamphlets, maps and manuscripts;
- Original photographs, portraits and other images; other materials deemed to be of a similar nature.

All items of permanent intrinsic value are valuable to the cultural heritage of the CRL region and should be preserved and permanently retained.

To avoid deselection these materials will be managed through a status placed on the library management system.

#### **Permanent Informational Value:**

Other materials in the collections are of permanent value for their informational content, but are not intrinsically valuable. Items that fall into this category are candidates for replacement and/or reformatting should the condition of the material or space considerations make it desirable to do so. Replacing items in poor condition with reprints, micro formats or digital copies can preserve informational value. Space consuming series and finding aids can be replaced with digital or micro formats as they become available. Items include, for example:

- Council plans of management (an historical record of Councils various plans)
- Reports and Studies
- Any other items as required

To avoid deselection these materials will be managed through a status placed on the library management system.

### Temporary Informational Value:

Time sensitive materials, current informational reference sources and some periodicals have a finite period of usefulness. Items that fall into this category should be routinely evaluated and removed or replaced as appropriate.

### Frequency of Deselection

The collection as a whole should be reviewed annually, keeping in mind the purpose, nature and scope of the collections as outlined. Based on the deselection criteria outlined, some areas of the collection will require more frequent review than others depending upon the category into which they fall.

Category	Weeding Criteria
Permanent Intrinsic Value	Little or no deselection of materials that fall into this category is to be expected.
Permanent Informational Value	Management of materials in this category is an ongoing process within the section, driven primarily by condition of the material, availability of replacements (in some format) and space availability
Temporary Informational Value	Systematic review of materials in this category should be conducted on an ongoing and rotating basis, with all areas of the collection receiving attention every two years

### Disposal

Most materials withdrawn from the Local Studies collection may be disposed of via:

- Library book sale
- Offered to other libraries
- Passed onto interested individuals, groups, organisations or institutions
- Sent to waste disposal

## 5.6 Donations / Gifts

Condition often forms an important criterion in determining whether or not to accept a donation/gift for the Local Studies Collection. If material is in such poor condition that its shelving and use would be difficult, and if the cost of restoration by a qualified restorer is beyond the Library's budget, the potential donor should be encouraged to include as part of the gift the sum necessary to restore it to usable condition.

The limited shelving space in any of the regional Local Studies sections is a consideration in adding volumes to the collection. CRL may find it necessary to decline a large donation/gift of material of a kind actively included in the collection should there be insufficient shelving or space to accommodate it. If the decision is made to accept a donation/gift that cannot be housed in the Local Studies collection under existing conditions, funding to purchase shelving could either be solicited from the donor of the materials or appropriated from the library's budget.

The long-term storage of unique local history or genealogical material outside of the Local Studies section is to be avoided. Similarly, the lack of staffing to process a sizeable addition to the sections collections may also determine whether or not a donation/gift is accepted. If it is desirable to accept a substantial donation/gift that cannot be promptly catalogued by the library, the library may seek funding from the donor to assist with the hire of additional cataloguing staff.

Donors should be informed that library staff cannot be expected to provide an appraisal of donated material; and that the usual procedure is for the donor to pay for any appraisal desired.

Donors of material to the Local Studies Collection will be routinely asked to provide written documentation acknowledging the donation/gift to the library and giving the CRL the right to dispose of the gift as they see fit. Gifts of collections accepted by CRL may not be retained as a whole, but may be divided, with some items put into the Local Studies collections, and remaining items disposed of or sold.

Major donations/gifts with restrictions attached may be accepted, but the provisions of the donation/gift must be stated in writing by the donor, and signed by the donor, the local librarian and the Regional Librarian. In such cases, the library may remove these restrictions only by taking the appropriate legal steps recommended by legal advice i.e. via Council's Solicitor.



## 6 Appeal/objections process

N/A

## 7 Related Documents

1. CRL Collection Development Policy
2. ALIA Statement on free access to information - <http://www.alia.org.au/about-alia/policies-standards-and-guidelines/statement-free-access-information>
3. ALIA Statement on public library services - <http://www.alia.org.au/about-alia/policies-standards-and-guidelines/statement-public-library-services>
4. Library Council of New South Wales, Access to Information in New South Wales Public Libraries - <https://www.sl.nsw.gov.au/sites/default/files/accesstoinformation2007.pdf>

## 7 Attachments

5. CRL local studies collection donation form
6. CRL local studies collection disaster management and recovery plan
7. Digitisation utilising the Library Management System

## Clarence Sports Committee Meeting - 2 Prince Street, Grafton - Monday 16 November 2020 - 4.30pm to 6:00pm

	Sport	Sport Delegate		Alternate 1		Alternate 2		Alternate 3	
<b>Cr Debrah Novak</b>	<input type="checkbox"/> CR Cricket & Jnr Cricket	Derek Woods	<input checked="" type="checkbox"/>	Brett Loveday	<input type="checkbox"/>	Adam Brown	<input type="checkbox"/>	Brendan Palmer	<input checked="" type="checkbox"/>
Cr Jim Simmons	<input type="checkbox"/> CR Sailing Club	Karl Cooksley	<input type="checkbox"/>	Dennis Boyd	<input type="checkbox"/>	Robert Fish	<input checked="" type="checkbox"/>		
Peter Birch	<input type="checkbox"/> CR Yacht Club	Margy Dougherty	<input type="checkbox"/>	Alex Purvis	<input type="checkbox"/>	Max Dickson	<input checked="" type="checkbox"/>		
David Sutton	<input type="checkbox"/> CV BMX Club	David Landenberger	<input type="checkbox"/>	Marnie Brighton	<input checked="" type="checkbox"/>	Jenn Chisholm	<input type="checkbox"/>		
Rachelle Passmore	<input checked="" type="checkbox"/> Copmanhurst Campdraft	Karen Metcalfe	<input type="checkbox"/>	Peter Weatherstone	<input type="checkbox"/>	Judy Disson	<input type="checkbox"/>		
Andrew Auglys	<input type="checkbox"/> Copmanhurst Tennis Club	Philippa Page	<input type="checkbox"/>	Ayesha Beckman	<input type="checkbox"/>	Jim Fahey	<input type="checkbox"/>		
Gavin Beveridge	<input type="checkbox"/> Coutts Xing Croquet	Wayne Gadke	<input type="checkbox"/>	Peter Martin	<input checked="" type="checkbox"/>	Peter Deeth	<input type="checkbox"/>		
Natalie Sear	<input checked="" type="checkbox"/> Coutts Xing Football	Judy Tickle	<input type="checkbox"/>	Dave Towns	<input type="checkbox"/>	Matthew Godwin	<input type="checkbox"/>		
<b>Other Attendees</b>	Coutts Xing Recreation Inc	Julie Burke	<input type="checkbox"/>	Wayne Burke	<input type="checkbox"/>	Greg Cowan	<input type="checkbox"/>		
NCF - David Anderson	<input checked="" type="checkbox"/> Gtn Athletics	Natasha Rudder	<input type="checkbox"/>	Lynn Rudder	<input checked="" type="checkbox"/>	Terry West	<input checked="" type="checkbox"/>		
NCF- Giuseppe Terranova	<input type="checkbox"/> Gtn AFL F/Ball-Tigers	James Hourigan	<input type="checkbox"/>	Luke Stanford	<input type="checkbox"/>				
NCF - Andrew Woodward	<input type="checkbox"/> Gtn Basketball	Patrick Hagan	<input type="checkbox"/>	Bryan Robinson	<input type="checkbox"/>	Kate Unitt	<input type="checkbox"/>		
Sports Awards Bruce Carle	<input type="checkbox"/> Gtn City Tennis	Ayesha Beckman	<input type="checkbox"/>	Anne Awbery	<input type="checkbox"/>	Michelle Champion	<input checked="" type="checkbox"/>		
Hawthorne Park Alan Watkins	<input checked="" type="checkbox"/> Gtn Dragon Boats	Judy Keeley	<input type="checkbox"/>	Krys Tyson	<input checked="" type="checkbox"/>	Robin Smith	<input type="checkbox"/>		
Ulmarra C/D – Sean Davis	<input type="checkbox"/> Gtn Ghosts Jnrs	Ben Ellis	<input type="checkbox"/>	Amy Blanch	<input type="checkbox"/>	Troy Carter	<input type="checkbox"/>		
Street O – Gavin Rayward	<input checked="" type="checkbox"/> Gtn Ghosts RLFC	Robin Smith	<input type="checkbox"/>	Amy Blanch	<input type="checkbox"/>	Michelle Gilbert	<input type="checkbox"/>		
Canoe Club - Gavin Rayward	<input checked="" type="checkbox"/> Gtn Hockey	Kerry Barton	<input checked="" type="checkbox"/>	Alf Groves	<input type="checkbox"/>	Peter Gibbons	<input type="checkbox"/>		
Grafton Touch -Craig Nipperess	<input checked="" type="checkbox"/> Gtn Netball	Carlie Bullen	<input type="checkbox"/>	Brooke Burton	<input checked="" type="checkbox"/>	Kim Blinman	<input type="checkbox"/>		
	Gtn Rowing Club	Dennis Darke	<input type="checkbox"/>	John Brien	<input type="checkbox"/>	Michael Collins	<input checked="" type="checkbox"/>	Don Noble	<input type="checkbox"/>
<b>Guest</b>	Gtn Pistol Club	Philip Lee	<input checked="" type="checkbox"/>	Nathan Miller	<input type="checkbox"/>	Stacy Chard	<input type="checkbox"/>		
	<input type="checkbox"/> Gtn Redmen-Union	Owen Turner	<input type="checkbox"/>	Jayden Reti	<input type="checkbox"/>				
	<input type="checkbox"/> Supa Oldie Soccer	Michael Woodward	<input checked="" type="checkbox"/>	Robert Bryant	<input type="checkbox"/>				
	Hawthorne Users	Alan Dixon	<input checked="" type="checkbox"/>	Ralph Connors	<input type="checkbox"/>	Julianna Matthews	<input type="checkbox"/>		
	J/Hill Tennis Club	Megan Albert	<input type="checkbox"/>	Sue Albert	<input type="checkbox"/>	Jamie Smith	<input checked="" type="checkbox"/>		
	Rushforth Town Clubs	Brett Reynolds	<input type="checkbox"/>	Tabatha Ellem	<input type="checkbox"/>	Lynn Rudder	<input type="checkbox"/>		
	SG M/Cycle Club	Bruce Shorrock	<input checked="" type="checkbox"/>	David Ford	<input type="checkbox"/>				
	SG Jnr RLFC	Erin Gallagher	<input type="checkbox"/>	Andrew Jabour	<input type="checkbox"/>				
	SG Rebels RLFC	Terry Power	<input type="checkbox"/>	John Mathews	<input type="checkbox"/>				
	Westlawn F/Ball	James Joyce	<input type="checkbox"/>	Skye Sear	<input type="checkbox"/>				



**Clarence Sports Committee Meeting - 2 Prince Street, Grafton  
Monday 16 November 2020 - 4.30pm to 6:00pm**

**MINUTES**

Item		Discussion/Comments	Reporting Officer	Actions	Action Officer
01	Welcome	Meeting commenced Time start 4.30pm Cr Novak is unavailable for the meeting. A chair is nominated from the floor. Lynne Rudder Nominated & Accepted  Chair welcomed everyone to the meeting and thanked them for their attendance. Chair then acknowledged the traditional custodians of the land on which this meeting is held, being the Bundjalung, Gumbaingirr and the Yaegl peoples.	Chair		
02	Apologies	Owen Turner; Cr Debrah Novak; Julie Burke; Wayne Burke;			
03	<b>Confirmation of Minutes of Previous Meeting Held 10 August, 2020</b> <p align="center"> <b>Moved: Brooke Burton                      Seconded: Max Dickson                      CARRIED</b> </p>				
	Delegate / Alternate Forms	Delegate/Alternate membership update forms have still not been returned from the following groups: <ul style="list-style-type: none"> <li>- South Grafton Junior Rugby League Club (Rebels, juniors)</li> <li>- South Grafton Rugby League Football Club (Rebels)</li> </ul> Please complete and return to: <a href="mailto:rachelle.passmore@clarence.nsw.gov.au">rachelle.passmore@clarence.nsw.gov.au</a>			
05	New Member	Council endorsed (Resolution 6c.20.141) the application for membership from Grafton Touch Football Association.			



Item	Discussion/Comments	Reporting Officer	Actions	Action Officer
06	<p><b>Correspondence In</b></p> <p>Final Report – Big River cutting Club re Fig tree fencing project            Delegate / Alternate Form – South Grafton Ex-Services Motor Cycle Club            Application for funding – Big River Canoe Club            Application for funding – Coutts Crossing Croquet Club            Application for funding – Grafton Pistol Club            Application for funding – Grafton City Tennis Club            Application for funding – Grafton Supa Oldie Soccer Club            Delegate / Alternate Form – Clarence River Cricket Association            Delegate / Alternate Form – Clarence River Junior Cricket Association</p>			
07	<p><b>Correspondence Out</b></p> <p>CVC – Routine minutes and agendas distributed with attachments where appropriate            CVC – Local Sport Defibrillator Grant Program            CVC – COVID-19 updates</p>			
08	<p><b>Business Arising from the Minutes:</b></p>			
8.01	<p><b>Sports Awards 2020 – Report from Sub-Committee</b></p> <p>Lyn spoke about the CV Sports Awards held on Saturday 14 November 2020. The event went well with 120 in attendance. It was hosted by former NBN presenter Michael Rabbitt and held at the Grafton District Services Club.</p> <p>The award recipients were:</p> <p>GSW Senior Sports Person of Year - Mitch Christiansen            FM 103.1 Loving Life Masters Sports Award – Laurelea Moss            GSW Junior Male Sportsperson of the Year – Hayden Ensbey            GSW Junior Female Sportsperson of the Year – Andrea Thomson            GSW People;s Choice Award – Andrea Thomson            Holly Butcher Memorial Volunteer of the Year – Tim Ryan            DEX Club of the Year – Harwood Cricket Club            Telstra Grafton Team of the Year – Grafton Tigers AFL Seniors</p>	Lynn Rudder		

Item	Discussion/Comments	Reporting Officer	Actions	Action Officer
8.01 <i>Cont.</i>	<p>The Athlete's Foot Coach of the Year – Adi Campbell</p> <p>Tooheys Ernie Muller Award for Contribution to Sport in the Lower Clarence – Matt Farrell</p> <p>Clarence Canegrowers Association Max Godbee Award for Contribution to Sport in the Clarence Valley – Ken Maughan</p> <p>DEX Sports Contributor of the Year - Don Freeman</p> <p>DEX Contributing Sports Photographer of the Year – Gary Nichols</p> <p>Lynn Thanked Clarence Valley Council for their \$3000 sponsorship of the night.</p>	Lynn Rudder		
8.02	<p><b><u>Grant Funding</u></b></p> <p><b>(R2) Stronger Country Communities Fund Applications: Rushforth Park</b></p> <p>Project – New amenities and canteen facility</p> <p>Project Update: Project complete. Opening event was held on 29/09/2020.</p>	Rachelle Passmore	Remove from agenda	RP
09	<b>Sports Committee Funded Projects - Status</b>			
9.01	<p><b><u>2018/19 Projects</u></b></p> <p><b>Big River Cutting Club</b></p> <p>Council endorsed the Committee's recommendation at its September 2018 meeting (Item 15.156/18) \$4,273.20 Ex GST – Replacement of deteriorated fencing, Hawthorne Park</p> <p>Project Status: Project complete. Final report submitted to Council 19/10/2020</p>	Delegate	Remove from agenda	RP
10	<b>Business for this meeting:</b>			
10.01	<p><b><u>2019/20 (Round 2) Projects</u></b></p> <p><b>Big River Canoe Club</b></p> <p>Council endorsed the Committee's recommendation at its June 2020 meeting (Item 6a.20.021) \$997.97 Ex GST – Install racks at the Sailing Clubhouse, Salty Seller Reserve.</p> <p>Project Status: In progress, should be completed soon.</p>	Gavin Rayward		

Item	Discussion/Comments	Reporting Officer	Actions	Action Officer
10.02	<p><b><u>2020/21 (Round 1) Sports Committee Funding</u></b></p> <p><b>Big River Canoe Club - Canoe Storage Rack: Jackadgery</b>            Funding request: \$270.91 (ex GST)            Total project: \$541.81 (ex GST)  <u>Officer Recommendation:</u> Support.  <u>Committee Recommendation:</u> <b>The Committee recommend that \$270.91 (ex GST) is allocated to the Big River Canoe Club for storage racks at Jackadgery.</b>  <b>Moved:</b> Brendan Palmer      <b>Seconded:</b> Michael Collins      <b>CARRIED</b></p>	Gavin Rayward		
	<p><b>Coutts Crossing Croquet Club - Upgrade Croquet Lawns</b>            Funding request: \$3,816.00 (ex GST)            Total project: \$7,632.00 (ex GST)  <u>Officer Recommendation:</u> Support.  <u>Committee Recommendation:</u> <b>The Committee recommend that \$3,816.00 (ex GST) is allocated to the Coutts Crossing Croquet Club for upgrades to the croquet lawns at Wajard Park.</b>  <b>Moved</b> Bob Fish      <b>Seconded</b> Phillip Lee      <b>CARRIED</b></p>	Peter Martin		
	<p><b>Grafton Pistol Club - Road Remedial/Range Upgrade Works</b>            Funding request: \$13,000.00 (ex GST)            Total project: \$26,000.00 (ex GST)  <u>Officer Recommendation:</u> Support.  <u>Committee Recommendation:</u> <b>The Committee recommend that \$13,000.00 (ex GST) is allocated to the Grafton Pistol Club for road remedial and range upgrade works at Pistol Club.</b>  <b>Moved:</b> Michael Collins      <b>Seconded:</b> Peter Martin      <b>CARRIED</b></p>	Phillip Lee		

Item	Discussion/Comments	Reporting Officer	Actions	Action Officer
	<p><b>Grafton City Tennis Club - New Scoreboards</b></p> <p>Funding request: \$686.00 (ex GST)            Total project: \$1,372.00 (ex GST)  <u>Officer Recommendation:</u> Support.</p> <p><u>Committee Recommendation:</u> <b>The Committee recommend that \$686.00 (ex GST) is allocated to the Grafton City Tennis Club for new scoreboards at Ellem Oval.</b></p> <p><b>Moved:</b> Michael Woodward      <b>Seconded:</b> Jamie Smith      <b>CARRIED</b></p>	Rachelle Passmore		
	<p><b>Grafton Supa Oldie Soccer - Rushforth Park Defibrillator</b></p> <p>Funding request: \$1,524.00 (ex GST)            Total project: \$3,048.00 (ex GST)  <u>Recommendation:</u> Support. Dependent on Grant from NSW Office of Sport.</p> <p><u>Committee Recommendation:</u></p> <p><b>Motion – The Committee recommend that, if successful with a NSW Office of Sport Grant, \$1,524.00 (ex GST) is allocated to the Grafton Supa Oldie Soccer Club for a defibrillator at Rushforth Park. If unsuccessful, the funds will not be allocated, and the application will be considered in 2020/21 (Round 2).</b></p> <p><b>Moved:</b> Bob Fish      <b>Seconded:</b> Marnie Brighton      <b>CARRIED</b></p>	Michael Woodward		
10.03	<p><b><u>COVID-19 Safety Plans</u></b></p> <p>Reminder - COVID-19 Safety Plans must be completed and sent to Council for all sporting groups who utilise Council facilities. The Safety Plan should be consistent with Public Health (COVID-19 Restrictions on Gathering and Movement) Order (no 5) 2020.</p> <p>The Safety plans must be updated as regulations change. A copy of the plan must also be kept onsite and available for inspection by an authorised officer.</p> <p>Additionally, all sports must nominate a COVID-19 Safety Officer who will oversee the implementation of the plan.</p>	Rachelle Passmore	All Sports – please send through your COVID-19 Safety Plan.	

Item	Discussion/Comments	Reporting Officer	Actions	Action Officer
10.04	<p><b><u>NSW Government, Infrastructure, Community Building Partnerships and Crown Reserve Improvement fund Applications</u></b></p> <p>Council, with the support of the user groups has submitted applications for funding for the following projects:</p> <ul style="list-style-type: none"> <li>- North Street Field – Amenities block</li> <li>- Ellem Oval – Aluminium grandstands</li> <li>- Salty Seller Reserve – Safe river access</li> </ul> <p>Outcomes for these applications are expected in November, 2020</p>	Rachelle Passmore		
10.05	<p><b><u>Change in Meeting location - 2021</u></b></p> <p>Due to planned upgrades of the Prince Street Council building, the Chambers will be unavailable. Meetings during the renovation period have been relocated to the Environmental Learning Facility (ELF), Grafton Regional Landfill, 704 Armidale Road, South Grafton. Numbers are limited at this facility, with further details to be provided in early 2021.</p>		Look at Teams meeting also.	
11	<p><b>General business</b></p> <p>General Business to be limited to an update of sports club / association business only.</p> <p>All operational items to be directed to Council via (02) 6643 0200 or <a href="mailto:council@clarencenew.gov.au">council@clarencenew.gov.au</a></p> <p><b>Brooke Burton, Grafton Netball</b> – Competition has finished for the season.</p> <p><b>Marnie Brighton, BMX</b> – Coming to end of the season, club has had a couple of break ins with two brush cutters being stolen. Currently trying to source some security cameras.</p> <p><b>Phillip Lee, Grafton Pistol Club</b> – Thanks to committee for supporting the clubs application. COVID has cancelled all of the planned shoots. Invitation to the committee to come out on a Sunday to look at the facility.</p> <p><b>Lynn Rudder, Athletics</b> – Currently operating on split days Wednesdays and Fridays to confirm with COVID requirements. 4-11 year olds on Wednesdays and 12-seniors on Fridays. With borders now open, seniors can now compete in QLD, club has ordered new items to help older people to attend and have fun.</p> <p><b>Lynn Rudder, RPTC</b> – Hosted NCF Grand finals this year, it was a successful day, people complied with COVID rules, the police were also in attendance.</p>			

Item	Discussion/Comments	Reporting Officer	Actions	Action Officer
<p><b>11</b> <b>Cont.</b></p>	<p><b>Michelle Champion, Grafton City Tennis</b> – Things are going well at the tennis club, the club is still supporting the coach to get his numbers back up, held a rankings tournament last weekend, AGM is coming up. People have been good and club has extra volunteers to assist with COVID plans.</p> <p><b>Brendan Palmer, CRJCA</b> – Season is underway, slow/late start, down a couple of teams across 4 competitions. Everything running smoothly, JJ Lawrence field looking the best it has for some time.</p> <p><b>Peter Martin, Coutts Croquet Club</b> – Participation days in October were 40% up from last year, more players turning up each week. Currently have three 90 year olds that play every week. Club has appointed someone as a Volunteers Coordinator; she organises people to do repairs etc. this has been most helpful.</p> <p><b>Kerry Barton, Grafton Hockey Association</b> – Currently in middle of summer social competition, there was no representative hockey played this year but Hockey NSW has selected squads for NSW Teams and the association has had males and females in U15s &amp; U13s squads selected.</p> <p><b>Krys Tyson, Grafton Dragon Boats</b> – Missed out on the regatta this year. Going slowly, lots of practice needed to get back to fitness.</p> <p><b>Max Dickson, Clarence River Yacht Club</b> – Have held two cruises one to Yamba (6 boats) and one to Brushgrove (4 boats).</p> <p><b>Robert Fish, Clarence River Sailing Club</b> – Slow start, weather has been kind (storms stayed away). COVID has curtailed regatta in Dec, smaller but going well.</p> <p><b>Alan Watkins, Hawthorne Park Lessee</b> – Put in a new fence between the park and D Green property, going to put up another new fence along Hay St.</p> <p><b>Alan Dixon, HPEUG</b> – At the end of the year, by the end of November most clubs will go into recess.</p> <p><b>Craig Nipperess, Grafton Touch</b> – Play at Jabour Park on Wednesdays. Seniors numbers are similar to last year but juniors are down in numbers.</p> <p><b>Derek Woods, CRCA</b> – New President COVID has held up but now in the swing. There is a NSW U15s carnival being held in Dec 2020. The fence vandalism and the top dressing at Ellem Oval has been frustrating.</p> <p><b>Michael Collins, Grafton Rowing Club</b> – Held a regatta last weekend, all went well. Have another regatta on 6 December 2020. There was a concern with numbers being limited to 500 people.</p> <p><b>Bruce Shorrocks, South Grafton Ex Services Motor Cycle Club</b> - Great season, the club only has one event to go, have had an influx of young members this year.</p> <p><b>Gavin Rayward, Big River Canoe Club</b> – the Club has had paddling most Saturdays and also white water weekend on 28/11/2020.</p> <p><b>Jamie Smith, Junction Hill Tennis Club</b> – Things are slow, held a club championship on weekend, low numbers but had fun with a couple of divisions.</p> <p><b>David Anderson, North Coast Football</b> – The season has mostly finished, had some teams that travelled to Newcastle every second weekend to play in competition the U16s team made the finals of this competition. NCF had issues with organising a presentation day as they couldn't book a Services Club as the numbers that NCF wanted at the presentation would have booked out the club and they would not have been able to allow any other people into the club during the presentation. NCF have moved the event to a resort.</p> <p><b>Michael Woodward, Supa Oldies Soccer</b> – Currently has 22 teams playing in the summer comp, all going well, the new building is going well. To note – there is a low point in the community space where water pools.</p>			



Item	Discussion/Comments	Reporting Officer	Actions	Action Officer
12	Time, date and venue of next meeting: Monday 15 February, 2021 – Environmental Learning Facility (ELF), Grafton Regional Landfill, 704 Armidale Road, South Grafton			<i>Bookings made</i> 15 Feb 2021 17 May 2021 16 Aug 2021 15 Nov 2021
	Meeting closed:	5:21 pm		

**Lower Clarence Sports Committee Meeting**  
**Maclean Chambers, 50 River Street, Maclean – Monday 16 November 2020 - 7.00pm to 8:30pm**

**Minutes**

<b>Attendance CVC</b>		<b>Sport</b>	<b>Sport Delegate</b>		<b>Alternate 1</b>		<b>Alternate 2</b>		<b>Other</b>	
David Sutton (CVC)	<input type="checkbox"/>	BR Sailing Club	Hariet Woodrow	<input type="checkbox"/>	Wayne Culph	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Rachelle Passmore (CVC)	<input checked="" type="checkbox"/>	CC Dragon Boat Club	Wayne Sutton	<input checked="" type="checkbox"/>	Kathy Thornton	<input type="checkbox"/>		<input type="checkbox"/>	Lynda Leslie	<input type="checkbox"/>
Cr Debrah Novak	<input type="checkbox"/>	CC Magpies Jnrs	Dan Nikas	<input type="checkbox"/>	Shane Essex	<input type="checkbox"/>	Kerry Lee	<input type="checkbox"/>		<input type="checkbox"/>
Cr Peter Ellem	<input checked="" type="checkbox"/>	CR U3A Croquet Group	Richard Robertson	<input type="checkbox"/>	Morna Doyle	<input type="checkbox"/>	Ros Higgins	<input type="checkbox"/>		<input type="checkbox"/>
Cr Jim Simmons (Mavor)	<input type="checkbox"/>	CR Masters Swimming	Ken Adams	<input type="checkbox"/>	Matthew Eke	<input type="checkbox"/>	Alan Lawrence	<input type="checkbox"/>		<input type="checkbox"/>
Gavin Beveridge (CVC)	<input checked="" type="checkbox"/>	Harwood Cricket Club	Tim McMahon	<input checked="" type="checkbox"/>	Doug Moss	<input type="checkbox"/>	Amanda Lobb	<input checked="" type="checkbox"/>		<input type="checkbox"/>
		Iluka Football Club	Oliver Dean	<input type="checkbox"/>	Jon McEwen	<input type="checkbox"/>	Roxi Dean	<input type="checkbox"/>		<input type="checkbox"/>
		Iluka Cricket Club	Matt Farrell	<input checked="" type="checkbox"/>	Jon McEwen	<input type="checkbox"/>		<input type="checkbox"/>	Steve Madden	<input type="checkbox"/>
		Iluka Rowing & Aquatic	Gayle Armour	<input type="checkbox"/>	Betty Bogdanek	<input type="checkbox"/>		<input type="checkbox"/>	Bettina Schreiber	<input type="checkbox"/>
		Lawrence Rodeo	Bruce Green	<input checked="" type="checkbox"/>	Michelle Firth	<input type="checkbox"/>	Tracey Moran	<input type="checkbox"/>		<input type="checkbox"/>
		Lawrence Golf & Sports	Chris Clay	<input type="checkbox"/>	Elaine Heynes	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
<b>Other Attendees</b>		LC Cricket Assn	Jon McEwen	<input type="checkbox"/>	Tim McMahon	<input checked="" type="checkbox"/>	Anthony Torv	<input type="checkbox"/>	Doug Moss	<input type="checkbox"/>
Andrew Woodward (NFC)	<input type="checkbox"/>	LC Magpies RLFC	John Elisaia	<input type="checkbox"/>	Tim Ryan	<input checked="" type="checkbox"/>	Bruce Howard	<input type="checkbox"/>		<input type="checkbox"/>
Alison Derrick (Good Sports)	<input type="checkbox"/>	LC Netball Assn	Angela Berry	<input checked="" type="checkbox"/>	Amanda Bill	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		LC Pony Club	Tracy Moran	<input checked="" type="checkbox"/>	Bruce Green	<input type="checkbox"/>	Colin Marsh	<input type="checkbox"/>		<input type="checkbox"/>
		LC Tennis Assn	John Porter	<input type="checkbox"/>	Peter Rose	<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		Maclean Dirt Bike Club	Ken Roots	<input type="checkbox"/>	Sharon Mitchell	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		Maclean Football Club		<input type="checkbox"/>	Matt Farrell	<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		Maclean Show Society	Colin Marsh	<input type="checkbox"/>	Bruce Green	<input checked="" type="checkbox"/>	Tracey Moran	<input type="checkbox"/>		<input type="checkbox"/>
		Maclean Swim Club	Hughie Stanley	<input checked="" type="checkbox"/>	Gary Carmichael	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		Woodford Is Cricket	Glenn Dawson	<input type="checkbox"/>	James Lawson	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		Yamba Dog Sports	Kristy Ensby	<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		Yamba Football Club	Mark Skippings	<input checked="" type="checkbox"/>	Anton Sluyters	<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		Yamba Rugby Club	Robert Thompson	<input type="checkbox"/>	Adrain Miller	<input type="checkbox"/>	Robert Donges	<input type="checkbox"/>		<input type="checkbox"/>
		Yamba Touch Assn	Tim Ryan	<input checked="" type="checkbox"/>	Lauren Ross	<input type="checkbox"/>	Paul Hope	<input type="checkbox"/>		<input type="checkbox"/>

**PLEASE NOTE THAT IF YOUR NAME DOES NOT APPEAR ON THE ATTENDANCE SHEET IT WILL NOT BE NOTED ON THESE MINUTES THAT YOU ATTENDED – THIS MAY AFFECT YOUR ORGANISATION’S ABILITY TO OBTAIN FUNDING. PLEASE ENSURE THAT YOU SIGN THE SHEET**



Item	Discussion/Comments	Reporting Officer	Actions	Action Officer
7.01	<p><b>Sports Awards 2020 – Report from Sub-Committee</b></p> <p>Held on Saturday night, very well attended with 123 people there.</p> <p>Two individual winners in room:</p> <p>Tim Ryan - Volunteer of the Year</p> <p>Matt Farrell - Ernie Muller Award for Contribution to Sport in the Lower Clarence</p> <p>Sports Awards 2021 to be held in the Lower Clarence, commence looking at suitable venues to host.</p> <p>The U14 CC Magpies Jnrs were exceptionally well behaved on the evening.</p> <p><u>Recommendation:</u> The meeting formally recognises and congratulates the award winners for their contribution to sport.</p> <p><b>Moved:</b> Cr Peter Ellem <b>Seconded:</b> Anton Sluyters <b>CARRIED</b></p>	Bruce Green	Recommendation to be reported to Council for consideration.	GB
7.02	<p><b>Grant Funding Updates</b></p> <p><b>R2 Stronger Country Communities Fund: Ngayundi Yamba Sports Complex</b></p> <p><b>Project:</b> Car park sealing, playing surface upgrade, irrigation and drainage.</p> <p><b>Project Status:</b> Car park complete. Drainage &amp; irrigation works progressing well, some delays with supply of materials, however, progressing towards schedule with good weather. Drainage and irrigation main line works are near complete, materials for irrigation laterals are on-site.</p> <p><b>Federal Government Funding: Ken Leeson Oval</b></p> <p><b>Project:</b> New community clubhouse facility.</p> <p><b>Project Status:</b> Tender currently open, closing this month, report to Council's December meeting with planned start date of January 2021.</p> <p><b>Note:</b> Initial topdressing works complete with grass establishing. Original QLD contractor returning to site (COVID border) to improve quality of finish. Subject to grass growth the field may be available at the back half of the summer season.</p>	Gavin Beveridge	For information.	

Item	Discussion/Comments	Reporting Officer	Actions	Action Officer
	<p><b>Showgrounds Stimulus Funding Program (P1a, P1b, P2): Maclean Showground</b></p> <p><b>Project: P1a</b> Jim Thompson building improvements, arena fence post renewal/strengthening, entrance &amp; access road sealing and kerb &amp; gutter construction. <b>P1b</b> Building roof access safety improvements -anchors &amp; ladder points. <b>P2</b> Building extension – Clydesdale.</p> <p><b>Project Status: P1a &amp; P1b</b> works completed. <b>P2</b> funding received late October, commenced stakeholder consultation on project scope and concept design. Bruce Green – A1 job on the pavilion. Waiting for it to open.</p> <p><b>NSW ICC T20 World Cup 2020 Legacy Fund: Yamba Oval &amp; Wherrett Park</b></p> <p><b>Project:</b> Upgrade cricket practice nets.</p> <p><b>Project Status:</b> Contractor has still not started commenced work, latest advice provided is works will commence next week.</p>			
<b>08</b>	<p><b>Sports Committee Funded Projects - Status</b></p> <p>Note: Sports Committee funded projects from previous rounds are complete and have been finalised.</p>			
<b>09</b>	<p><b>Business for this meeting:</b></p>			
<b>9.01</b>	<p><b>2020/21 (Round 1) Projects</b></p> <p><b>Lawrence Rodeo Committee - Lawrence Rodeo Arena Upgrade</b></p> <p>Funding request: \$3,431.82 (ex GST)</p> <p>Total project: \$6,863.63 (ex GST)</p> <p><u>Officer Recommendation:</u> Support.</p> <p><u>Committee Recommendation:</u> <b>The Committee recommend that \$3,431.82 (ex GST) is allocated to the Lawrence Rodeo Committee for Lawrence Rodeo Arena Upgrade at Maclean Showground.</b></p> <p><b>Moved:</b> Hughie Stanley <b>Seconded:</b> Anton Sluyters <b>CARRIED</b></p>	Bruce Green	Recommendation to be reported to Council for consideration.	GB

Item	Discussion/Comments	Reporting Officer	Actions	Action Officer
9.02	<p><b>2020/21 (Round 1) Projects</b></p> <p><b>Lower Clarence Tennis Association - Install Lights on Three Tennis Courts</b></p> <p>Funding request: \$11,036.00 (ex GST)</p> <p>Total project: \$22,071.99 (ex GST)</p> <p><u>Officer Recommendation:</u> Support.</p> <p><u>Committee Recommendation:</u> <b>The Committee recommend that \$11,036.00 (ex GST) is allocated to the Lower Clarence Tennis Association for Install Lights on Three Tennis Courts at Ryan Park Tennis Complex.</b></p> <p><b>Moved:</b> Hughie Stanley <b>Seconded:</b> Anton Sluyters <b>CARRIED</b></p>	Peter Rose	Recommendation to be reported to Council for consideration.	GB
9.03	<p><b>2020/21 (Round 1) Projects</b></p> <p><b>Yamba Football Club - Senior and Junior Competitive Goals (Stage 2)</b></p> <p>Funding request: \$1,331.59 (ex GST)</p> <p>Total project: \$2,663.18 (ex GST)</p> <p><u>Officer Recommendation:</u> Support.</p> <p><b>Committee Recommendation:</b></p> <p><b>The Committee recommend that \$1,331.59 (ex GST) is allocated to the Yamba Football Club for Senior &amp; Junior Competitive Goals at Yamba Sports Complex.</b></p> <p><b>Moved:</b> Hughie Stanley <b>Seconded:</b> Anton Sluyters <b>CARRIED</b></p>	Mark Skippings	Recommendation to be reported to Council for consideration.	GB



Item	Discussion/Comments	Reporting Officer	Actions	Action Officer
Late Item	<p><b>2020/21 (Round 1) Projects</b></p> <p><b>Maclean Show Society – Concrete Water Trough</b>  Funding request: \$ 379.39 (ex GST)  Total project: \$ 758.77 (ex GST)  <u>Officer Recommendation:</u> Not Support. No funding application received, works complete, retrospective funding is not consistent with guidelines.</p> <p><b>Committee Recommendation:</b>  <b>The Committee recommend that Maclean Show Society submit a late funding application and that \$379.39 (ex GST) is allocated to the Maclean Show Society for Concrete Water Trough at Maclean Showground.</b></p> <p><b>Moved:</b> Hughie Stanley <b>Seconded:</b> Anton Sluyters <b>CARRIED</b></p>	Bruce Green	<p>Maclean Show Society to submit a late funding application.</p> <p>Recommendation to be reported to Council for consideration.</p>	<p>MSS</p> <p>GB</p>
9.04	<p><b>COVID-19 Safety Plans</b></p> <p>Reminder - COVID-19 Safety Plans must be completed and sent to Council for all sporting groups who utilise Council facilities. The Safety Plan should be consistent with Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 5) 2020.</p> <p>The Safety plans must be updated as regulations change. A copy of the plan must also be kept onsite and available for inspection by an authorised officer.</p> <p>Additionally, all sports must nominate a COVID-19 Safety Officer who will oversee the implementation of the plan.</p>	Gavin Beveridge	All Sports – please send through your COVID-19 Safety Plan.	Sports

Item	Discussion/Comments	Reporting Officer	Actions	Action Officer
10	<p><b>General business</b></p> <p>General Business to be limited to an update of sports club / association business only.</p> <p>All operational items to be directed to Council via (02) 6643 0200 or <a href="mailto:council@clarence.nsw.gov.au">council@clarence.nsw.gov.au</a></p> <p><b>Peter Rose (LC Tennis Assn)</b> – Tennis going along well. Implemented a book system with key pad access. Submissions for external funding including works to upgrade courts one and two, LED lighting upgrades, improvements for access to night tennis.</p> <p><b>Tim McMahon (LC Cricket Assn)</b> – cricket plenty of numbers. Issues with ground availability, local premier league is playing away due to ground shortages.</p> <p><b>Amanda Lobb (Harwood Cricket Club)</b> –season started, multitude of team. Practise nets x 3 should be ready to use (Port Macquarie based company, approved by Cricket Australia). The top dressing went well, excellent drainage. Storage shed is going well, allowing for all equipment stored on site. Applied for funding for a second field in synthetic grass. Would like a key to open toilets at Wherrett Park.</p> <p><b>Bruce Green (Lawrence Rodeo)</b> – held a one day Campdraft on the weekend, great event with 386 first runs and a total of 425 total runs, 500 cattle trucked in and out. Planning for a larger event in June 2021. Raised question regarding starting events at 6:30am? Gavin Beveridge – noise restrictions before 7:00am.</p> <p><b>Tracy Moran (LC Pony Club)</b> – nothing to report.</p> <p><b>Anton (Yamba Football Club)</b> – did the additional meeting between winter and summer sports ever commence? Gavin Beveridge – Yes, recommendation reported to Council and was approved with the proviso that it would not be supported administratively by Council officers. Committee has never actioned.</p> <p><b>Kristy Ensby (YDS)</b> – finishing on 6 December as it is too hot for the dogs, looking to return in March weather dependent.</p> <p><b>Mark Skippings (Yamba Football Club)</b> – season finished October, success in both seniors and juniors. AGM next month, also meeting with administrative body.</p> <p><b>Hughie Stanley (Maclean Swim Club)</b> – club has just started back up, around 70 kids registered. Thanks to the Council for moving the opening date forward.</p> <p><b>Matt Farrell (Maclean Football Club)</b> – season is all finished, five teams in grand final with the U13s and the Womens teams winning. Plenty of nominations for the Sports Awards. Planning application to Bushfire Recovery Fund to upgrade Wherrett Park – 2nd set of change rooms, new amenities, upgrade lighting, sight screens, drainage to Ovals 2 and 3, reconstruction of the netball courts, clubhouse facility as an extension of the sports centre. Guess of \$2million.</p> <p><b>Wayne Sutton (CC Dragon Boat Club)</b> – met with Ashley (GM) re possibilities of placement on the water, perhaps near Hickey Island. Picked up new paddlers through COVID. Raised \$ at Bunnings BBQ. Disappointed that Council didn't waiver the cost of rent (\$570) during COVID. Was successful with the CVC COVID stimulus funding, but it didn't cover the rent. Rachelle Passmore – potential NSW Government funding to cover rent, recommended investigating.</p> <p><b>Tim Ryan (CC Magpies Juniors)</b> – successful year, good player numbers, 2 x grand final winners. New committee moving forward.</p> <p><b>Tim Ryan (LC Magpies RLFC)</b> – seniors AGM to be held on Sunday.</p> <p><b>Tim Ryan (Yamba Touch Assn)</b> – strong, all going well, working around current field works.</p> <p><b>Angela Berry (LC Netball Assn)</b> – successful year, tricky year but managed to ran a competition and finals series. Girls didn't make it to Sydney for state carnivals, COVID. Some of the courts have large cracks and are looking to get these repaired.</p>			

Item	Discussion/Comments	Reporting Officer	Actions	Action Officer
11	Time, date and venue of next meeting: 7:00pm, Monday 15 February, 2021 – Maclean Chambers, 50 River Street, Maclean			<i>Bookings made</i> 15 Feb 2021 17 May 2021 16 Aug 2021 15 Nov 2021
	Meeting closed:	8.23pm		



# **Clarence Valley Council**

## **West Yamba Development Servicing Plan Sewerage Services**

October 2020



# Executive Summary

This Development Servicing Plan (DSP) covers sewerage developer charges in regard to the West Yamba Urban Release Area (WYURA) served by Clarence Valley Council (CVC).

This DSP document has been prepared in accordance with the *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (2016) issued by the NSW Department of Primary Industries Office of Water (NSW DPI Office of Water), pursuant to section 306 (3) of the *Water Management Act, 2000*.

The area covered by this DSP and the existing and proposed works serving the area are shown in Section 2.1.

The timing and expenditure for works servicing the areas covered in this DSP are discussed in Section 4.

Levels of service to be provided in the DSP areas are shown summarised in Section 5.

The sewerage developer charges for the areas covered by this DSP have been determined as summarised in Table E-1 below.

**Table E-1 Sewerage Developer Charges**

DSP Name	Calculated Developer Charge (\$/ET)	Adopted Developer Charge (\$/ET)	Cross-subsidy (\$/ET)	Resulting Increase in the Typical Residential Bill (\$)
West Yamba Sewerage Scheme	\$13,419	\$13,419	\$0	\$0

Developer charges relating to this DSP will be reviewed after a period of 4 to 8 years, concurrently with the review of the CVC Development Servicing Plan – Sewerage Services, GHD 2017.

In the period between any review, developer charges will be indexed annually on the basis of movements on the Consumer Price Index (CPI) for Sydney, excluding the impact of Goods and Services Tax (GST).

The Developer shall be responsible for the full cost of the design and construction of reticulation works within subdivisions. The design and construction of the works shall be in accordance with Council's development specifications for sewerage services. Background information containing all the critical data including calculation models behind this DSP is available from Council's offices by appointment. To review these documents, please contact Council on (02) 6643 0200.

This DSP should be read in conjunction with the adopted WYURA Water Supply and Sewer Servicing Strategy, by HunterH2O, July 2019.



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# 1. Introduction

Section 64 of the *Local Government Act, 1993* enables a local government Council to levy developer charges for water supply, sewerage and stormwater. This derives from a cross-reference in that Act to Section 306 of the *Water Management Act 2000*.

A Development Servicing Plan (DSP) details the sewerage developer charges to be levied on development areas using a local utility's sewerage infrastructure.

This DSP covers sewerage developer charges in respect of development of the West Yamba Urban Release Area (WYURA) served by Clarence Valley Council (CVC).

This DSP has been prepared in accordance with the *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (2016) issued by the Minister for Lands and Water, pursuant to section 306 (3) of the *Water Management Act, 2000*.

This DSP document supersedes previous sewerage DSPs and requirements related to sewerage developer charges for the areas covered by this DSP adopted by the Council prior to the adoption of this DSP. This DSP document takes precedence over any of Council's codes or policies where there are any inconsistencies relating to the sewerage developer charges.

## 1.1 Purpose of the Plan

The purpose of this DSP is to set out the contributions payable by developments to the authority responsible for providing infrastructure and other facilities.

In developing this DSP and calculation of the contributions payable, the following aims and objectives have been taken into consideration:

- Ensure that adequate sewerage infrastructure is provided as part of new developments
- Provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of contributions on an equitable basis
- Ensure that the existing community is not burdened by the provision of sewerage infrastructure as a result of future development
- Enable Council to be both publicly and financially accountable in its assessment and administration of the DSP.

## 1.2 Disclaimer

*This report has been prepared by GHD for Clarence Valley Council and may only be used and relied on by Clarence Valley Council for the purpose agreed between GHD and the Clarence Valley Council as set out in Section 1.1 of this report.*

*GHD otherwise disclaims responsibility to any person other than Clarence Valley Council arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.*

*The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.*

*The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.*

*The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this report. GHD disclaims liability arising from any of the assumptions being incorrect.*

## 2. Administration

### 2.1 DSP Name and Area Covered

DSP Name and Area Covered in this DSP is known as *West Yamba Development Servicing Plan – Sewerage Services*.

It is noted that previously West Yamba was included in the CVC Development Servicing Plan – Sewerage Services (2017), however the 2017 DSP did not make provision for the specific infrastructure requirements in West Yamba. West Yamba therefore requires its own DSP. The area to which this DSP applies is shown in Figure 12-1.

DSP Name	West Yamba Sewerage Scheme
DSP Area	The area covered by this DSP is shown in Figure 12-1.
DSP Boundaries	The DSP area boundary is defined as the area included in the The West Yamba Urban Release Area (WYURA), with the exception of the R5 land.

### 2.2 Date of DSP Commencement

Council approved this DSP on 28 July 2020 for public exhibition. The DSP will come into effect once adopted by Council after the public exhibition period. Once adopted, the DSP will be forwarded to the NSW Office of Water (NOW) for registration.

The charges in this Plan will apply to all Development Applications determined on or after the date Council resolves the plan to commence.

### 2.3 Payment of Developer Charges

Developer charges will be determined and levied in accordance with the provisions of the current DSP at the time of considering an application for a compliance certificate under section 305 of the *Water Management Act 2000*, a construction certificate under section 109 of the *Environmental Planning and Assessment Act 1979* or at the time of issuing a notice or other form of written advice, e.g. Section 5.3, 5.5 or 5A.2 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

A time limit for payment of developer charges must be included in any developer charge determination or advice provided to developers.

Council may elect to determine developer charges at the time of considering a development application. Such a determination would accompany the development consent, and must specify a time limit for payment. If the developer charges have not been paid in full within the specified time limit, subject to the development consent remaining valid, no further adjustment to the developer charges may be made at the time of considering an application for a Compliance Certificate. If the developer charges have not been paid in full within the specified time limit, the developer charges will be determined by the Local Water Utility (LWU) at the time of considering an application for a Compliance Certificate using the LWU's then current DSP document.

It is noted that section 64 developer charges do not apply for developments serviced by a licenced operator under the *Water Industry Competition Act 2006 (WICA)* or *Water Industry Competition Amendment (Review) Act 2014*. The capital cost of the infrastructure serving such developments would be recovered through annual access and usage charges.

## 2.4 Developer Charges for Crown Developments

Under section 306 (4) and (5), of the *Water Management Act, 2000*, the Minister for Planning and Infrastructure may make a determination in respect of developer charges levied on Crown developments.

Crown developments for essential community services (education, health, community services, and law and order) are exempt from general developer charges. Council can only charge crown developments for the portion of cost associated with direct connection costs relating to the development.

## 2.5 Refunds

If this DSP is revised to correct a major error in the calculation, Council will provide a refund to developers for any resulting over-payments.

## 2.6 Developments Outside the Development Servicing Areas

When considering development outside the boundaries of this DSP, Council may either:

- Apply the developer charges adopted for the DSP to the new development; or
- Prepare a new DSP for the new development.

Such a development is likely to require the construction of specific assets. Refer to Section 2.7 for discussion on funding of out-of-sequence development.

## 2.7 Out-of-Sequence Development

Council has assumed infrastructure development will occur in accordance with the sequence of development defined in the WYURA Water Supply and Sewer Servicing Strategy, prepared by HunterH2O, July 2019. If a Developer wishes to proceed with a development not in the same sequence, i.e. before essential assets are in place, the Council may require and/or approve construction of the shared assets ahead of time provided that there are no other constraints to the development.

In such cases the assets will be designed and constructed by the Developer in accordance with the requirements of this DSP and the HunterH2O Servicing Strategy, and the full capital cost would initially be met by this Developer. If the assets funded by this Developer will serve other future development, the Developer shall receive a discount on their developer charges. The Council and the Developer must enter into an agreement stating how the Developer will be reimbursed for shared infrastructure.

## 2.8 Consultation and Dispute Resolution

A Developer who is dissatisfied with how the Council has calculated a developer charge has a right of appeal pursuant to the *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (NSW DPI Office of Water, 2016). The following process must be followed:

1. A Developer who is dissatisfied with how Council has calculated the developer charge for a particular development may lodge a formal complaint to the Council
2. The CVC General Manager is to review the complaint or cause it to be reviewed
3. CVC is not a member of the Energy and Water Ombudsman (EWON). If the developer is not satisfied with the General Manager's response, the matter may be referred to the Ombudsman



4. If the complaint is on technical matters or issues of interpretation of the *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (NSW DPI Office of Water, 2016), the Developer may refer the complaint to NOW. NOW will respond to the complaint. Where warranted, NOW may refer the matter to the expert technical panel, which includes representatives from NOW, Independent Pricing and Regulatory Tribunal (IPART), the NSW Water Directorate, local water utilities and the development industry
5. The Developer, if still dissatisfied, may request that the matter be reviewed by way of arbitration by an arbitrator, who is to be appointed by agreement between the Developer and the Council (The *Commercial Arbitration Act, 1984* applies to any such arbitration)
6. The decision of the arbitrator is binding on both the Developer and Council
7. Costs of the arbitration are to be borne equally by the Developer and Council.

## 3. Demographic and Land Use Planning Information

### 3.1 Growth Projections

Growth projections for population and number of sewerage Equivalent Tenements (ETs) are shown in Table 3-1 below. These projections are from the present year (2021) to 2051 (30 years).

ET calculations are included in Section 13.

**Table 3-1 Growth Projections**

Time Period	Cumulative Equivalent Tenements (ETs)	Number of New ETs / year
2020/21	0	0
2021/22	53	53
2022/23	106	53
2023/24	159	53
2024/25	212	53
2025/26	265	53
2026/27	318	53
2027/28	371	53
2028/29	424	53
2029/30	477	53
2030/31	530	53
2031/32	583	53
2032/33	636	53
2033/34	689	53
2034/35	742	53
2035/36	795	53
2036/37	848	53
2037/38	901	53
2038/39	954	53
2039/40	1,007	53
2040/41	1,060	53
2041/42	1,113	53
2042/43	1,166	53
2043/44	1,219	53
2044/45	1,273	53
2045/46	1,327	54
2046/47	1,327	0
2047/48	1,327	0
2048/49	1,327	0
2049/50	1,327	0
2050/51	1,327	0

### 3.2 Land Use Information

This DSP should be read in conjunction with the *CVC Strategic Business Plan for Sewerage Services* (GHD, 2019), the *Clarence Valley Local Environmental Plan* (CVC, 2011) and the *WYURA Water Supply and Sewer Servicing Strategy* (HunterH2O, July 2019).

The proposed trunk sewerage assets serving the area covered by this DSP is outlined in Section 4.1.

## 4. Sewerage Infrastructure

This DSP levies developer charges towards the cost of providing sewerage infrastructure to service new development. This infrastructure includes the value of future sewerage assets serving the new development area.

Assets covered by this DSP include, but are not limited to:

- Trunk infrastructure.

As the West Yamba Sewerage Scheme will connect into the existing Yamba Sewage Treatment Plant (STP), the developer charges associated with existing and proposed sewerage assets in the (Greater) Yamba DSP Area (detailed in the CVC Development Servicing Plan – Sewerage Services, GHD 2017) are applicable to this DSP. Assets covered by the previous DSP include, but are not limited to:

- Distribution and Trunk Mains.
- Sewerage Pumping Stations.
- Wastewater Treatment Works.
- Trunk Infrastructure.
- Recycled Water Infrastructure.

### 4.1 Existing and Future Sewerage Services

The shared sewerage infrastructure required to serve the area covered by this DSP is detailed in the WYURA Water Supply and Sewer Servicing Strategy (HunterH2O, July 2019). In summary, the proposed sewerage infrastructure includes:

1. Pipe 1: 2,848 metres of DN200 pressure sewer main connecting into the Yamba STP.
2. Pipe 2: 313 metres of DN200 pressure sewer main.
3. Pipe 3: 237 metres of DN120 pressure sewer main.

These are described further in Section 15. The infrastructure required to be in place for each development has been tabulated in Table 4-1. Developments requiring common infrastructure (pipes, 1, 2 and 3 above) have been grouped into a development area.

**Table 4-1 Proposed Sewerage Infrastructure by Development Area**

Development Area	Development	Proposed Sewerage Infrastructure
A	Carrs Drive Stage 1	Pipe 1 and 2
	Carrs Drive Stage 2	
	Carrs Drive Stage 3	
	NE1 subsystem	
	SE subsystem	
B	Land south of Miles Street	Pipe 1, 2 and 3
	SW subsystem	
C	NE2 subsystem	Pipe 1

Capital works specific to this DSP (including a description and MEERA costs) are summarised in Section 15.

A schematic of the proposed West Yamba Sewerage Scheme is presented in Figure 12-1.

## 4.2 Existing Capital Cost

The estimated Modern Engineering Equivalent Replacement Asset (MEERA) capital cost of the existing sewerage assets serving the area covered by this DSP is detailed in the CVC Development Servicing Plan – Sewerage Services, GHD 2017.

**Table 4-2 Summary of the Existing Capital Charge (from the 2017 CVC Development Servicing Plan - Sewerage Services)**

DSP Name	Existing (2017) Capital Charge (\$ / ET)	Existing (2017) Reduction Amount (\$ / ET)	Existing (2017) Calculated Maximum Developer Charge (\$ / ET)	Existing (2017) Adopted Developer Charge (\$ / ET)	Existing 2020 <sup>1</sup> Developer Charge (\$/ET)
Yamba	\$12,073	\$557	\$11,516	\$11,516	\$12,175

<sup>1</sup> This value has been taken from the CVC Adopted 2020/21 Fees and Charges, Section 7.11 (previously Section 94 contributions) Current Plans and Section 64 Contributions.

## 4.3 Future Capital Works Program

The timing and expenditure for future sewerage capital works serving the area covered by this DSP and which contribute to the capital charge are provided in Section 15.

The timing and expenditure for future sewerage capital works (including backlog works) in the greater Yamba area is detailed in the CVC Development Servicing Plan – Sewerage Services, GHD 2017.

Capital costs were estimated using the *NSW Office of Water (formerly Ministry of Energy and Utilities) NSW Reference Rates Manual Valuation of Water Supply, Sewerage and Stormwater Assets (2014)* in accordance with the requirements of the *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (NSW DPI Office of Water, 2016).

### 4.3.1 Backlog Works

There are no Backlog works to be considered for the WYURA. Only new developments are required to pay developer charges in accordance with this DSP.

### 4.3.2 Reticulation Works within a Development

The Developer shall be responsible for the full cost of the design and construction of sewerage works, including pump stations, within subdivisions that service only that development. The design and construction of the works shall be in accordance with Council's development specifications for sewerage services.

## 5. Level of Service

System design and operation are based on providing Council's current levels of service (LOS) as outlined below.

The sewerage network is required to meet CVC's current LOS outlined in the Table 5-1. CVC are currently reviewing their LOS to ensure compliance with minimum legislative requirements outlined in the *NSW Water and Sewerage Strategic Business Planning Guidelines* (NSW Office of Water, 2011). This is discussed in detail in *CVC Strategic Business Plan – Sewerage Services* (GHD, 2017).

**Table 5-1 Current Levels of Service – Sewerage Services<sup>1</sup>**

Service Criteria	Service Target	Compliance Measure
Availability of service	Provide point of connection for all allotments within defined service areas	Availability of point of connection for all allotments within defined service areas.
<b>Overflow of Sewerage to the Environment</b>		
Major Overflow	No more than 6 per year	99% compliance across system as measured from records for each event
Minor Overflow	No more than 600 per year	99% compliance across system as measured from records for each event
<b>Response Time to System Failures</b>		
Priority 1 (major spill)	During Working Hours: 30 minutes After Working Hours: 1 hour	
Priority 2 (moderate spill)	During Working Hours: 1 hour After Working Hours: 2 hours	
Priority 3 (minor spill)	During Working Hours: 2 hours After Working Hours: 8 hours	
<b>Minor Problems/General Enquires</b>		
Oral	Within 5 working days	95% compliance
Written	Within 10 working days	95% compliance
<b>Number of Incidences Causing Complaints</b>		
Sewerage Related Incidents	Written or telephone complaints about sewerage related incidents	Less than 50 per year
Odours	Odour should not be detectable outside buffer zone (400 meters) around treatment works	Less than 5 per year
Effluent Quality	Meet EPA licence conditions for all sewerage treatment plants	95% compliance as measured from records.

### 5.1 Further Information

Further information on standards of service is available from:

- *Clarence Valley Council Strategic Business Plan – Sewerage Services* (GHD, 2017), which is available on Council's website.
- *NSW Water and Sewerage Strategic Business Planning Guidelines* (NSW Office of Water, 2001) (available at [www.water.nsw.gov.au](http://www.water.nsw.gov.au)).

<sup>1</sup> Hunter Water Australia, Clarence Valley Council Strategic Business Plan for Sewerage Services, 2006, page 15



## 6. Design Parameters

CVC's peak planning documents include the following:

- Draft Sewerage Asset Management Plan, CVC, 2015.
- Integrated Water Cycle Management Simplified Strategy, CVC, 2009.
- Clarence Valley Council Sewerage Strategic Business Plan, CVC September 2017.

These documents determine the LOS for designing and delivering CVC's sewerage systems.

Investigation and design of sewerage system components is also based on the AUSPEC *Northern Rivers Local Government Development Design and Construction Manual, Development Design Specification D12 Sewerage System* (CVC et al., 2009). This refers to the following for sewerage design:

- Gravity Sewer Code of Australia, Water Services Association of Australia (WSAA), 2014.
- Pumping Station Code of Australia, Water Services Association of Australia (WSAA), 2005.
- Pressure Sewerage Code of Australia, Water Services Association of Australia (WSAA), 2007.

### 6.1 Planning and Design Parameters

The major components of the sewerage network were planned according to the following:

- Maclean Sewerage Scheme Augmentation Concept Development Report, NSW Department of Land & Water Conservation and Maclean Shire Council, 2001
- Yamba Wastewater Strategy Part 1, Geolink, 2002
- West Yamba Urban Release Area Water Supply and Sewer Servicing Strategy, HunterH2O, July 2019.

## 7. Calculated Developer Charges

Developer charges are up-front charges used to recover infrastructure costs incurred through the provision of services to new developments and service changes to existing developed areas. Developer charges are comprised of the following components:

- Capital charge – the cost of providing the asset; and
- Reduction amount – the cost recovered through annual charges.

The relationship between these components is as follows:

- Developer Charge = Capital Charge – Reduction Amount.

### 7.1 Summary

The developer charges for the area covered by this DSP (as described in 2.1) are as follows:

**Table 7-1 Summary of Developer Charges**

Development Area	Capital Charge (\$/ET)	Reduction Amount	Calculated Maximum Developer Charge (\$/ET)	Adopted Developer Charge (\$/ET)
West Yamba	\$13,419	\$0 <sup>1</sup>	\$13,419	\$13,419

<sup>1</sup> The reduction amount for this DSP was excluded from this developer charge. This is because the existing developer charge from the *2017 CVC DSP Sewerage Services* report included a reduction amount for Yamba (inclusive of West Yamba).

These amounts have been calculated on the basis of Section 7.2 to Section 7.7 below. Background information containing all the critical data including calculation models behind this DSP is available from Council's offices by appointment. To review these documents, please contact Council on (02) 6643 0200.

### 7.2 Service Areas

Developer charges have been calculated for a number of development areas within the WYURA. It is noted that WYURA is within the Yamba service area.

### 7.3 Equivalent Tenements (ETs)

The basis of future development in WYURA has been adopted from the WYURA Water Supply and Sewer Servicing Strategy, HunterH2O, July 2019.

Actual populations will be subject to the ultimate Council Development Approval.

ET projections are shown in Section 3.1. ET calculation details are shown in Section 13.

### 7.4 Capital Charge

The capital charge for each development area covered by this DSP has been calculated using the net present value (NPV) spreadsheet method.

Under the NPV spreadsheet method, the capital cost of relevant assets and projected ET's served in a development area are identified. These capital costs represent only the share of the asset capacity used by a development area. The present value (PV) of capital cost and the PV

of new ETs are calculated. The capital charge per ET is the PV of the capital cost divided by the PV of new ETs.

The calculation of the capital charge is summarised in tables presented in Section 16. A summary of the capital charge calculations prior to any agglomeration or cross-subsidy is shown in Table 7-2 below.

**Table 7-2 Capital Charge Calculation**

Development Area	PV of New ETs for pre-1996 assets @ 3%	PV of New ETs for post-1996 assets @ 5%	PV of capital cost from pre-1996 assets @ 3%	PV of capital cost from post-1996 assets @ 5%	Capital charge for pre-1996 assets (\$ / ET)	Brought forward Capital Charge from the adopted 2020/21 Fees and Charges (\$/ET) <sup>1</sup>	Capital charge for post-1996 assets (\$ / ET)	Capital charge per ET (\$ / ET) <sup>2</sup>
West Yamba	N/A	786	N/A	N/A	N/A	\$12,175	\$1,244	\$13,419

<sup>1</sup> As noted in Section 4, key works included in the capital charge calculated for the existing Yamba Sewerage DSP area will support developments in the West Yamba Urban Release area, therefore this component of the capital charge has not been recalculated for this DSP.

<sup>2</sup> The capital charge value for Yamba \$12,175/ET (taken from the Clarence Valley Council Adopted 2020/21 Fees and Charges, Section 7.11 (previously Section 94 contributions) Current Plans and Section 64 Contributions) has been added to the calculated capital charge for WYURA of \$1,244/ET to derive the total capital cost per ET for WYURA developments.

## 7.5 DSP Areas

The *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (NSW DPI Office of Water, 2016) permit the agglomeration of service areas into DSP areas which have capital charges that are within 30% of each other. Agglomeration is intended to minimise the number of different developer charges within the LGA. No agglomeration calculations were undertaken as West Yamba was identified as being a single development area.

## 7.6 Reduction Amount

The reduction amount is defined as the NPV of the future net income expected from providing sewer-related services to the new residents in the DSP area.

The previous CVC sewerage services DSP (GHD, 2017) included the WYURA, and the key works used in the existing developer charge for Yamba which will support future development within the release area. The existing developer charge has therefore been added to the new capital charge calculated in this DSP (which is for works specific to the WYURA). As the existing developer charge already incorporates a reduction amount into its final developer charge calculation, no further reduction amount is applicable for the works in this DSP.

## 7.7 Cross-Subsidy

The calculated developer charges are the maximum value that may be levied by a water utility. In accordance with *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (NSW DPI Office of Water 2016), a utility may elect to levy less than the calculated developer charge.

The cross-subsidy is the percentage difference between the annual bill with the calculated maximum developer charge and the proposed lower developer charge.

No cross-subsidy has been applied to the DSP areas in this DSP.

## **8. Reviewing / Updating of Calculated Developer Charges**

In line with the *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (NSW DPI Office of Water, 2016) the developer charges relating to this DSP will be reviewed after a period of 4 to 8 years from the implementation of this plan, concurrently with the review of the CVC Development Servicing Plan – Sewerage Services, GHD, 2017. If the review indicates that the developer charges in this DSP are still applicable this DSP will apply for a further five years once the Council releases a public notice to this effect. However, if the developer charges in this DSP are found to no longer apply and it is believed that a new DSP is warranted, a new DSP shall be prepared, audited, exhibited and registered.

If a major change occurs, such as a requirement for significant capital works, which was not considered in the DSP, Council may carry out a review in less than 4 years, subject to NOW approval. If the review identifies that a new DSP is required, the new DSP must to be prepared, audited, exhibited and registered.

In the period between any review developer charges will be adjusted annually on 1<sup>st</sup> July on the basis of movements in the Consumer Price Index (CPI) for Sydney, in the preceding 12 months to December, excluding the impact of Goods and Services Tax (GST).

## 9. Background Information

Background information and calculations relating to this DSP are contained in the following documents:

1. 2011 Australian Census, Australian Bureau of Statistics, 2011
2. Clarence Valley Local Environmental Plan, Clarence Valley Council, 2011
3. Northern Rivers Local Government Development Design and Construction Manual, Development Design Specification D12 Sewerage System, CVC, et al, 2009
4. Yamba Wastewater Strategy Part 1, Geolink, 2002
5. Clarence Valley Council Sewerage Strategic Business Plan, GHD, 2016
6. West Yamba Urban Release Area Water Supply and Sewer Servicing Strategy, HunterH2O, July 2019
7. Clarence Valley Council Development Servicing Plans for Sewerage Services, Hunter Water Australia, 2005
8. Clarence Valley Council Sewerage Strategic Business Plan, GHD, September 2017
9. Maclean Sewerage Scheme Augmentation, NSW Department of Land & Water Conservation and Maclean Shire Council, 2001
10. 2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater, NSW Department of Primary Industries Office of Water, 2016
11. NSW Reference Rates Manual – Valuation of Water Supply, Sewerage and Stormwater Assets, NSW Government Office of Water, Ministry of Energy and Utilities, 2003 with amendments in 2010
12. NSW Water and Sewerage Strategic Business Planning Guidelines. NSW Office of Water, 2011
13. Section 64 Determinations of Equivalent Tenements Guidelines, Water Directorate, May 2009 Addendum
14. Gravity Sewer Code of Australia, Water Services Association of Australia, 2014
15. Pressure Sewerage Code of Australia, Water Services Association of Australia, 2007
16. Pumping Station Code of Australia, Water Services Association of Australia, 2005
17. Excel spreadsheets used in calculating developer charges

All other documents can be reviewed in Council's offices by appointment. To review the documents, please contact Council on (02) 6643 0200.



## **10. Other DSPs and Related Contribution Plans**

Other DSP's and related plans include:

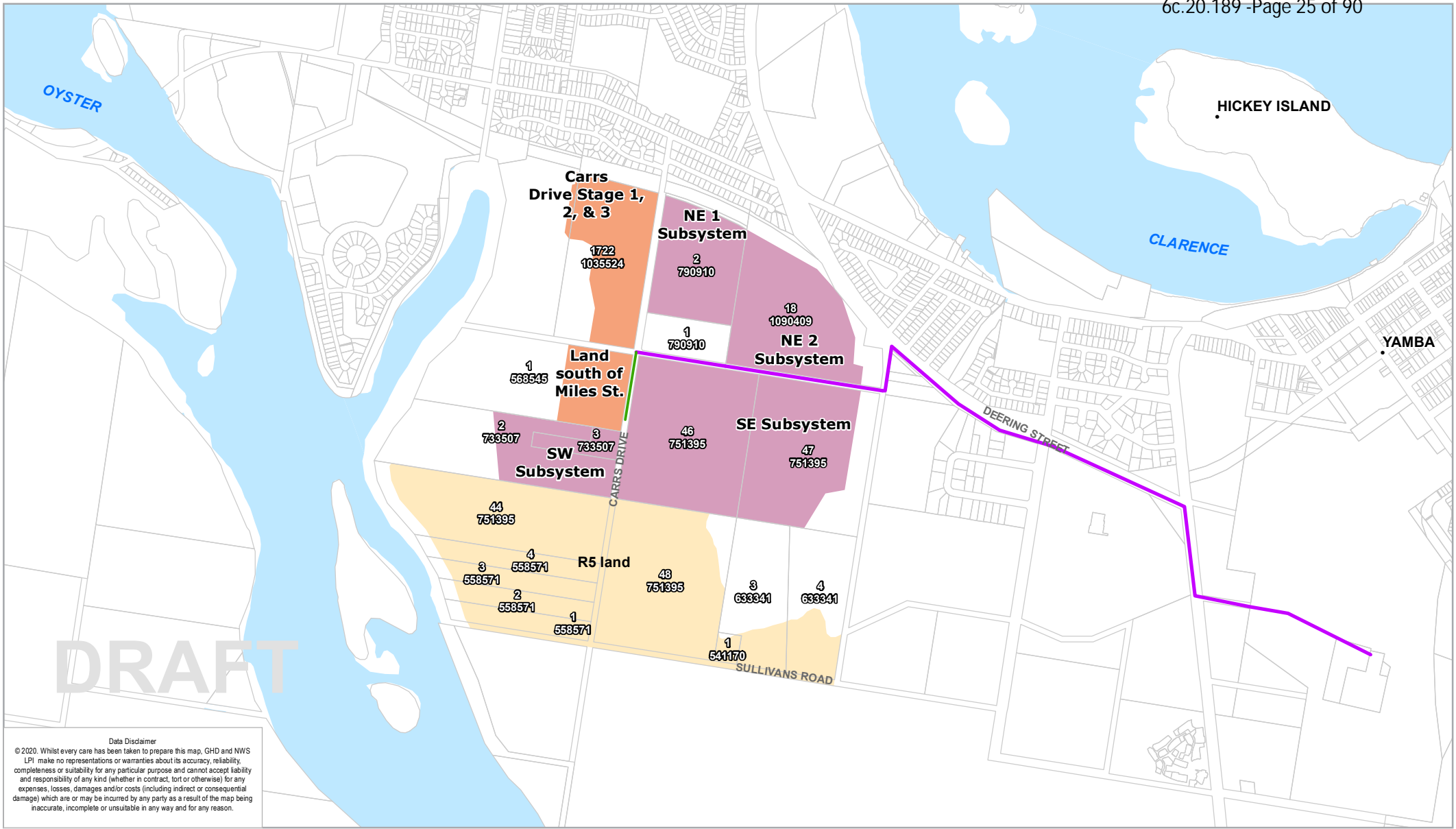
- Clarence Valley Council West Yamba Development Servicing Plan – Water Supply Services, GHD, 2020.
- Clarence Valley Council Development Servicing Plan – Sewerage Services, GHD, 2017
- Clarence Valley Council Development Servicing Plan – Water Supply Services, GHD, 2017.

CVC also levies developer contributions for various public amenities under Section 94 of the *Environmental Planning and Assessment Act, 1979*.

# 11. Glossary

ADWF	Average Dry Weather Flow
AMT	Accepted Modern Technology
Capital Cost	The Present Value (MEERA basis) of assessment used to service the development.
Capital Charge	The capital cost per ET.
CPI	Consumer Price Index
CVC	Clarence Valley Council
Developer Charge	A charge levied on Developers to recover part of the capital cost incurred in providing infrastructure to a new development.
Discount Rate	The rate used to calculate the present value of money arising in the future.
DSP	Developer Servicing Plan
DCP	Development Control Plan
EP	Equivalent Person
EPA	Environmental Protection Authority
ET	Equivalent Tenement
et al.	et alia
EWON	Energy and Water Ombudsman
FU	Fixture Unit
GCC	Grafton City Council
GST	Goods and Services Tax
i.e.	id est
IDEA	Intermittently Decanted Extended Aeration
IPART	Independent Pricing and Regulatory Tribunal
LEP	Local Environmental Plan
LGA	Local Government Area
LOS	Level of Service
MEERA	Modern Equivalent Engineering Replacement Asset
NPV	Net Present Value
NSW DPI	NSW Department of Primary Industries
OMA	Operation, maintenance and administration (cost)
Post 1996 Asset	An Asset that was commissioned by a water utility on or after 1 January 1996 or that is yet to be commissioned
Pre-1996 Asset	An Asset that was commissioned by a water utility before 1 January 1996

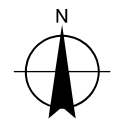
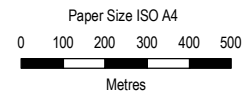
PRP	Pollution Reduction Program
PV	Present Value. The value now of money, or ETs, in the future.
Reduction Amount	The amount by which the capital charge is reduced to arrive at the developer charge. The amount reflects the present value of the capital contributions that will be paid by the occupier of a development as part of future annual charges discounting OMA costs.
Service Area	An area served by a separate water supply system, an area served by a separate sewerage treatment works, a separate small town or village, or a new development of over 500 lots.
STP	Sewerage Treatment Plant
UV	Ultraviolet
WICA	Water Industry Competition Act
WSAA	Water Services Association of Australia
WWPS	Wastewater Pumping Station
WWTP	Wastewater Treatment Plant



**DRAFT**

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- Legend**
- Place names
  - DN120 pressure main
  - DN200 pressure main
  - Initial stages
  - Future stages
  - Waterways
  - Cadastre



Map Projection: Transverse Mercator  
 Horizontal Datum: GDA 1994  
 Grid: GDA 1994 MGA Zone 56

Clarence Valley Council  
 Sewer and Water Development  
 Servicing Plan Update (DSP)

Project No. 12528667  
 Revision No. B  
 Date 8/07/2020

West Yamba Development Servicing  
 Plan Areas – Sewerage Overview

**FIGURE 1**

# 13. ET Projections

The basis of future development in WYURA has been adopted from the WYURA Water Supply and Sewer Servicing Strategy, by HunterH2O, July 2019. As such, the projected number of ETs is in accordance with the servicing strategy.

**Table 13-1 ET Projections**

Development	Proposed number of Lots	Calculated Sewerage ETs <sup>1</sup>
Carrs Drive Stage 1 <sup>1</sup>	57	57
Carrs Drive Stage 2 <sup>1</sup>	54	54
Carrs Drive Stage 3 <sup>1</sup>	50	50
Land south of Miles Street <sup>2</sup>	200	150
<b>All initial stages</b>	<b>361</b>	<b>311</b>
NE1 subsystem	170	170
NE2 subsystem	256	256
SE subsystem	480	480
SW subsystem	110	110
<b>All future stages</b>	<b>1,016</b>	<b>1,016</b>
R5 land <sup>3</sup>	42	-
<b>Total</b>	<b>1,419</b>	<b>1,327</b>

<sup>1</sup> For the development areas north of Miles Street (Carrs Drive stage 1, 2, and 3), 1 ET per lot is assumed for sewer planning purposes. This is based on 3-4-bedroom dwelling per lot (which is considered appropriate for the 450 to 560 sqm lot sizes).

<sup>2</sup> Council advised HunterH2O in February 2018 that the land south of Miles Street could adopt a 0.75 ET per lot rate for sewer planning purposes. This rate is based on 2 bedroom dwellings per lot.

<sup>3</sup> It is noted that the associated load contribution from R5 land has only been considered for the water DSP, as per council advice, and as such has been excluded from the sewerage DSP.

## 13.1.1 Background

Background information provided to inform the population projection calculations included the following:

- West Yamba Urban Release Area Water Supply and Sewer Servicing Strategy (HunterH2O, 2019).

## 13.1.2 Assumptions

The following assumptions were made to produce the growth projections:

- Complete development within 25 years (2021 to 2046).
- A linear growth rate over the period.

A summary of the growth projections is provided in 3.1.

**Table 13-2 Growth Projections**

Time Period	Equivalent Tenements (ETs)	Number of New ETs / year
2020/21	0	0
2021/22	53	53
2022/23	106	53
2023/24	159	53
2024/25	212	53
2025/26	265	53
2026/27	318	53
2027/28	371	53
2028/29	424	53
2029/30	477	53
2030/31	530	53
2031/32	583	53
2032/33	636	53
2033/34	689	53
2034/35	742	53
2035/36	795	53
2036/37	848	53
2037/38	901	53
2038/39	954	53
2039/40	1,007	53
2040/41	1,060	53
2041/42	1,113	53
2042/43	1,166	53
2043/44	1,219	53
2044/45	1,273	53
2045/46	1,327	54
2046/47	1,327	0
2047/48	1,327	0
2048/49	1,327	0
2049/50	1,327	0
2050/51	1,327	0

## 14. Existing Capital Costs

A summary of assets and MEERA values is included in the CVC Development Servicing Plan – Sewerage Services, GHD, 2017. Below is a summary of the existing sewerage costs for Yamba.

**Table 14-1 Summary of the Existing Capital Charge (from the CVC Development Servicing Plan - Sewerage Services, GHD 2017)**

DSP Name	Existing (2017) Capital Charge (\$ / ET)	Existing (2017) Reduction Amount (\$ / ET)	Existing (2017) Calculated Maximum Developer Charge (\$ / ET)	Existing (2017) Adopted Developer Charge (\$ / ET)	Existing 2020 <sup>1</sup> Developer Charge (\$/ET)
Yamba	\$12,073	\$557	\$11,516	\$11,516	\$12,175

<sup>1</sup> This value has been taken from the CVC Adopted 2020/21 Fees and Charges, Section 7.11 (previously Section 94 contributions) Current Plans and Section 64 Contributions.



## 15. Future Capital Works Program

Future capital works including a description, construction year and MEERA costs are included in the CVC Development Servicing Plan – Sewerage Services, GHD, 2017 and Table 15-1 below.

**Table 15-1 Future Sewerage Scheme Capital Expenditure (contributing to Capital Charge)**

Amenity	Asset Name	Development Area	Stage / Development Area	Construction Year	Gross (2020/21\$)	Capital Charge (2021\$)
New System Asset	<b>Pipe 1:</b> 2,848 metres of DN200 pressure sewer main connecting into the Yamba STP	A, B, C	Initial stages / All Future stages / All	2021 - 2023	\$850,096	\$850,096
New System Asset	<b>Pipe 2:</b> 313 metres of DN200 pressure sewer main in Miles Street	A, B	Initial stages / All Future stages / SW, NE1 and SE Subsystem	2021 - 2023	\$93,427	\$93,427
New System Asset	<b>Pipe 3:</b> 237 metres of DN120 pressure sewer main	B	Initial stages / Land South of Miles Street Future stages / SW subsystem	2021 - 2023	\$59,292	\$59,292
<b>Total:</b>					<b>\$1,002,815</b>	<b>\$1,002,815</b>

## 16. Calculation of Capital Charge

A summary of the calculated capital charge per ET is provided in Table 16-1.

**Table 16-1 Capital Charge Net Present Value, Summary of Calculations**

Year Number	Year	Estimated Expenditure	PV factor (@5%)	PV of Capital Expenditure (@5%)	New ETs per year	PV of New ETs (@5%)	Capital Charge
1	2021/2022	\$501,407.85	1	\$501,407.85	53	53	
2	2022/2023	\$501,407.85	0.95	\$476,337.46	53	50	
3	2023/2024		0.91	\$-	53	48	
4	2024/2025		0.86	\$-	53	46	
5	2025/2026		0.82	\$-	53	44	
6	2026/2027		0.78	\$-	53	41	
7	2027/2028		0.75	\$-	53	40	
8	2028/2029		0.71	\$-	53	38	
9	2029/2030		0.68	\$-	53	36	
10	2030/2031		0.64	\$-	53	34	
11	2031/2032		0.61	\$-	53	32	
12	2032/2033		0.58	\$-	53	31	
13	2033/2034		0.56	\$-	53	30	
14	2034/2035		0.53	\$-	53	28	
15	2035/2036		0.51	\$-	53	27	
16	2036/2037		0.48	\$-	53	25	
17	2037/2038		0.46	\$-	53	24	
18	2038/2039		0.44	\$-	53	23	
19	2039/2040		0.42	\$-	53	22	
20	2040/2041		0.4	\$-	53	21	
21	2041/2042		0.38	\$-	53	20	
22	2042/2043		0.36	\$-	53	19	
23	2043/2044		0.34	\$-	53	18	
24	2044/2045		0.33	\$-	53	18	
25	2045/2046		0.31	\$-	53	16	
26	2046/2047		0.3	\$-	0	0	
27	2047/2048		0.28	\$-	0	0	
28	2048/2049		0.27	\$-	0	0	
29	2049/2050		0.26	\$-	0	0	
30	2050/2051		0.24	\$-	0	0	
End		\$1,002,815.70		\$977,745.31	1327	786	\$1,244

**Table 16-2 Sewerage Capital Charge per ET, Summary of Calculations**

Development Area	Future Works (\$/ET)	Existing Works Pre-1996 (\$/ET)	Existing Works Post-1996 (\$/ET)	Total Capital Cost per ET (\$/ET) <sup>1</sup>
West Yamba	\$1,244	-	-	\$13,419

<sup>1</sup> The capital charge value for Yamba \$12,175/ET (taken from the Clarence Valley Council Adopted 2020/21 Fees and Charges, Section 7.11 (previously Section 94 contributions) Current Plans and Section 64 Contributions) has been added to the calculated capital charge for WYURA of \$1,244/ET to derive the total capital cost per ET for WYURA developments.

## **17. Calculation of the Reduction Amount**

As discussed in section 7.6 no reduction amount was calculated for this DSP.

## **18. Cross-subsidy Calculations**

No cross-subsidy has been applied to the areas in this DSP.

## 19. Calculation of Developer Charge

The calculation of developer charges per ET is summarised in **Error! Reference source not found.**

**Table 19-1 Developer Charges per ET, Summary of Calculations**

Development Area	Capital Charge (\$/ET)	Reduction Amount	Adopted Developer Charge (\$/ET)
West Yamba	\$13,419	\$0	\$13,419

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Revision	Author	Reviewer		Approved for Issue		
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## **Clarence Valley Council**

### West Yamba Development Servicing Plans Water Supply Services

October 2020



# Executive Summary

This Development Servicing Plan (DSP) covers water supply developer charges in regard to the West Yamba Urban Release Area (WYURA) served by Clarence Valley Council (CVC).

This DSP document has been prepared in accordance with the *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater (2016)* issued by the NSW Department of Primary Industries Office of Water (NSW DPI Office of Water), pursuant to section 306 (3) of the *Water Management Act, 2000*.

The area covered by this DSP and the existing and proposed works serving the area are shown in Section 12.

The timing and expenditure for works servicing the areas covered in this DSP are discussed in Section 4.

Levels of service to be provided in the DSP area are shown summarised in Section 5.

The water supply developer charge for the area covered by this DSP have been determined as summarised in Table E-1 below:

**Table E-1 Water Supply Developer Charges**

DSP Name	Calculated Developer Charge (\$/ET)	Adopted Developer Charge (\$/ET)	Cross-subsidy	Resulting Increase in the Typical Residential Bill (\$)
West Yamba Water Supply Scheme	\$5,679	\$5,679	\$0	\$0

Developer charges relating to this DSP will be reviewed after a period of 4 to 8 years, concurrently with the review of the Clarence Valley Council Development Servicing Plan – Water Supply Services, GHD, 2016.

In the period between any review developer charges will be indexed annually on the basis of movements on the Consumer Price Index (CPI) for Sydney, excluding the impact of Goods and Services Tax (GST).

The Developer shall be responsible for the full cost of the design and construction of reticulation works within subdivisions. The design and construction of the works shall be in accordance with Council's development specifications for water supply services.

Background information containing all the critical data including calculation models behind this DSP is available from Council's offices by appointment. To review these documents, please contact Council on (02) 6643 0200.

This DSP should be read in conjunction with the adopted WYURA Water Supply and Sewer Servicing Strategy, by HunterH2O, July 2019.

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# 1. Introduction

Section 64 of the *Local Government Act, 1993* enables a local government Council to levy developer charges for water supply, sewerage and stormwater. This derives from a cross-reference in that Act to Section 306 of the *Water Management Act 2000*.

A Development Servicing Plan (DSP) details the water supply developer charges to be levied on development areas using a local utility's water supply infrastructure.

This DSP covers water supply developer charges for the development of the West Yamba Urban Release Area (WYURA)

This DSP has been prepared in accordance with the *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (2016) issued by the Minister for Lands and Water, pursuant to section 306 (3) of the *Water Management Act, 2000*.

This DSP document supersedes previous water supply DSPs and requirements related to water supply developer charges for the areas covered by this DSP adopted by the Council prior to the adoption of this DSP. This DSP document takes precedence over any of Council's codes or policies where there are any inconsistencies relating to the water supply developer charges.

## 1.1 Purpose of the Plan

The purpose of this DSP is to set out the contributions payable by developments to the authority responsible for providing infrastructure and other facilities.

In the development of this DSP and calculation of the contributions payable, the following aims and objectives are taken into consideration:

- Ensure that adequate water supply infrastructure, and in specific areas recycled water infrastructure, is provided for as part of new developments
- Provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of contributions on an equitable basis
- Ensure that the existing community is not burdened by the provision of water supply infrastructure as a result of future development
- Enable Council to be both publicly and financially accountable in its assessment and administration of the DSP.

## 1.2 Disclaimer

*This report has been prepared by GHD for Clarence Valley Council ("the Council") and may only be used and relied on by Clarence Valley Council for the purpose agreed between GHD and the Clarence Valley Council as set out in Section 1.1 of this report.*

*GHD otherwise disclaims responsibility to any person other than Clarence Valley Council arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.*

*The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.*

*The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no*



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*The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this report. GHD disclaims liability arising from any of the assumptions being incorrect.*

## 2. Administration

### 2.1 DSP Name and Area Covered

This DSP is known as *West Yamba Development Servicing Plan – Water Supply Services*.

It is noted that previously West Yamba was included in the CVC Development Servicing Plan – Water Supply Services (2017), however the 2017 DSP did not make revision for the specific infrastructure requirements in West Yamba. West Yamba therefore requires its own DSP. The area to which This DSP Applies is shown in Figure 12-1.

DSP Name	West Yamba Water Supply Scheme
DSP Area	The area covered by this DSP and a schematic of the water supply system is shown in Figure 12-1.
DSP Boundaries	The DSP area boundary is defined as the area included in the The West Yamba Urban Release Area (WYURA).

### 2.2 Date of DSP Commencement

Council approved this DSP on [28<sup>th</sup> July 2020] for public exhibition. The DSP will come into effect following adoption by Council after the public exhibition period. Once adopted, the DSP will be forwarded to the NSW Office of Water (NOW) for registration.

The charges in this Plan will apply to all Development Applications determined on or after the date Council resolves the Plan to commence.

### 2.3 Payment of Developer Charges

Developer charges will be determined and levied in accordance with the provisions of the current DSP at the time of considering an application for a compliance certificate under section 305 of the *Water Management Act 2000*, a construction certificate under section 109 of the *Environmental Planning and Assessment Act 1979* or at the time of issuing a notice or other form of written advice, e.g. Section 5.3, 5.5 or 5A.2 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

A time limit for payment of developer charges must be included in any developer charge determination or advice provided to developers.

Council may elect to determine developer charges at the time of considering a development application. Such a determination would accompany the development consent, and must specify a time limit, subject to the development consent remaining valid, no further adjustment to the developer charges may be made at the time of considering an application for a Compliance Certificate. If the developer charges have not been paid in full within the specified time limit, the developer charges will be determined by the Local Water Utility (LWU) at the time of considering an application for a Compliance Certificate, using the LWU's then current DSP document.

It is noted that section 64 developer charges do not apply for developments serviced by a licenced operator under the *Water Industry Competition Act 2006* (WICA) or *Water Industry Competition Amendment (Review) Act 2014*. The capital cost of the infrastructure serving such developments would be recovered through annual access and usage charges.

## 2.4 Developer Charges for Crown Developments

Under section 306 (4) and (5), of the *Water Management Act 2000*, the Minister for Planning and Infrastructure may make a determination in respect of developer charges levied on Crown developments.

Crown developments for essential community services (education, health, community services, and law and order) are exempt from general developer charges. Council can only charge crown developments for the portion of cost associated with direct connection costs relating to the development.

## 2.5 Refunds

If this DSP is revised to correct a major error in the calculation, Council will provide a refund to developers for any resulting over-payments.

## 2.6 Developments outside the DSP Area

When considering development outside the boundaries of this DSP, Council may either:

- Apply the developer charges adopted for the DSP to the new development; or
- Prepare a new DSP for the new development.

Such a development is likely to require the construction of specific assets. Refer to Section 2.7 for discussion on funding of out-of-sequence development.

## 2.7 Out-of-Sequence Development

Council has assumed infrastructure development will occur in accordance with the sequence of development defined in the WYURA Water Supply and Sewer Servicing Strategy, prepared by HunterH2O, July 2019. If a Developer wishes to proceed with a development not in the same sequence, i.e. before essential assets are in place, the Council may require and/or approve construction of shared assets ahead of time provided that there are no other constraints to the development.

In such cases the assets will be designed and constructed by the Developer in accordance with the requirements of this DSP and the HunterH2O Servicing Strategy, and the full capital cost would initially be met by this Developer. If the asset funded by this Developer will serve other future development, the Developer shall receive a discount on their developer charges. The Council and the Developer must enter into an agreement stating how the Developer will be reimbursed for shared infrastructure.

## 2.8 Consultation and Dispute Resolution

A Developer who is dissatisfied with how the Council has calculated a developer charge has a right of appeal pursuant to the *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (NSW DPI Office of Water, 2016). The following process must be followed:

1. A Developer who is dissatisfied with how Council has calculated the developer charge for a particular development may lodge a formal complaint to the Council.
2. The CVC General Manager is to review the complaint or cause it to be reviewed.
3. CVC is not a member of the Energy and Water Ombudsman (EWON). If the developer is not satisfied with the General Manager's response, the matter may be referred to the Ombudsman.

4. If the complaint is on technical matters or issues of interpretation of *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (NSW DPI Office of Water, 2016), the Developer may refer the complaint to NOW. NOW will respond to the complaint. Where warranted, NOW may refer the matter to the expert technical panel, which includes representatives from NOW, Independent Pricing and Regulatory Tribunal (IPART), the NSW Water Directorate, local water utilities and the development industry.
5. The Developer, if still dissatisfied, may request that the matter be reviewed by way of arbitration by an arbitrator, who is to be appointed by agreement between the Developer and the Council (The *Commercial Arbitration Act 1984* applies to any such arbitration).
6. The decision of the arbitrator is binding on both the Developer and Council.
7. Costs of the arbitration are to be borne equally by the Developer and Council.

## 3. Demographic and Land Use Planning Information

### 3.1 Growth Projections

Growth projections for population and number of water Equivalent Tenements (ETs) are shown in Table 3-1 below. These projections are from the present year (2021) to 2050 (30 years).

ET calculations are included in Section 13.

**Table 3-1 Growth Projections**

Time Period	Cumulative Equivalent Tenements (ETs)	Number of New ETs/year
2020/21	0	0
2021/22	53	53
2022/23	106	53
2023/24	159	53
2024/25	212	53
2025/26	265	53
2026/27	318	53
2027/28	371	53
2028/29	424	53
2029/30	477	53
2030/31	530	53
2031/32	583	53
2032/33	637	54
2033/34	691	54
2034/35	745	54
2035/36	799	54
2036/37	853	54
2037/38	907	54
2038/39	961	54
2039/40	1,015	54
2040/41	1,069	54
2041/42	1,123	54
2042/43	1,177	54
2043/44	1,231	54
2044/45	1,285	54
2045/46	1,339	54
2046/47	1,339	0
2047/48	1,339	0
2048/49	1,339	0
2049/50	1,339	0
2050/51	1,339	0

### 3.2 Land Use Information

This DSP should be read in conjunction with the *CVC Strategic Business Plan for Sewerage Services* (GHD, 2019), the *Clarence Valley Local Environmental Plan* (CVC, 2011) and the *WYURA Water Supply and Sewer Servicing Strategy* (HunterH2O, July 2019).

The proposed water supply ring main serving the area covered by this DSP is shown in Section 12.

## 4. Water Supply Infrastructure

This DSP levies developer charges towards the cost of providing water supply infrastructure to service new development. This infrastructure includes the value of future water supply assets serving the new development area.

Assets covered by this DSP include, but are not limited to:

As the West Yamba Water Supply Scheme will connect into the Nymboida River Water Supply Scheme, the developer charges associated with existing and proposed water supply assets in the Nymboida River Water System (detailed in the CVC Development Servicing Plan – Water Supply Services, GHD 2017) are applicable to this DSP.

Assets covered by the previous DSP include, but are not limited to:

- Distribution and Trunk Mains.
- Water Pumping Stations.
- Water Treatment Works.
- Water Reservoirs.
- Shannon Creek Dam (off creek storage).

### 4.1 Existing and Future Water Supply Services

The water supply infrastructure required to serve the area covered by this DSP is detailed in the WYURA Water Supply and Sewer Servicing Strategy (HunterH2O, July 2019) including proposed connection to the existing Nymboida River Water Supply Scheme. In summary, the proposed water supply services include:

- A ring-main (closed-loop pipe network) as shown in Figure 12-1.
- Construction is proposed to occur in stages (“initial” and “future” stages).
- Initial stages include:
  - 704 metres of DN150 watermain in Carrs Drive, to the extent shown in Figure 12-1 allowing for connection of initial lots south of Miles Street.
  - Connection to the existing DN375 watermain in Harold Tory Drive.
  - Connection to the existing DN150 watermain in Carrs Drive.
- Future stages include:
  - 1,360 metres of DN250 watermain that completes the DN250 ring main (closed-loop) system for WYURA.
  - Connection to the existing DN375 in Yamba Road as shown in Figure 12-1.

Capital works specific to this DSP (including a description and MEERA costs) are summarised in Section 15.

A schematic of the proposed West Yamba Water Scheme is presented in Figure 12-1.

### 4.2 Existing Capital Cost

The estimated Modern Engineering Equivalent Replacement Asset (MEERA) capital cost of the existing assets in the Nymboida River Water System is detailed in the CVC Development Servicing Plan – Water Supply Services, GHD 2017.

**Table 4-1 Summary of the Existing Capital Charge (from the 2017 CVC Development Servicing Plan - Water Services)**

DSP Name	Existing (2017) Capital Charge (\$ / ET)	Existing (2017) Reduction Amount (\$ / ET)	Existing (2017) Calculated Maximum Developer Charge (\$ / ET)	Existing (2017) Developer Charge Adopted for Exhibition Purposes (\$ / ET)	Existing 2020 <sup>1</sup> Developer Charge (\$/ET)
Nymboida River Water System	\$4,856	\$137	\$4,719	\$4,719	\$4,979

<sup>1</sup> This value has been taken from the CVC Adopted 2020/21 Fees and Charges, Section 7.11 (previously Section 94 contributions) Current Plans and Section 64 Contributions.

### 4.3 Future Capital Works Program

The timing and expenditure for future water supply capital works serving the area covered by this DSP and which contributed to the capital charge are provided in Section 15.

The timing and expenditure for future water supply capital works (including backlog works) in the Nymboida River Water System is detailed in the CVC Development Servicing Plan – Water Supply Services, GHD 2017.

Capital costs were estimated using the *NSW Office of Water (formerly Ministry of Energy and Utilities) NSW Reference Rates Manual Valuation of Water Supply, Sewerage and Stormwater Assets (2014)* in accordance with the requirements of the *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (NSW DPI Office of Water, 2016).

#### 4.3.1 Backlog Works

There are no Backlog works to be considered for the WYURA. Only new developments are required to pay developer charges in accordance with this DSP.

#### 4.3.2 Reticulation Works within a Development

The Developer shall be responsible for the full cost of the design and construction of water supply works within subdivisions that service only that development. The design and construction of the works shall be in accordance with Council's development specifications for water supply services.



## 5. Levels of Service

System design and operation are based on providing Council's current levels of service (LOS) as outlined below.

The water supply network is required to meet CVC's current LOS outlined in the Table 5-1. CVC are currently reviewing their LOS to ensure compliance with minimum legislative requirements outlined in the *NSW Water and Sewerage Strategic Business Planning Guidelines* (NSW Office of Water, 2011). This is discussed in detail in *CVC Strategic Business Plan – Water Supply Services* (GHD, 2017).

**Table 5-1 Current Levels of Service – Water Supply<sup>1</sup>**

Service Criteria	Service Target	Compliance Measure
Availability of supply - Connection	Provide point of connection for all allotments within defined service areas	Availability of point of connection for all allotments.
Availability of supply - Pressure	20 metres minimum	95% compliance
Availability of supply - Flow	48 litres/min 24 litres/min	85% compliance 95% compliance.
<b>Response times to supply failures</b>		
During Work Hours	2 hours from notification	95% compliance
Out of Work Hours	3 hours from notification	95% compliance
<b>Minor Problems/General Enquires</b>		
Oral	5 working days	95% compliance
Written	10 working days	95% compliance
Water Quality	NHRMC Australian Drinking Water Guidelines 2011.	95% compliance generally but 80% compliance for turbidity.
Water Restrictions	Restrictions that reduce demand by 20% being applied no more than once every 10 years for no more than 5% of the time.	Restriction history over a 10-year period.

CVC has different LOS for their raw water customers due to lack of water quality measures. These LOS are not currently being reviewed by CVC. CVC's current LOS for raw water consumers is detailed in Table 5-2.

<sup>1</sup> Hunter Water Australia, Clarence Valley Council Strategic Business Plan for Water Supply Services, 2006, page 12

**Table 5-2 Current Levels of Service – Raw Water Consumers<sup>2</sup>**

Service Criteria	Service Target Raw Water Supply
Availability of service	No new connections permitted. There are approximately 400 existing raw water consumers for which the grandfather clause applies.
Pressure	Pressure will fluctuate depending on consumption; hence a break pressure tank will be required to ensure consistent pressure.
Flow	Due to varying pressure the flow at the meter will also vary, however a minimum of 10 litres per minute will be provided wherever possible.
Response times to supply failures	Whenever a consumer is without water or damage is being caused by a leak the problem will be rectified as soon as possible, otherwise the repair will be programmed and affected customers notified prior to turning off the water.
Water Quality	NHRMC Australian Drinking Water Guidelines 2011 are not complied with.
Water Restrictions	Restrictions are applied whenever necessary

### 5.1 Further Information

Further information on standards of service is available from:

- *Clarence Valley Council Strategic Business Plan – Water Supply Services* (GHD, 2017), which is available on Council's website.
- *NSW Water and Sewerage Strategic Business Planning Guidelines* (NSW Office of Water, 2001) (available at [www.water.nsw.gov.au](http://www.water.nsw.gov.au)).

<sup>2</sup> Hunter Water Australia, Clarence Valley Council Strategic Business Plan for Water Supply Services, 2006, page 13

## 6. Design Parameters

CVC's peak planning documents include the following:

- Draft Water Supply Asset Management Plan, CVC, 2015
- Integrated Water Cycle Management Simplified Strategy, CVC, 2009
- Clarence Valley Council Water Supply Strategic Business Plan, CVC September 2017.

These documents determine the LOS for designing and delivering CVC's water supply systems.

Investigation and design of water supply system components is based on the AUSPEC *Northern Rivers Local Government Development Design and Construction Manual, Development Design Specification D11 Water Supply* (CVC et al., 2009). This refers to the following for water supply design:

- Water Supply Code of Australia, Water Services Association of Australia (WSAA) 2002.

### 6.1 Planning and Design Parameters

The major components of the water supply network were planned according to the following:

- Regional Water Supply Strategy, Lower Clarence Country Council, 1997.
- WYURA Water Supply and Sewer Servicing Strategy, HunterH2O, July 2019.

## 7. Calculated Developer Charges

Developer charges are up-front charges used to recover infrastructure costs incurred through the provision of services to new developments and service changes to existing developed areas. Developer charges are comprised of the following components:

- Capital charge – the cost of providing the asset, and;
- Reduction amount – the cost recovered through annual charges.

The relationship between these components is as follows:

$$\text{Developer Charge} = \text{Capital Charge} - \text{Reduction Amount}$$

### 7.1 Summary

As the proposed ring main services all developments in the WYURA, development charges are to be paid as a proportion of ETs serviced by the new pipework, i.e. if a developer contributes 10% of the total ET load, they will contribute the equivalent of 10% of the costs associated with construction costs of the new pipes servicing the WYURA.

The developer charges for the area covered by this DSP are as follows:

**Table 7-1 Summary of Developer Charges**

DSP Name / Area	Capital Charge (\$ / ET)	Reduction Amount (\$ / ET)	Calculated Maximum Developer Charge (\$ / ET)	Developer Charge Adopted for Exhibition Purposes (\$ / ET)
West Yamba Water Supply Scheme	\$5,697	\$0 <sup>1</sup>	\$5,697	\$5,697

<sup>1</sup> The reduction amount for this DSP was excluded from this developer charge. This is because the existing developer charge from the *2017 CVC DSP Water Services* report included a reduction amount for Yamba (inclusive of West Yamba).

These amounts have been calculated on the basis of Section 7.2 to Section 7.6 below. Background information containing all the critical data including calculation models behind this DSP is available from Council's offices by appointment. To review these documents, please contact Council on (02) 6643 0200.

### 7.2 Equivalent Tenements (ETs)

The basis of future development in WYURA has been adopted from the WYURAWater Supply and Sewer Servicing Strategy, HunterH2O, July 2019.

Actual populations will be subject to the ultimate Council Development Approval.

ET projections are shown in Section 3.1. ET calculation details are shown in Section 13.

### 7.3 Capital Charge

The capital charge for the service area covered by this DSP has been calculated using the net present value (NPV) spreadsheet method.

Under the NPV spreadsheet method, the capital cost of relevant assets and projected ET's served in the service area are identified. These capital costs represent only the share of the asset capacity used by the service area. The present value (PV) of capital cost and the PV of

new ETs are calculated. The capital charge per ET is the PV of the capital cost divided by the PV of new ETs.

The calculation of the capital charge is summarised in tables presented in Section 13. A summary of the capital charge calculations prior to any agglomeration or cross-subsidy is shown in Table 7-2 below.

**Table 7-2 Capital Charge Calculation**

DSP Name / Area	PV of New ETs for pre-1996 assets @ 3%	PV of New ETs for post-1996 assets @ 5%	PV of capital cost from pre-1996 assets @ 3%	PV of capital cost from post-1996 assets @ 5%	Capital charge for pre-1996 assets (\$ / ET)	Capital charge for post-1996 assets (\$ / ET)	Capital charge per ET (\$ / ET)
West Yamba Water Supply Scheme	N/A	791	N/A	\$567,624	N/A	\$718	\$718
Nymboida River Water System <sup>1</sup>	N/A	N/A	N/A	N/A	N/A	N/A	\$4,979 <sup>2</sup>
<b>Total:</b>							<b>\$5,697</b>

<sup>1</sup> As noted in Section 4, key works included in the capital charge calculated for the Nymboida River Water System in the CVC Water Services DSP will support developments in the West Yamba Urban Release area, therefore this component of the capital charge has not been recalculated for this DSP.

<sup>2</sup> This value has been taken from the CVC Adopted 2020/21 Fees and Charges, Section 7.11 (previously Section 94 contributions) Current Plans and Section 64 Contributions.

## 7.4 DSP Areas

The 2016 *Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (NSW DPI Office of Water 2016) permit the agglomeration of service areas into DSP areas which have capital charges that are within 30% of each other. Agglomeration is intended to minimise the number of different developer charges within the LGA.

As there is only one service area being considered no agglomeration was undertaken.

## 7.5 Reduction Amount

The reduction amount is defined as the NPV of the future net income expected from providing water-related services to the new residents in the DSP area.

The previous CVC Water Services DSP (GHD, 2017) included the WYURA, and the key works used in the existing developer charge for the Nymboida River Water System which will support future development within the WYURA. The existing developer charge has therefore been added to the new capital charge calculated in this DSP (which is for works specific to the WYURA only). As the existing developer charge already incorporates a reduction amount into its final developer charge calculation, no further reduction amount is applicable for the works in this DSP.

## **7.6 Cross-subsidy**

In accordance with *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (NSW DPI Office of Water 2016), a utility may elect to levy less than the calculated developer charge.

The cross-subsidy is the percentage difference between the annual bill with the calculated maximum developer charge and the proposed lower developer charge.

No cross-subsidy has been applied as part of the considerations for the development areas in this DSP.

## **8. Reviewing / Updating of Calculated Developer Charges**

In line with the *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (NSW DPI Office of Water 2016) the developer charges relating to this DSP will be reviewed after a period of 4 to 8 years from the implementation of this plan, concurrently with the review of the CVC Development Servicing Plan – Water Supply Services, GHD, 2017. If the review indicates that the developer charges in this DSP are still applicable this DSP will apply for a further five years once the Council releases a public notice to this effect. However, if the developer charges in this DSP are found to no longer apply and it is believed that a new DSP is warranted, a new DSP shall be prepared, audited, exhibited and registered.

If a major change occurs, such as a requirement for significant capital works, which was not considered in the DSP, Council may carry out a review in less than 4 years, subject to NOW approval. If the review identifies that a new DSP is required, the new DSP must to be prepared, audited, exhibited and registered.

In the period between any review, developer charges will be adjusted annually on 1 July on the basis of movements in the Consumer Price Index (CPI) for Sydney, in the preceding 12 months to December, excluding the impact of Goods and Services Tax (GST).



## 9. Background Information

Background information and calculations relating to this DSP are contained in the following documents:

1. West Yamba Urban Release Area Water Supply and Sewer Servicing Strategy, HunterH2O, July 2019.
2. 2011 Australian Census, Australian Bureau of Statistics, 2011
3. Clarence Valley Local Environmental Plan, CVC, 2011
4. Northern Rivers Local Government Development Design and Construction Manual, Development Design Specification D11 Water Supply, CVC, et. al, 2009
5. Clarence Valley Council Sewerage Water Supply Business Plan, GHD, 2016
6. Clarence Valley Council Development Servicing Plans for Water Supply Services, Hunter Water Australia, 2005
7. Clarence Valley Council Water Supply Strategic Business Plan, GHD, September 2017.
8. 2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater, NSW Department of Primary Industries Office of Water, 2016
9. NSW Reference Rates Manual – Valuation of Water Supply, Sewerage and Stormwater Assets, NSW Government Office of Water, Ministry of Energy and Utilities, 2003 with amendments in 2010
10. NSW Water and Sewerage Strategic Business Planning Guidelines. NSW Office of Water, 2011
11. Section 64 Determinations of Equivalent Tenements Guidelines, Water Directorate, May 2009 Addendum
12. Water Supply Code of Australia, Water Services Association of Australia, 2002
13. Regional Water Supply Strategy, Lower Clarence Country Council, 1997
14. Excel spreadsheets used in calculating developer charges

All other documents can be reviewed in Council's offices by appointment. To review the documents, please contact Council on (02) 6643 0200.

## **10. Other DSPs and Related Contribution Plans**

Other DSP's and related plans include:

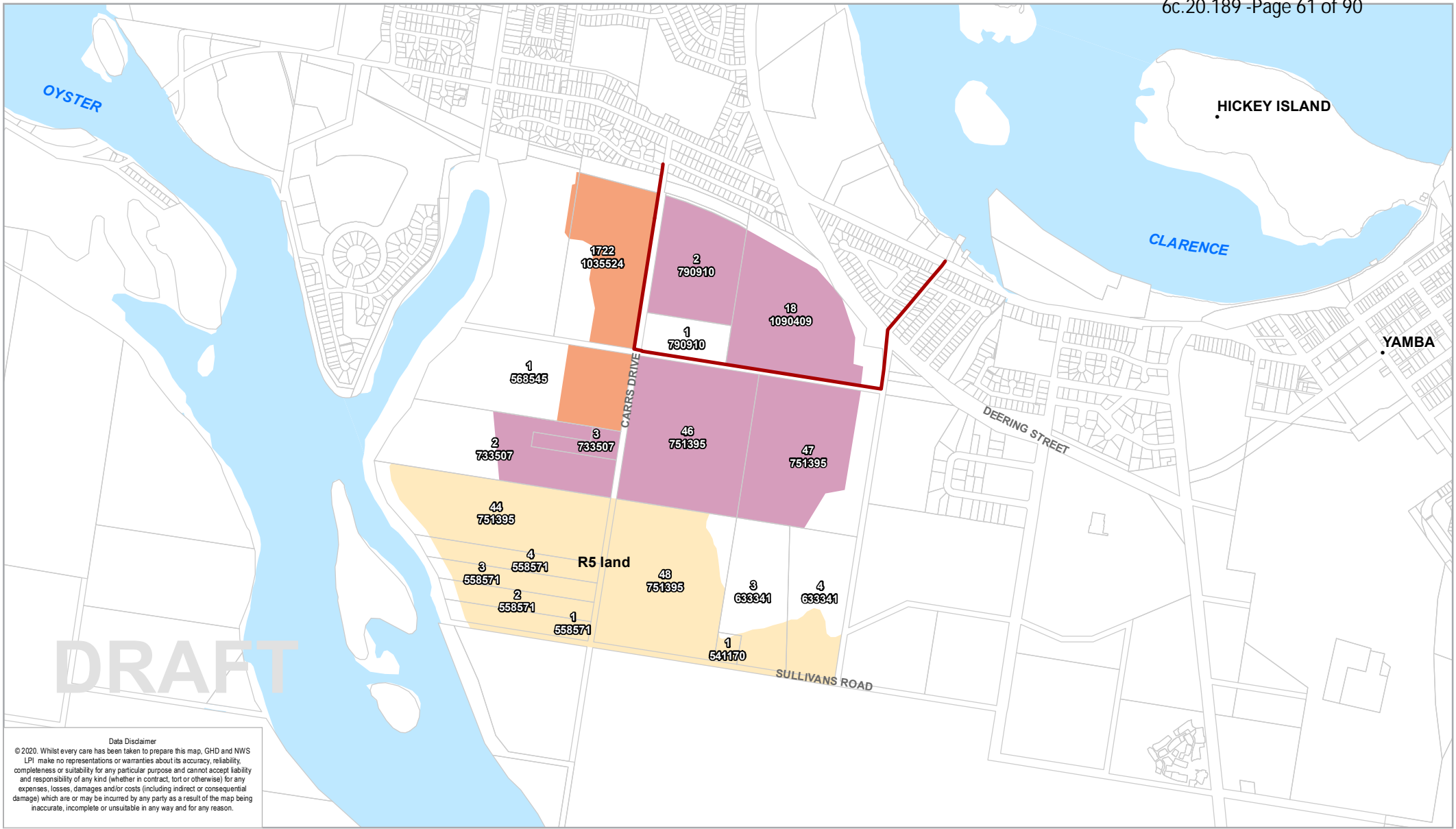
- Clarence Valley Council West Yamba Development Servicing Plan – Sewerage Services, GHD, 2020.
- Clarence Valley Council Development Servicing Plan – Water Supply Services, GHD, 2017.
- Clarence Valley Council Development Servicing Plan – Sewerage Services, GHD, 2016.

CVC also levies developer contributions for various public amenities under Section 94 of the *Environmental Planning and Assessment Act, 1979*.

# 11. Glossary

Capital Cost	The Present Value (MEERA basis) of assessment used to service the development.
Capital Charge	The capital cost per ET.
CPI	Consumer Price Index
CVC	Clarence Valley Council
Developer Charge	A charge levied on Developers to recover part of the capital cost incurred in providing infrastructure to a new development.
Discount Rate	The rate used to calculate the present value of money arising in the future.
DSP	Developer Servicing Plan
DCP	Development Control Plan
ET	Equivalent Tenement
et al.	et alia
EWON	Energy and Water Ombudsman
FU	Fixture Unit
GST	Goods and Services Tax
i.e.	id est
IPART	Independent Pricing and Regulatory Tribunal
LEP	Local Environmental Plan
LGA	Local Government Area
LOS	Level of Service
MEERA	Modern Equivalent Engineering Replacement Asset
ML	Megalitre
ML/day	Megalitre per day
NHRMC	National Health and Medical Research Council
NPV	Net Present Value
NSW	New South Wales
NSW DPI	NSE Department of Primary Industries
OMA	Operation, maintenance and administration (cost)
Post 1996 Asset	An Asset that was commissioned by a water utility on or after 1 January 1996 or that is yet to be commissioned
Pre-1996 Asset	An Asset that was commissioned by a water utility before 1 January 1996
PV	Present Value. The value now of money, or ETs, in the future.
Reduction Amount	The amount by which the capital charge is reduced to arrive at the developer charge. The amount reflects the present value of the capital contributions that will be paid by the occupier of a development as part of future annual charges.
RWSS	Regional Water Supply Scheme

Service Area	An area served by a separate water supply system, an area served by a separate sewerage treatment works, a separate small town or village, or a new development of over 500 lots.
WICA	Water Industry Competition Act
WSAA	Water Services Association of Australia

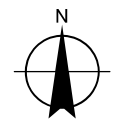
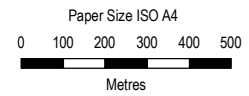


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**Legend**

- Place names
- Proposed watermains
- Initial stages
- Future stages
- R5 land
- Waterways
- Cadastre



Map Projection: Transverse Mercator  
 Horizontal Datum: GDA 1994  
 Grid: GDA 1994 MGA Zone 56

**Clarence Valley Council  
 Sewer and Water Development  
 Servicing Plan Update (DSP)**

Project No. **12528667**  
 Revision No. **B**  
 Date **8/07/2020**

**West Yamba Development Servicing  
 Plan Areas – Water Overview**

**FIGURE 1**

# 13. ET Projections

## 13.1 ET Projection Calculations

The basis of future development in WYURA has been adopted from the WYURA Water Supply and Sewer Servicing Strategy, by HunterH2O, July 2019. As such, the projected number of ETs is in accordance with the servicing strategy.

**Table 13-1 ET Projections**

DSP Name / Area	Stage / Development Area	Proposed number of Lots	Calculated ETs <sup>1</sup>
West Yamba Water Supply Scheme	Carrs Drive Stage 1	57	57
	Carrs Drive Stage 2	54	54
	Carrs Drive Stage 3	50	50
	Land south of Miles Street <sup>2</sup>	200	120
	<b>All initial stages</b>	<b>361</b>	<b>281</b>
	NE1 subsystem	170	170
	NE2 subsystem	256	256
	SE subsystem	480	480
	SW subsystem	110	110
	<b>All future stages</b>	<b>1,016</b>	<b>1,016</b>
	R5 land <sup>3</sup>	42 <sup>4</sup>	42 <sup>4</sup>
	<b>Total</b>	<b>1,419</b>	<b>1,339</b>

<sup>1</sup> For the development areas north of Miles Street (Carrs Drive stage 1, 2, and 3), 1 ET per lot is assumed for water planning purposes. This is based on 3-4 bedroom dwelling per lot (which is considered appropriate for the 450 to 560 sqm lot sizes).

<sup>2</sup> Council advised HunterH2O in February 2018 that the land south of Miles Street could adopt a 0.6 ET per lot rate for water planning purposes. This rate is based on 2-bedroom dwellings per lot.

<sup>3</sup> It is noted that the contribution from the R5 land area development has been considered for the water DSP only, as per CVC advice.

<sup>4</sup> The proposed number of lots in the R5 area has been revised down from the 104 lots listed in the WYURA Water Supply and Sewer Servicing Strategy (HunterH2O, 2019) to 62 lots, as per CVC advice. In addition, 20 lots have already paid contributions and/or been developed. As such, 42 lots remain for incorporation into this DSP.

### 13.1.1 Background

Background information provided to inform the population projection calculations included the following:

- West Yamba Urban Release Area Water Supply and Sewer Servicing Strategy (HunterH2O, 2019).

### 13.1.2 Assumptions

The following assumptions were made to produce the growth projections:

- Complete development within 25 years (2021 to 2046).
- A linear growth rate over the period.

A summary of the growth projections is provided in Table 13-2.

**Table 13-2 Growth Projections**

Time Period	Equivalent Tenements (ETs)	Number of New ETs/year
2020/21	0	0
2021/22	53	53
2022/23	106	53
2023/24	159	53
2024/25	212	53
2025/26	265	53
2026/27	318	53
2027/28	371	53
2028/29	424	53
2029/30	477	53
2030/31	530	53
2031/32	583	53
2032/33	637	54
2033/34	691	54
2034/35	745	54
2035/36	799	54
2036/37	853	54
2037/38	907	54
2038/39	961	54
2039/40	1,015	54
2040/41	1,069	54
2041/42	1,123	54
2042/43	1,177	54
2043/44	1,231	54
2044/45	1,285	54
2045/46	1,339	54
2046/47	1,339	0
2047/48	1,339	0
2048/49	1,339	0
2049/50	1,339	0
2050/51	1,339	0



## 14. Existing Capital Costs

A summary of assets and MEERA values is included in the CVC Development Servicing Plan – Water Supply Services, GHD, 2017. Below is a summary of the existing water costs for the Nymboida River Water System.

**Table 14-1 Summary of the Existing Capital Charge (from the CVC Development Servicing Plan - Water Servicest, GHD 2017)**

DSP Name	Existing (2017) Capital Charge (\$ / ET)	Existing (2017) Reduction Amount (\$ / ET)	Existing (2017) Calculated Maximum Developer Charge (\$ / ET)	Existing (2017) Developer Charge Adopted for Exhibition Purposes (\$ / ET)	Existing 2020 <sup>1</sup> Developer Charge (\$/ET)
Nymboida River Water System	\$4,856	\$137	\$4,719	\$4,719	\$4,979

<sup>1</sup> This value has been taken from the CVC Adopted 2020/21 Fees and Charges, Section 7.11 (previously Section 94 contributions) Current Plans and Section 64 Contributions.

## 15. Future Capital Works Program

Future capital works including a description, construction year and MEERA costs are included in the CVC Development Servicing Plan – Water Supply Services, GHD, 2017 and Table 15-1 below.

**Table 15-1 Future Water Supply Scheme Capital Expenditure (contributing to Capital Charge)**

Amenity	Asset Name	DSP Name / Area	Stage / Development Area	Construction Year	Gross (2020/21\$)	Capital Charge (2021\$)
New System Asset	704 metres of DN150 ring main (initial stages)	West Yamba Water Supply Scheme	Initial stages / All	2021 - 2023	\$230,610	\$230,610
New System Asset	1,360 metres of DN250 ring main (future stages)	West Yamba Water Supply Scheme	Future stages / All	2026 - 2028	\$451,309	\$451,309
<b>Total:</b>					<b>\$681,919</b>	<b>\$681,919</b>

## **16. Calculation of Capital Charge**

A summary of the calculated capital charge per ET for DSP Area: West Yamba Water Supply Scheme is provided in

Table 16-2.

**Table 16-1 Capital Charge Net Present Value, Summary of Calculations**

Year Number	Year	Estimated Expenditure	PV factor (@5%)	PV of Capital Expenditure (@5%)	New ETs per year	PV of New ETs (@5%)	Capital Charge
1	2021/2022	\$65,860	1	\$65,860	53	53	
2	2022/2023	\$164,750	0.95	\$156,512	53	50	
3	2023/2024		0.91	\$-	53	48	
4	2024/2025		0.86	\$-	53	46	
5	2025/2026		0.82	\$-	53	43	
6	2026/2027	\$225,654	0.78	\$176,010	53	41	
7	2027/2028	\$225,654	0.75	\$169,241	53	40	
8	2028/2029		0.71	\$-	53	38	
9	2029/2030		0.68	\$-	53	36	
10	2030/2031		0.64	\$-	53	34	
11	2031/2032		0.61	\$-	53	32	
12	2032/2033		0.58	\$-	54	31	
13	2033/2034		0.56	\$-	54	30	
14	2034/2035		0.53	\$-	54	29	
15	2035/2036		0.51	\$-	54	28	
16	2036/2037		0.48	\$-	54	26	
17	2037/2038		0.46	\$-	54	25	
18	2038/2039		0.44	\$-	54	24	
19	2039/2040		0.42	\$-	54	23	
20	2040/2041		0.4	\$-	54	22	
21	2041/2042		0.38	\$-	54	21	
22	2042/2043		0.36	\$-	54	19	
23	2043/2044		0.34	\$-	54	18	
24	2044/2045		0.33	\$-	54	18	
25	2045/2046		0.31	\$-	54	17	
26	2046/2047	\$-	0.3	\$-	0	0	
27	2047/2048	\$-	0.28	\$-	0	0	
28	2048/2049	\$-	0.27	\$-	0	0	
29	2049/2050	\$-	0.26	\$-	0	0	
30	2050/2051	\$-	0.24	\$-	0	0	
End		\$681,919		\$567,624	1,339	791	\$718

**Table 16-2 Capital Charge per ET, Summary of Calculations**

DSP Area	Future Works (\$/ET)	Existing Works (\$/ET)		Total Capital Cost per ET (\$/ET)
		Pre-1996	Post-1996	
West Yamba Water Supply Scheme	\$718	-	-	\$718
Nymboida River Water System <sup>1</sup>				4,979 <sup>2</sup>
<b>Total:</b>				<b>\$5,697</b>

<sup>1</sup> As noted in Section 4, key works contributing to the capital charge calculated for the Nymboida River Water System in the CVC Water Services DSP will support developments in the West Yamba Urban Release area, therefore this component of the capital charge has not been recalculated for this DSP

<sup>2</sup> This value has been taken from the CVC Adopted 2020/21 Fees and Charges, Section 7.11 (previously Section 94 contributions) Current Plans and Section 64 Contributions.

## **17. Calculation of the Reduction Amount**

As discussed in section 7.5 no reduction amount was calculated for this DSP.

## **18. Cross-subsidy Calculations**

No cross-subsidy has been applied to the DSP areas in this DSP.



## 19. Calculation of Developer Charge

The calculation of developer charges per ET is summarised in Table 19-1.

**Table 19-1 Developer Charge per ET, Summary of Calculations**

DSP Name / Area	Capital Charge for DSP Area (\$/ET)	Reduction Amount (\$/ET)	Calculated Developer Charge (\$/ET)
West Yamba Water Supply Scheme	\$5,697	\$0	\$5,697



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[https://projectsportal.ghd.com/sites/pp14\\_05/sewerandwaterdevelop/ProjectDocs/12528667\\_CVC Water DSP Update.docx](https://projectsportal.ghd.com/sites/pp14_05/sewerandwaterdevelop/ProjectDocs/12528667_CVC%20Water%20DSP%20Update.docx)

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# DSP Audit

## West Yamba Water and Sewer DSP

360847



Prepared for  
Clarence Valley Council

9 September 2020

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Our report is based on information made available by the client. The validity and comprehensiveness of supplied information has not been independently verified and, for the purposes of this report, it is assumed that the information provided to Cardno is both complete and accurate. Whilst, to the best of our knowledge, the information contained in this report is accurate at the date of issue, changes may occur to the site conditions, the site context or the applicable planning framework. This report should not be used after any such changes without consulting the provider of the report or a suitably qualified person.

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# 1 Introduction

## 1.1 Clarence Valley Council Development Servicing Plans

Clarence Valley Council (Council) has drafted development servicing plans (DSP) for water and sewerage in West Yamba, a new urban release area (URA). These DSPs for West Yamba are supplementary to the existing DSPs (Water 2017 and Sewer 2016) that cover the remainder of the Clarence Valley LGA. At the time of preparing the existing DSPs, there was insufficient information to adequately adhere to the requirements of the *Guidelines* and West Yamba was specifically excluded. Council have now developed the strategy for the URA and prepared the draft DSPs specifically for West Yamba.

This audit report reviews the West Yamba DSPs and all references to “the DSPs”, “draft DSPs” or similar means the draft West Yamba DSPs that are the subject of this audit. Any reference to the “existing DSPs” means the DSP documents adopted in 2017 for Water and 2016 for sewer that cover the Clarence Valley LGA.

The draft DSPs were prepared in accordance with the New South Wales Department of Primary Industries (NSW DPI) *Water 2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater (Guidelines)* issued by the Minister for Lands and Water, pursuant to section 306 (3) of the *Water Management Act, 2000*.

The water supply and sewerage developer charges calculated in the draft DSP documents are show in Table 1-1.

Table 1-1 Summary of Proposed Developer Charges

System	DSP Area	Service Area	Maximum Calculated Developer Charge	Adopted Developer Charge
Water	West Yamba Water Supply Scheme	West Yamba Urban Release Area	\$5,679	\$5,679
Sewer	West Yamba Sewerage Scheme	West Yamba Urban Release Area	\$13,472.70	\$13,472.70

These calculated developer charges, as presented in the draft DSPs, are subject to the findings and recommendations of this audit and final approval and registration with DPI Water.

The DSPs and subsequent developer charges calculations will be reviewed and revised by Council after a period of four to eight years. In the period between any reviews, developer charges will be adjusted annually by council on the basis of the movements in the CPI for Sydney, excluding the impacts of GST.

## 1.2 Purpose of Audit

Cardno was engaged by Clarence Valley Council to undertake an independent audit of its final draft DSPs:

- > West Yamba Development Servicing Plans Water Supply Services 2020
- > West Yamba Development Servicing Plan Sewerage Services 2020

It is a requirement under the *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater (Guidelines)* that a DSP is subject to independent audit to confirm that the utility has addressed the matters in Appendix D of the *Guidelines*. The purpose of this audit report is to fulfil this requirement.

## 1.3 Scope of Works

The scope of the audit report is defined by the *2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater*. The purpose of this report is to complete the independent audit stage of the DSP document process in order to ensure that the DSP addresses the matters set out in the checklist in Appendix D of the guideline.

The scope specifically requires checks that the draft DSP:

- > Correctly states the basis and drivers for the charges
- > Includes the entirety of the service areas for each specific asset type

- > Appropriately references planning documents and the council's/utility's standards, such as levels of service and design parameters
- > Correctly forecasts growth, in terms of equivalent tenements, within each specified asset type
- > Is consistent with the capital investment recommendations in technical studies
- > Correctly attributes capital values to existing and future assets
- > Correctly calculates and applies reduction amounts, which represent capital cost that the council expects to recover from the periodic billing of the new customers
- > Correctly calculates and presents developer charges for each asset type
- > Is formatted and presented in accordance with *The Guidelines*.

## 2 Methodology

### 2.1 Approach to Audit

The independent audit of Clarence Valley Council's DSP has been undertaken in accordance with the *Guidelines* and the associated checklist.

We have undertaken the following activities to complete this audit:

- > Commencement meeting with Clarence Valley Council
- > Initial document request and review of background information
- > Draft assessment against checklist
- > Provide to Council a list of queries to address and further information requests
- > Complete assessment and prepare Draft audit report
- > Final audit report.

The audit checklist and auditor's observations are provided in Table 3-1, with detailed commentary, and a summary of the improvement recommendations provided in Section 4.

### 2.2 Document Register

A list of the documents received throughout the audit process is provided in this section.

#### 2.2.1 West Yamba Development Servicing Plans Water Supply Services

- > Report: 12528667\_CVC DSP\_West Yamba\_Water\_R0
- > Calculations: 12528667\_CAL\_West Yamba Costing.xls
- > Background Information:
  - Water\_AMP\_V6
  - Clarence\_Valley\_Council\_Water\_Supply\_SBP\_Revision\_0
  - Clarence Valley Council Development Servicing Plans Water Supply Services 2016

#### 2.2.2 West Yamba Development Servicing Plan Sewerage Services 2020

- > Report: 12528667\_CVC DSP\_West Yamba\_Sewer\_R0
- > Calculations: 12528667\_CAL\_West Yamba Costing.xls
- > Background Information:
  - Sewer\_AMP\_V6
  - Clarence\_Valley\_Council\_Sewerage\_SBP\_Revision\_0
  - Clarence Valley Council Development Servicing Plans Sewerage Services 2017

#### 2.2.3 Other information

- > CVC\_IWCM\_Concept\_Study\_REV\_2
- > IWCM\_Simplified\_Strategy\_Adopted\_April\_2009
- > West Yamba Servicing Strategy (Revised Final v2)
- > Report 6a.20.024 - 28 July 2020
- > Report 6b.20.029 - 28 April 2020

### 3 Audit Findings

Our detailed audit findings are set out in Table 3-1.

Table 3-1 Detailed Audit Findings

Ref	Scope	Assessment criteria	Evidence Reviewed (For Water and Sewerage DSP's, unless noted otherwise)	Observations	Recommendations
2	Summary	A. Includes statements relating to the legal basis and driver for the DSP document.	Draft DSP's – Executive Summary	<ul style="list-style-type: none"> <li>Legal basis and drivers are included.</li> </ul>	
		B. Includes the DSP areas covered and the levels of service (LOS) and summary of the total asset management plan (TAMP) associated with each DSP area for each service (e.g. water supply or sewerage).	Draft DSP's – Executive Summary	<ul style="list-style-type: none"> <li>DSP areas covered, LOS and reference to the equivalent of the TAMP are included.</li> </ul>	
		C. Includes a summary table showing the proposed developer charges and any cross-subsidy (resulting in an increase in the Typical Residential Bill (TRB)) for each service in each DSP area.	Draft DSP's – Executive Summary	<ul style="list-style-type: none"> <li>Table of new developer charges are included.</li> </ul>	
		D. Includes a statement that the DSP document will be reviewed after a period of 4 to 8 years in accordance with DPI Guideline.	Draft DSP's – Executive Summary	<ul style="list-style-type: none"> <li>A statement that the "DSP will be reviewed after eight years unless required otherwise" is included.</li> </ul>	
3	Introduction / Administration	A. Includes the 5 paragraphs from the Model DSP document (Appendix E, page 103 of DPI Guideline).	Draft DSP's – Section 1 Introduction	<ul style="list-style-type: none"> <li>The 5 paragraphs from the model DSP in <i>The Guidelines</i> are included.</li> </ul>	
		B. Includes the time limit for payment in any developer charges determination or advice provided to developers in accordance with Section 2.5, page 9 of DPI Guideline.	Draft DSP's – Section 2 Administration	<ul style="list-style-type: none"> <li>Time limits for payment of the developer charges are included in Section 2.3 in both documents</li> </ul>	
		C. Includes a statement to indicate whether the LWU is a member of the Electricity and Water Ombudsman (EWON) (page 11 of DPI Guideline).	Draft DSP's – Section 2 Administration	<ul style="list-style-type: none"> <li>Section 2.8 in both documents states that Council is not a member of EWON.</li> </ul>	
4	Service Areas	A. Check if service areas within the entire area of operation have been correctly identified <sup>1</sup> . A service area typically comprises the area serviced by a separate water supply system, sewage treatment works, small towns/ villages or a new development area of greater than 500 lots (Section 3.2, page 15 and Section 5, pages 42-46 of DPI Guideline).	Draft DSP's – Section 12 Plans	<ul style="list-style-type: none"> <li>Service areas identified are consistent between table and maps</li> <li>Map shows the service area boundaries for water and sewer in each document.</li> </ul>	
		B. Includes the basis for defining the service area boundaries. The basis/reason could be included as a note on each service area map.	Draft DSP's – Section 4, Section 7.1. Section 8	<ul style="list-style-type: none"> <li>Table 2-1 in each DSP identifies the areas and the associated schemes.</li> <li>The basis for determining the service areas is included in both Section 4 and Section 7.1 of both documents</li> </ul>	
		C. Includes a map or aerial image of the service areas in Appendix E, Section 13, page 117 of DPI Guideline.	Draft DSP's – Section 12 Plans	<ul style="list-style-type: none"> <li>Maps of the service areas are provided in section 12 in the respective documents.</li> </ul>	
<p><i>Common errors include:</i></p> <ul style="list-style-type: none"> <li>Too many service areas.</li> <li>Parts of the town are not covered by a service area.</li> </ul>					
5	Levels of Service (LOS)	A. Includes the key LOS from the later of your LWU's 30-year IWCM strategy and 30-year Strategic Business Plan (SBP) <sup>16</sup> .	Draft DSP's – Section 5 Water Supply Strategic Business Plan Report 2017 Sewerage Strategic Business Plan Report 2018	<ul style="list-style-type: none"> <li>LOS are shown in Section 5 of each DSP. They correspond to the SPB.</li> </ul>	

<sup>1</sup> Refer to the later of your LWU's 30-year IWCM Strategy or SBP, in accordance with page 13 of the 2016 Guidelines. LWUs should remain cognisant of 'demand risk' (Item 5C on page 6 of the Strategic Business Planning Check List, Reference 11).

Ref	Scope	Assessment criteria	Evidence Reviewed (For Water and Sewerage DSP's, unless noted otherwise)	Observations	Recommendations
		B. Community consultation is essential on the proposed levels of service* (LOS) in order to negotiate an appropriate balance between LOS and the resulting Typical Residential Bill (section 12.4 on page 85 of Reference 3). Refer also to Item 4 on page 5 of SBP Check List, DPI Guideline 1. - * As noted in section 7.2 on page 35 of Reference 3, LOS refer only to operational levels of service such as aesthetic drinking water quality (e.g. colour – refer to section 12.1 on page 81 of Reference 3), water pressure, response times etc. Regulatory requirements such as complying with your utility's water extraction license, sewerage system license and dam safety and workplace health and safety requirements cannot be negotiated down by a water utility. Similarly utilities must meet the health related aspects of the Australian Drinking Water Guidelines 2015 (ADWG) such as microbiological and chemical water quality compliance (refer to section 7.1.1 on page 31 of Reference 3).	Draft DSP's – Section 5 Water Supply Strategic Business Plan Report 2017 Sewerage Strategic Business Plan Report 2018	<ul style="list-style-type: none"> <li>Both DSP's make no reference to community consultation in regards to developing the proposed levels of service.</li> <li>Both SPB's state that "No specific community consultation has been undertaken to determine the current level of satisfaction or specific expectations in regards to current LOS."</li> <li>Due to survey results and lack of issues raised by the community CVC has interpreted that residents are satisfied with the service currently being delivered.</li> <li>CVC's Water and Sewerage AMP's have been prepared to facilitate community consultation.</li> </ul>	[Note] Community consultation should be undertaken in regard to LoS. A revision of the AMPs often provides the most appropriate forum.
6	Design Parameters	A. Includes reference to the adopted 30-year Total Asset Management Plan (TAMP) and financial plan in the later of your LWU's 30-year IWCM strategy and 30-year SBP16.	Draft DSP's – Section 6	<ul style="list-style-type: none"> <li>Section 6 of each document refers to AMP's (2015), IWCM's (2007) and SPB's (2017)</li> </ul>	
		B. Includes reference to specific technical manuals, standards, etc. used in the sizing, design & construction of water supply and sewerage system components. These documents provide the minimum requirement guidance for cost estimation.	Draft DSP's – Section 6	<ul style="list-style-type: none"> <li>Section 6 of each document references the appropriate technical manuals, standards and codes.</li> </ul>	
		<b>For each water supply service area establish the following:</b>			
7	Service Area Equivalent Tenement Projection	A. The number of equivalent tenements <sup>2</sup> (ETs) serviced by the existing assets in 1996 and at present.	Draft water DSP – Section 3 and Table 3-1, Section 13	<ul style="list-style-type: none"> <li>Table 3-1 in both DSP's provides the ET forecast and the current day value.</li> </ul>	
		B. The 30-year projection of equivalent tenements <sup>3</sup> (ETs).	Draft Water DSP – Section 3 and Table 3-1, Section 13 WYURA Water Supply and Sewer Servicing Strategy (by HunterH2O)	<ul style="list-style-type: none"> <li>Table 3-1 in the Water DSP provides the ET forecast, including the 30-year forecast.</li> <li>No calculations evident, DSP states that the basis of future development has been adopted from the water supply and sewer servicing strategy by HunterH2O</li> <li>1ET per dwelling as per standard residential lots; except for land south of Miles Street where a value of 0.6ET has been applied as per 2-bedroom units</li> <li>Assumes linear growth in population and complete development within 25 years</li> </ul>	<ol style="list-style-type: none"> <li>1. Include a statement in Section 13 to explain the justification for the assumption of 1 ET per dwelling for West Yamba</li> <li>2. Include a statement in Section 13 to explain the justification for using a different value of ET per dwelling south of Miles street</li> </ol>
		<b>For each sewerage service area establish the following:</b>			
		C. The number of equivalent tenements <sup>4</sup> (ETs) serviced by the existing assets in 1996 and at present.	Draft Sewer DSP – Section 3 and Table 3-1, Section 13	<ul style="list-style-type: none"> <li>Table 3-1 in both DSP's provides the ET forecast and the current day value.</li> </ul>	
		D. The 30-year projection of equivalent tenements <sup>5</sup> (ETs).	Draft Sewer DSP – Section 3 and Table 3-1, Section 13 WYURA Water Supply and Sewer Servicing Strategy (by HunterH2O)	<ul style="list-style-type: none"> <li>Table 3-1 in the Sewerage DSP provides the ET forecast, including 30-year forecast.</li> <li>No calculations evident, DSP states that the basis of future development has been adopted from the water supply and sewer servicing strategy by HunterH2O</li> <li>1ET per dwelling as per standard residential lots</li> </ul>	<ul style="list-style-type: none"> <li>As per Action 1 and 2 above.</li> </ul>

<sup>2</sup> Refer to pages 13 & 15 of Reference 1. In the absence of a better data set, this could be calculated using the adopted LOS for the average annual volume of water to be supplied for a single residential dwelling. You should also have regard to the average annual residential water supplied per connected property over the last 10 years shown in your utility's latest TBL Performance Report (page 125 of Reference 1).

<sup>3</sup> Refer to the later of your LWU's 30-year IWCM Strategy or 30-year SBP, in accordance with page 13 of the 2016 Guidelines for the growth in ET numbers.

<sup>4</sup> Refer to pages 14 & 17 of Reference 1. In the absence of a better data set, this could be calculated using the adopted LOS for average dry weather flow for a single residential dwelling.

<sup>5</sup> Refer to the later of your LWU's 30-year IWCM Strategy and 30-year SBP, in accordance with page 13 of the 2016 Guidelines for the growth in ET numbers.

Ref	Scope	Assessment criteria	Evidence Reviewed (For Water and Sewerage DSP's, unless noted otherwise)	Observations	Recommendations
				<ul style="list-style-type: none"> <li>except for land south of Miles Street where a value of 0.75ET has been applied as per 2-bedroom units</li> <li>Assumes linear growth in population and complete development within 25 years</li> </ul>	
		<b>For assets used in the capital charge calculation ensure the capital charge:</b>			
8	Service Area Capital Charge Calculation	A. Includes the existing and future assets required to serve a service area (page 22 of DPI Guideline). Future assets required within 10 years of the commencement of the DSP document must be shown and discussed in your LWU's TAMP in order to be included in the DSP document (page 23 of DPI Guideline).	Draft DSP's – Section 4.2 Water Supply Strategic Business Plan Report 2017 Sewerage Strategic Business Plan Report 2018 WYURA Water Supply and Sewer Servicing Strategy (by HunterH2O)	<ul style="list-style-type: none"> <li>Section 4.1 of each DSP provide a summary of the existing and future water and sewer assets.</li> <li>Future assets are shown and discussed in the relevant accompanying documentation as referenced.</li> <li>Section 4.2 and Section 14 in both documents refers the reader to a separate document for the existing assets. A summary of the existing capital costs should be shown for readability and to conform with the <i>Guidelines</i>.</li> </ul>	3. Add a summary of existing capital costs to Sections 4.2 and 14 in both documents.
		B. Includes future assets beyond 10 years provided the LWU has demonstrated a nexus between the relevant future assets and the development, and the LWU has detailed plans for construction of the assets.	12528667_CAL_West Yamba Costing.xls	<ul style="list-style-type: none"> <li>No future assets beyond 10 years are included.</li> </ul>	
		C. Includes renewal cost of an asset from your TAMP that is planned within the next 10 years, only if the original asset had been excluded as it is over 30 years old.	12528667_CAL_West Yamba Costing.xls	<ul style="list-style-type: none"> <li>No renewals included.</li> </ul>	
		D. In the absence of a current TAMP, may only include future assets required within 5 years (page 23 of DPI Guideline). That is the provisions of Items 8A to 8C above apply only if you have a current TAMP16.	Water Supply Strategic Business Plan Report 2017 Sewerage Strategic Business Plan Report 2018	<ul style="list-style-type: none"> <li>CVC have current Strategic Business Plans, which fulfill this criterion.</li> </ul>	
		E. For assets older than 30 years at the commencement of the DSP document is only included if the assets meet the requirements in section 4.3.2 of DPI Guideline and approval to inclusion of the assets has been provided by DPI Water (page 23 of DPI Guideline).	12528667_CAL_West Yamba Costing.xls	<ul style="list-style-type: none"> <li>No assets older than 30 years have been included.</li> </ul>	
		F. Is based on valuation of existing assets on the basis of Modern Engineering Equivalent Replacement Asset (MEERA) cost (page 25 of DPI Guideline) and assigned to the correct service area for each water supply & sewerage service.	12528667_CAL_West Yamba Costing.xls	<ul style="list-style-type: none"> <li>No existing assets</li> </ul>	
		G. Excludes contingencies for existing assets and includes contingencies for future assets (page 25 of DPI Guideline). Note that the capital cost of future assets in the TAMP should include a contingency allowance.	12528667_CAL_West Yamba Costing.xls WYURA Water Supply and Sewer Servicing Strategy (by HunterH2O)	<ul style="list-style-type: none"> <li>WYURA Water Supply and Sewer Servicing Strategy includes a contingency allowance of 20% for future assets</li> </ul>	
		H. Uses the capital cost of future assets in the TAMP assigned to the correct service area for each water supply & sewerage service.	12528667_CAL_West Yamba Costing.xls WYURA Water Supply and Sewer Servicing Strategy (by HunterH2O)	<ul style="list-style-type: none"> <li>The WYURA Water Supply and Sewer Servicing Strategy is presented in 2017/18 dollars.</li> <li>Sewer system DN120 pipe value not directly adopted from servicing strategy as per other values. Calculation spreadsheet, tab "Sewer NSW", cell D6 notes that "Calculated based on their rates in the appendix (75,000) + site establishment (15,000)". \$75,000 value couldn't be found in the servicing strategy document. This value is not used in the final calculations.</li> <li>Cost estimated are based on the NSW reference rates – refer tab "NSW Reference Rates. See cells E5:F9 on "Water NSW" and cells H5:H6 and I11:K13 on "Sewer NSW".</li> </ul>	
		I. Is not reduced for any government grants or a similar payment towards the capital cost (page 23 of DPI Guideline) from the capital charge calculations.	12528667_CAL_West Yamba Costing.xls WYURA Water Supply and Sewer Servicing Strategy (by HunterH2O)	<ul style="list-style-type: none"> <li>No grants or subsidies are included.</li> </ul>	



Ref	Scope	Assessment criteria	Evidence Reviewed (For Water and Sewerage DSP's, unless noted otherwise)	Observations	Recommendations
J.		Excludes reticulation assets (page 24 of DPI Guideline) from the capital charge calculations.	12528667_CAL_West Yamba Costing.xls WYURA Water Supply and Sewer Servicing Strategy (by HunterH2O)	<ul style="list-style-type: none"> <li>Reticulation assets are excluded</li> </ul>	
K.		For out-of-sequence development, where the full capital cost of the assets has been met by the developer is excluded (page 25 of DPI Guideline) from the capital charge calculations.	Draft DSP's Section 2.7	<ul style="list-style-type: none"> <li>CVC servicing strategy does not include any out-of-sequence development; however, DSP's include a clause should any developers wish to proceed with a development not in sequence.</li> </ul>	
<b>For LWUs with number of connected properties less than 2,000 then:</b>				<ul style="list-style-type: none"> <li>CVC has more than 2,000 connections, so the NPV spreadsheet method is to be used.</li> </ul>	
J.		Either the ROI Factor method <sup>6</sup> or NPV Spreadsheet method <sup>7</sup> could be used (Section 4.5, page 26 of DPI Guideline).			
K.		Calculate capital charge using one method only.			
		Common errors include: <ul style="list-style-type: none"> <li>Failure to include all assets e.g. future sewage transport systems.</li> <li>Failure to include assets beyond 5 years that are clearly serving development (e.g. a future water treatment works).</li> </ul>			
		<b>Where ROI Factor method is used:</b>			
L.		Calculate capital cost per ET of existing assets in each service area for each water supply & sewerage service using the MEERA cost and assessed system capacity in ETs.			
M.		Calculate capital cost per ET of future assets (Items 8A, 8B and 8C on page 91) using capital cost in the TAMP in current dollars, in each service area for each of water supply and sewerage.			
N.		N/A			
O.		Ensure the correct discount rates are applied for the pre and post 1996 assets			
P.		Includes the correct years to full take-up for each system. Provide basis for the chosen year to full take-up.			
Q.		Calculate separately the capital charge for each water supply service area and sewerage service area and include the values for each service area as per Table 3 in the model DSP document (page 108 of DPI Guideline). Provide separate tables for the water supply and sewerage service.			
		Common errors include: <ul style="list-style-type: none"> <li>Incorrectly assigning effective commissioning year.</li> <li>Incorrect base year for present value of capital works.</li> </ul>			
<b>LWUs with number of connected properties 2,000 or more must use the NPV Spreadsheet method<sup>42</sup> (Section 4.5, page 26 of DPI Guideline):</b>					
R.		Enter on the spreadsheet the MEERA capital cost for the proportion of the assets serving post-1996 growth for each	12528667_CAL_West Yamba Costing.xls "Water NSW" 12528667_CAL_West Yamba Costing.xls	<ul style="list-style-type: none"> <li>The MEERA cost for assets is shown in Column F on both "Water NSW" and "Sewer NSW" tabs. Summaries are included in section 15 of both DSP's</li> </ul>	

<sup>6</sup> ROI Method calculation spreadsheets are available from DPI Water on request (page 61 of Reference 1).

<sup>7</sup> NPV Spreadsheet Method calculation spreadsheets are available from DPI Water on request (page 61 of Reference 1).



Ref	Scope	Assessment criteria	Evidence Reviewed (For Water and Sewerage DSP's, unless noted otherwise)	Observations	Recommendations
		water supply service area and sewerage service area and the post-1996 growth in ETs <sup>8</sup> .	"Sewer NSW"	<ul style="list-style-type: none"> <li>ETs are shown in column C on both "Water NSW" and "Sewer NSW" tabs.</li> </ul>	
S.	Calculate the present value of ETs and the capital cost of assets for each water supply service area and sewerage service area.		12528667_CAL_West Yamba Costing.xls "Water Capital Charge NPV" 12528667_CAL_West Yamba Costing.xls "Sewer Capital Charge NPV"	<ul style="list-style-type: none"> <li>Column J and K on "Water Capital Charge NPV" contains a PV factor check. None of the tables containing PV factors use the formula or are linked to this factor check for both water and sewer.</li> <li>The formula for the factor is <math>1/(1+r\%)^{\text{index\#}}</math>, where r% is the discount rate. This formula is correct.</li> </ul> Water: <ul style="list-style-type: none"> <li>The PV of capital costs are calculated in Column E on the water tab using the factor calculated in Column D.</li> <li>The PV of the ETs is calculated in Column G on the water tab, using the correct formula.</li> </ul> Sewer: <ul style="list-style-type: none"> <li>The PV of capital costs are calculated in Column E, O and Y on the sewer tab using the factor calculated in Column D, N and X.</li> <li>The PV of the ETs is calculated in Columns G, Q and AA on the sewer tab, using the correct formula.</li> </ul>	4. Column D on "Water Capital Charge NPV" and Columns D, N, X on "Sewer Capital Charge NPV" should all be linked to the calculated PV factor formula –ensure consistency.
T.	Ensure the correct discount rate is applied for the pre and post 1996 assets		12528667_CAL_West Yamba Costing.xls "Water Capital Charge NPV" 12528667_CAL_West Yamba Costing.xls "Sewer Capital Charge NPV"	<ul style="list-style-type: none"> <li>The discount rates are shown in cell D2 for post-1996 (5%) on water tab.</li> <li>The discount rates are shown in cell D2, N2 and X2 for post-1996 (5%) on sewer tab.</li> <li>Pre-1996 rates do not apply</li> <li>These rates are correctly applied to the calculations.</li> </ul>	
U.	Calculate separately the capital charge for each water supply service area and sewerage service area and include the values for each service area as per Table 3 in the model DSP document (page 108 of DPI Guideline). Provide a separate table for each service area.		Draft DSP's Section 7 and Section 16 12528667_CAL_West Yamba Costing.xls "Water Capital Charge NPV" 12528667_CAL_West Yamba Costing.xls "Sewer Capital Charge NPV"	<ul style="list-style-type: none"> <li>The capital charge is calculated in Cell H33 on water spreadsheet. The formula is correct.</li> <li>The results are shown in the water DSP in Section 7.3, Table 7-2.</li> <li>The capital charge is calculated in Cell H33, R33 and AB33 on sewer spreadsheet. The formula is correct.</li> <li>Current capital charge for both water and sewer for Yamba from the Existing DSPs has been added. While unusual, there is merit to the logic. <i>IF</i> the DSP was to be prepared from first principles, those assets would all be included in a service area that covered all the regions serviced by the Yamba networks (for water and sewer).</li> <li>The final capital charge for the water DSP has been calculated appropriately.</li> <li>The final capital charge for the sewer DSP does not appear to have been calculated appropriately. The capital charge has been calculated in three difference portions, based on nominal development areas that the sewer trunk main services in the URA. This would be suitable if the areas were being treated as separate service areas, but Section 2.1 of the document defines West Yamba as a single service area (implicitly under the category of a new development of over 500 lots – as per the <i>Guidelines</i> 3.2); there would be no justification for subdividing the service area further. It appears the approach is to say that each development area should only pay for the portion of the pipeline that services the relevant lots, however this logic is flawed in that the whole pipeline needs to be constructed to enable sewer services to be provided to the defined service area. As per examples 7 &amp; 8 in the <i>Guidelines</i>, staged development is to be treated as one sub-system and all costs and ETs included in the calculation of a single capital charge.</li> </ul>	5. Re-calculate the Sewer capital charge with all the capital costs and all the ETs in the same calculation. (This should yield a result of \$1,244 + existing DSP charge = \$13,419)  6. Include the PV calculation tables in Section 16 of both documents.

<sup>8</sup> Examples 7, 8 and 9 on pages 28, 29 and 31 of Reference 1 illustrate the implementation of Items 8R and 8S above. Spreadsheets are available from DPI Water on request (page 61 of Reference 1).

Ref	Scope	Assessment criteria	Evidence Reviewed (For Water and Sewerage DSP's, unless noted otherwise)	Observations	Recommendations
		Common errors include: <ul style="list-style-type: none"> <li>Failure to use 1996 as the effective year of commissioning for pre-1996 assets.</li> </ul>		<ul style="list-style-type: none"> <li>Section 16 of each document does not provide the calculation table used to determine the PV of the capital expenditure (i.e. A2:H33 of "Sewer Capital Charge NPV" and similar for water).</li> </ul>	
9	Agglomeration of Service Areas into DSP Areas	A. Agglomerate service areas where the capital charge is within 30% of the highest capital charge in order to minimise the number of water supply & sewerage DSP areas (page 42 of DPI Guideline). Provide separate tables for the water supply and sewerage service with details as per Table 4 in the model DSP document (page 108 of DPI Guideline).	Draft DSP's Section 7 12528667_CAL_West Yamba Costing.xls "Water Capital Charge NPV" 12528667_CAL_West Yamba Costing.xls "Sewer Capital Charge NPV"	<ul style="list-style-type: none"> <li>No agglomeration undertaken for water, only one service area.</li> <li>Although Section 2.1 defines a single service area for the sewer DSP, agglomeration details for sewer are shown in Section 7.5, Table 7-3 and Table 7-4 for each of the development areas. Refer to item 8U for a discussion on this approach. It is only required to check for agglomeration when multiple services areas are present in a DSP document to determine the final number of DSP areas.</li> </ul>	7. No agglomeration is required for a single service area. Update the sewer DSP Section 7.5 after the capital charge has been recalculated (as per action 5).
		B. For utilities with less than 2000 connected properties, agglomerate additional service areas as per Section 5.2, page 44 of DPI Guideline.		Not applicable	
		C. Calculate the weighted average capital charge and the capital charge for each water supply & sewerage DSP area (page 44 of DPI Guideline). Provide separate tables for the water supply and sewerage service with details as per Table 5 in the model DSP document (page 109 of DPI Guideline).	Draft DSP's Section 7 12528667_CAL_West Yamba Costing.xls "Water Capital Charge NPV" 12528667_CAL_West Yamba Costing.xls "Sewer Capital Charge NPV"	<ul style="list-style-type: none"> <li>Not required as there is a single service area for water</li> <li>The weighted capital charge is calculated in table 7-4 of Sewer DSP. Refer to item 8U for a discussion on this approach.</li> </ul>	8. No weighted average is required for a single service area. Update the sewer DSP Section 7.5 after the capital charge has been recalculated (as per action 5).
		Common errors include: <ul style="list-style-type: none"> <li>Failure to agglomerate service areas in accordance with the guidelines, page 42 of DPI Guideline.</li> </ul>			
10	Reduction Amount Calculation	<b>For LWUs with number of connected properties less than 2,000 then:</b>			
		A. Either the Simplified NPV <sup>9</sup> of Annual Bills Method or NPV of Annual Bills Method <sup>10</sup> could be used (Section 6.2, page 50 of DPI Guideline).			
		B. Calculate the reduction amount using one method only.			
		Common errors include: <ul style="list-style-type: none"> <li>Choosing inappropriate method.</li> <li>Using more than one method.</li> </ul>			
		<b>Where the simplified NPV of Annual Bills Method is used:</b>			
		C. Ensure accurate values of current annual bill per ET (footnote 29 on page 47 of DPI Guideline) and the current OMA cost per ET are used to calculate the Reduction Amount.			
		D. Provide separate tables for the water supply and sewerage service with details as per Table 6 in the model DSP document (page 110 of DPI Guideline).			
E. Check the NPV calculations are correct.					
		<b>LWUs with number of connected properties 2,000 or more must use the NPV of Annual Bills method<sup>45</sup>:</b>			

<sup>9</sup> Simplified NPV of Annual Bills Method calculation spreadsheet is available from DPI Water on request. As shown in Example 17 on page 50 of Reference 1, this method greatly overstates the Reduction Amount. It is therefore considered preferable for small LWUs to use the NPV of Annual Bills Method

<sup>10</sup> NPV of Annual Bills Method calculation spreadsheet is available from DPI Water on request (page 61 of Reference 1)

Ref	Scope	Assessment criteria	Evidence Reviewed (For Water and Sewerage DSP's, unless noted otherwise)	Observations	Recommendations
		F. Use accurate values of current annual bill per ET and the current OMA cost per ET to calculate the Reduction Amount (page 47 of DPI Guideline).	Water DSP Section 7.5 Sewer DSP Section 7.6	<ul style="list-style-type: none"> <li>It is understood that no reduction amount has been included for this DSP, due to the context of the area and existing DSP's.</li> <li>As mentioned previously, existing developer charge to be added to new developer charge specifically for West Yamba</li> <li>In discussions with Council, it was noted that the reason for excluding the reduction charge was the impact of the reduction amount for the ET's in West Yamba have already been taken into account in the Existing DSP document, thus it would be "double counting" the reduction, resulting in an incorrect final DSP charge. Reviewing the existing DSP for sewer Table 13-3, Yamba was showing new ET's of between 25-30 per year over the equivalent forecast horizon. In the reduction calculation (LGA wide) in Table 17-1, there were 77-91 ETs per year. If this is compared to the nominated 53 new ETs per year for the new DSPs, there is an assumption that 2/3 of all growth in Clarence Valley LGA is occurring in the West Yamba URA. [Noted that the average yearly new ETs in the other service areas in the Existing DSP are Woodford Island ~12, Iluka ~12, North Grafton ~17 and Clarenza ~14. If this assumption holds, lower growth should be seen in these areas.] If growth is expected across the LGA as per the existing DSP, the additional ET's being forecast in the draft DSP over and above those in the existing, should have the reduction amount applied.</li> </ul>	9. Council to confirm strategic growth assumptions for LGA is weighted to West Yamba URA, therefore justifying the assumption of not applying a reduction amount. Update wording in Section 7.5 Water and Section 7.6 Sewer to better capture this assumption.
		G. Base the OMA cost on the most efficient and lowest cost means of providing the service (page 46 of DPI Guideline).		<ul style="list-style-type: none"> <li>Not applicable – no reduction calculation</li> </ul>	
		H. Ensure correct value of ETs is used for utility-wide reduction amount calculation.		<ul style="list-style-type: none"> <li>Not applicable – no reduction calculation</li> </ul>	
		I. Provide separate tables for the water supply and sewerage service with details as per Table 6 in the model DSP document (page 110 of DPI Guideline). Utilities with a number of annual water supply or sewerage tariffs should calculate a reduction amount for each tariff area and report the details of analysis as per Table 6 in the model DSP document (page 110 of DPI Guideline).		<ul style="list-style-type: none"> <li>Not applicable – no reduction calculation</li> </ul>	
		J. Check the NPV calculations are correct.		<ul style="list-style-type: none"> <li>Not applicable – no reduction calculation</li> </ul>	
		K. Calculate appropriate reduction amount adjustments for differential tariff or OMA cost (page 51 of DPI Guideline).		<ul style="list-style-type: none"> <li>Not applicable – no reduction calculation</li> </ul>	
		Common errors include: <ul style="list-style-type: none"> <li>Inconsistent data used in the capital charge and reduction amount calculations (e.g. growth projections).</li> </ul>		<ul style="list-style-type: none"> <li>Not applicable – no reduction calculation</li> </ul>	
11	Developer Charge Calculation	A. Subtract the reduction amount from the capital charge for each water supply & sewerage DSP area to obtain the calculated developer charge for each DSP area (page 52 of DPI Guideline). LWUs may not levy a higher developer charge than the calculated value for each DSP area (page 52 of DPI Guideline).		<ul style="list-style-type: none"> <li>Not applicable – no reduction calculation</li> </ul>	
		B. Adjust the calculated developer charge for DSP areas with different OMA cost or different tariff (page 51 of DPI Guideline).		<ul style="list-style-type: none"> <li>No adjustments made to calculated developer charges as tariffs and OMA are consistent across DSP areas.</li> </ul>	
		C. Avoid a high level of cross-subsidy and disclose any cross-subsidies in the DSP document and on your LWU's website (pages 12 & 53 of DPI Guideline).	Draft Water DSP Section 7.6 Draft Sewer DSP Section 7.7	<ul style="list-style-type: none"> <li>No cross-subsidy has been applied in either DSP</li> </ul>	
		D. The utility may elect to cap the developer charges for small villages in order to maintain affordability and to avoid 'stranded' assets in such villages.		<ul style="list-style-type: none"> <li>No cap applied to the charges</li> </ul>	
		E. LWUs may also cap developer charges for other areas to maintain affordability, subject to adopting a commercial		<ul style="list-style-type: none"> <li>No cap applied to the charges</li> </ul>	

Ref	Scope	Assessment criteria	Evidence Reviewed (For Water and Sewerage DSP's, unless noted otherwise)	Observations	Recommendations
		developer charge which recovers a significant proportion of the capital cost of the infrastructure.			
		F. Outline the rationale for cross-subsidy if proposed (sections 7.1 & 7.2, pages 52 & 53 of DPI Guideline). Includes details as per section 7.7 in the model DSP document (page 110 of DPI Guideline).		<ul style="list-style-type: none"> <li>No cross-subsidy applied</li> </ul>	
		G. Where lower developer charges are proposed than the calculated charge then provide details of analysis as per Table 7 in the model DSP document (page 111 of DPI Guideline). Provide separate tables for the water supply and sewerage service.		<ul style="list-style-type: none"> <li>Not applicable</li> </ul>	
		H. Also provide details of analysis as per Table 8 in the model DSP document (page 111 of DPI Guideline) to show the impact of cross-subsidies on TRB. Provide separate tables for the water supply and sewerage service.		<ul style="list-style-type: none"> <li>Not applicable</li> </ul>	
		I. Include a graphical representation of the TRB based on the calculated developer charge and the developer charges proposed with cross-subsidy as per Figure 1 in the model DSP document (page 112 of DPI Guideline). Provide separate figures for the water supply and sewerage service.		<ul style="list-style-type: none"> <li>Not applicable</li> </ul>	
		J. Check if the proposed developer charges convey locational signals by maintaining relativity between the DSP areas (page 52 of DPI Guideline).		<ul style="list-style-type: none"> <li>Not applicable, only one DSP area.</li> </ul>	
		Common errors include: <ul style="list-style-type: none"> <li>Adopting a developer charge that is the weighted average of two or more DSP areas. This leads to some DSP areas being incorrectly charged higher than the calculated maximum developer charge.</li> <li>Failure to clearly disclose cross-subsidies.</li> </ul>			
		DSP Document Format Options:			
		1. A separate DSP document may be prepared for each DSP area, and for each of water supply and sewerage (page 46 of DPI Guideline). A LWU may publish its DSP documents as one or more volumes.	Draft DSP's	<ul style="list-style-type: none"> <li>The LWU has elected to present the DSPs as separate documents for Water and Sewer</li> </ul>	
		2. Alternatively, a LWU may elect to prepare a single DSP document for each of water supply and sewerage, which is a concise documentation of the required information. If a single DSP document is prepared then the document must clearly identify the capital charge relating to each water supply or sewerage DSP area, the proposed developer charge and the cross-subsidy for each water supply or sewerage DSP area.	Draft DSP's	<ul style="list-style-type: none"> <li>The LWU has elected to present the DSPs as separate documents for Water and Sewer</li> </ul>	
12	Draft DSP Document	DSP Document Contents:			
		A. The contents of the DSP document must be in accordance with the guidelines (page 6 of DPI Guideline) and should use the Model DSP document (Appendix E on page 99 of DPI Guideline) as the framework.	Draft DSP's	<ul style="list-style-type: none"> <li>Section 7.3 of each DSP omits the table for "Equivalent Tenements (ETs)" as shown in the chapter "Developer Charges Calculation" in the Model DSP. Reference provided to other sections of the document where the information is available.</li> </ul>	
		B. Include all the outcomes from items 2 to 11 on pages 89 to 94 of this Check List.	Draft DSP's	<ul style="list-style-type: none"> <li>The draft DSPs generally align with the outcomes of the DSP Checklist, with the exception of a number of items as shown in this audit. The recommendations identified should be implemented to ensure the draft DSP document achieves all desired outcomes.</li> </ul>	
		C. The Background Information must contain all the critical data behind each DSP, including calculation models in Excel or similar format (page 7 of DPI Guideline). The Background Information must be made available to developers on request during and after the public exhibition of the Draft DSP document.		<ul style="list-style-type: none"> <li>The information provided to complete this audit is listed in Section 2.2 of this report. It is assumed this same information would be made available to upon request to form the "Background information" for the DSP.</li> </ul>	

Ref	Scope	Assessment criteria	Evidence Reviewed (For Water and Sewerage DSP's, unless noted otherwise)	Observations	Recommendations
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- Common errors include:
- DSP document lacks clarity and has insufficient information.
  - A single DSP covers water supply and sewerage.
  - Failure to make the Background Information available after public exhibition of the Draft DSP document.

## 4 Summary of Recommendations

The audit for Clarence Valley Council's *West Yamba Development Servicing Plans Water Supply Services 2020* and *West Yamba Development Servicing Plans Sewerage Services 2020*, has identified a number of required updates to comply with the *DPI 2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater*.

The audit has identified recommendations that broadly fall into two categories which are described in the following sections. The recommendations in the first category must be resolved for the draft DSP to be in alignment with the *Guidelines*, the remaining category lists items that will improve the clarity and readability of the document.

### 4.1 Updates to meet the *Guidelines*

Action	Recommendation
3	Add a summary of existing capital costs to Sections 4.2 and 14 in both documents.
5	Re-calculate the Sewer capital charge with all the capital costs and all the ETs in the same calculation. (This should yield a result of \$1,244 + existing DSP charge = \$13,419)
6	Include the PV calculation tables in Section 16 of both documents.
7	No agglomeration is required for a single service area. Update the sewer DSP Section 7.5 after the capital charge has been recalculated (as per action 5).
8	No weighted average is required for a single service area. Update the sewer DSP Section 7.5 after the capital charge has been recalculated (as per action 5).

### 4.2 Improvement opportunities

Action	Recommendation
1	Include a statement in Section 13 to explain the justification for the assumption of 1 ET per dwelling for West Yamba
2	Include a statement in Section 13 to explain the justification for using a different value of ET per dwelling south of Miles street
4	Column D on "Water Capital Charge NPV" and Columns D, N, X on "Sewer Capital Charge NPV" should all be linked to the calculated PV factor formula –ensure consistency.
9	Council to confirm strategic growth assumptions for LGA is weighted to West Yamba URA, therefore justifying the assumption of not applying a reduction amount. Update wording in Section 7.5 Water and Section 7.6 Sewer to better capture this assumption.
Note	Community consultation should be undertaken in regard to LoS. A revision of the AMPs often provides the most appropriate forum.



Per Adopted Capital Works Budget				Per Council's Finance System									
Item No.	FUND	Service	Description	Original Budget	Variations	Revised Budget	Actuals	Commitments	WIP (Actuals & Commitments)	Financial Completion %	Project Status	Project Risk Status	Project Budget Status
<b>ROADS &amp; TRANSPORT</b>				<b>17,207,714</b>	<b>18,754,764</b>	<b>35,962,478</b>	<b>9,746,102</b>	<b>7,188,379</b>	<b>16,934,481</b>	<b>27%</b>			
1	General	Roads Infrastructure	Blaxland Flat Road - Widening & Alignment	406,000	-	406,000	729,844	101,347	831,192	180%	Construction phase	Some risk identified.	Forecast final cost exceeds budget
2	General	Roads Infrastructure	Bridge Replacement Program	985,710	1,385,471	2,371,181	927,204	140,690	1,067,894	39%	Construction phase	Some risk identified.	Forecast final cost within budget
3	General	Roads Infrastructure	Glens Ck Rd – table drain repair & new drainage 4.3km fr Arm	293,046	129,960	423,006	90,472	63	90,409	21%	Construction phase	Minimal risk identified.	Forecast final cost within budget
4	General	Roads Infrastructure	Gumnut Road Yamba - Traffic Management Measures	87,700	-	87,700	52,007	14,341	66,347	59%	Finalisation phase	Minimal risk identified.	Forecast final cost within budget
5	General	Roads Infrastructure	James Creek Road Shoulder Widening	-	157,500	157,500	124,804	31,200	156,004	79%	Finalisation phase	Minimal risk identified.	Forecast final cost within budget
6	General	Roads Infrastructure	Nth Ewingard Road - Seal Asbestos Contaminated Gravel	200,000	-	200,000	190,895	62,997	253,892	95%	Finalisation phase	Some risk identified.	Forecast final cost exceeds budget
7	General	Roads Infrastructure	Old Glen Innes Rd Ch14572-16850m - Reconstr 2278m	-	-	-	71,544	2,000	73,544	No Budget	Finalisation phase	Minimal risk identified.	Forecast final cost exceeds budget
8	General	Roads Infrastructure	Richmond St Lawrence - Traffic Management Facilities	51,250	-	51,250	502	-	502	1%	Planning phase	Minimal risk identified.	Forecast final cost within budget
9	General	Roads Infrastructure	Rural Roads - Minor Heavy Patching Program	477,992	-	477,992	78,354	2,188	80,541	16%	Construction phase	Minimal risk identified.	Forecast final cost within budget
10	General	Roads Infrastructure	Rural Roads Reseal Program	1,399,000	-	1,399,000	340,030	517,089	857,119	24%	Construction phase	Minimal risk identified.	Forecast final cost within budget
11	General	Roads Infrastructure	Shoulder Grading / Widening Program - Rural Roads	750,000	-	750,000	302,059	12,707	314,766	40%	Construction phase	Minimal risk identified.	Forecast final cost within budget
12	General	Roads Infrastructure	Tallawudjah Crk Rd - Realignment & Widening	335,500	100,000	435,500	286,076	78,966	365,042	66%	Construction phase	Some risk identified.	Forecast final cost within budget
13	General	Roads Infrastructure	Treelands Dr Community Centre Carpark - Design	50,000	-	50,000	-	-	-	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
14	General	Roads Infrastructure	Unsealed Roads Gravel Resheeting Program	800,000	-	800,000	489,887	30,000	519,887	61%	Construction phase	Minimal risk identified.	Forecast final cost within budget
15	General	Roads Infrastructure	Rehab - Fischers Lane, Southgate (1300m, 3900m2)	-	-	-	13,632	16,519	30,151	No Budget	Construction phase	Minimal risk identified.	Forecast final cost within budget (budget is contained in Proream Header)
16	General	Roads Infrastructure	Rehab - Victoria St, Grafton (180m, 3960m2)	-	-	-	32,852	-	32,852	No Budget	Construction phase	Minimal risk identified.	Forecast final cost within budget (budget is contained in Proream Header)
17	General	Roads Infrastructure	UR - Roads drainage improv Robinson St Ngaru Aboriginal Comm	3,600	64,031	67,631	10,000	8,636	1,364	-15%	Construction phase	Minimal risk identified.	Forecast final cost within budget
18	General	Roads Infrastructure	Urban Roads - Minor Heavy Patching Program	677,008	5,215,996	5,893,004	147,534	12,106	159,640	3%	Construction phase	Minimal risk identified.	Forecast final cost within budget
19	General	Roads Infrastructure	Urban Roads Reseal Program	571,000	-	571,000	12,345	104,352	116,697	2%	Construction phase	Minimal risk identified.	Forecast final cost within budget
20	General	Roads Infrastructure	Watts Lane/Murrayville Rd - heavy patching/rehabilitation	100,000	-	100,000	-	-	-	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
21	General	Roads Infrastructure	Yamba Road Intersection Treatments	1,442,156	3,926,624	5,368,780	1,741,338	4,782,381	6,523,719	32%	Construction phase	Minimal risk identified.	Forecast final cost within budget
22	General	Roads Infrastructure	Harwood Marine Road Access Upgrade	-	927,820	927,820	825,990	10,805	836,795	89%	Finalisation phase	Some risk identified.	Forecast final cost may exceed budget
23	General	Roads Infrastructure	Armidale Rd - Signage, Speed Reduction & Guardrail upgrade	1,280,000	-	1,280,000	502	-	502	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
24	General	Roads Infrastructure	Armidale Rd - Widening & Superelevation	484,400	-	484,400	1,300,239	9,387	1,309,625	268%	Finalisation phase	Some risk identified.	Forecast final cost exceeds budget. Variation is being processed through TfNSW
25	General	Roads Infrastructure	Armidale Road Clouds Creek - Elevation, Alignment Works Stag	630,000	-	630,000	120,686	5,500	126,186	19%	Not commenced	Minimal risk identified.	Forecast final cost within budget
26	General	Roads Infrastructure	Armidale Road Pavement Rehabilitation	750,000	-	750,000	20,617	-	20,617	3%	Construction phase	Minimal risk identified.	Forecast final cost within budget
27	General	Roads Infrastructure	Clarence Way – Asbestos Sealing	400,000	-	400,000	343,716	-	343,716	86%	Finalisation phase	Minimal risk identified.	Forecast final cost within budget
28	General	Roads Infrastructure	Clarence Way - Linemarking Signage	300,000	-	300,000	-	-	-	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
29	General	Roads Infrastructure	Orara Way Reconstruction	1,734,000	-	1,734,000	289,583	80,941	370,524	17%	Construction phase	Minimal risk identified.	Forecast final cost within budget
30	General	Roads Infrastructure	Reconstruct Yamba Rd MR152 Palmers Island fr Yamba St to 60/	-	-	-	372,676	7,502	380,178	No Budget	Finalisation phase	Minimal risk identified.	Forecast final cost exceeds budget
31	General	Roads Infrastructure	Regional Road Reseal Program	1,293,697	-	1,293,697	166,639	752,972	919,610	13%	Construction phase	Minimal risk identified.	Forecast final cost within budget
32	General	Roads Infrastructure	Regional Roads - Minor Heavy Patching Program	345,000	-	345,000	150,662	1,247	151,909	44%	Construction phase	Minimal risk identified.	Forecast final cost within budget
33	General	Roads Infrastructure	Rehab - Iluka Road, Woombah (330m, 2805m2)	-	-	-	102,305	6,442	108,747	No Budget	Finalisation phase	Minimal risk identified.	Forecast final cost within budget (budget is contained in Proream Header)
34	General	Roads Infrastructure	Reseal - Armidale Rd Ch10.69-14.61km - 3919m	230,480	-	230,480	-	223,161	223,161	0%	Construction phase	Minimal risk identified.	Forecast final cost within budget
35	General	Roads Infrastructure	SRP 2134 - Clarence Way, Pulganbar Sealing Unsealed Road	-	1,447,000	1,447,000	-	5,500	5,500	0%	Planning phase	Minimal risk identified.	Forecast final cost within budget
36	General	Roads Infrastructure	SRP 2147 - Armidale Road, Nymboida - Road Reconstruction	-	1,325,000	1,325,000	-	4,400	4,400	0%	Planning phase	Minimal risk identified.	Forecast final cost within budget
37	General	Roads Infrastructure	SRP 2151 - Armidale Road, Hortons Creek - Reconstruction	-	2,060,000	2,060,000	7,406	15,634	23,040	0%	Planning phase	Minimal risk identified.	Forecast final cost within budget
38	General	Roads Infrastructure	SRP 2161 - Woolli Road, Pillar Valley - Road Reconstruction	-	1,210,000	1,210,000	13,806	146,379	160,186	1%	Planning phase	Minimal risk identified.	Forecast final cost within budget
39	General	Roads Infrastructure	SRP 2356 - Clarence Way - Malabugilmah Community	-	302,495	302,495	-	-	-	0%	Planning phase	Minimal risk identified.	Forecast final cost within budget
40	General	Roads Infrastructure	SRP 2361 - Clarence Way - Baryugilh Community	-	135,025	135,025	-	-	-	0%	Planning phase	Minimal risk identified.	Forecast final cost within budget
41	General	Roads Infrastructure	Woolli Rd Reconstruction - Section East from Amos Creek	700,000	-	700,000	3	455	458	0%	Planning phase	Minimal risk identified.	Forecast final cost within budget
42	General	Regional Airport	Airport Cap - Apron AC Surface Renewal	130,175	-	130,175	59,434	-	59,434	-46%	Planning phase	Minimal risk identified.	Forecast final cost within budget
43	General	Regional Airport	Airport Cap - Emergency Hardstand Area	300,000	-	300,000	-	-	-	0%	Planning phase	Some risk identified.	Forecast final cost within budget
<b>Completed Projects</b>													
1	General	Roads Infrastructure	Coldstream St YAMBA - st upg River St-pedestrian crossing	-	-	-	30,618	91	30,709	Complete	Project complete	Project complete	Project financially complete
2	General	Quarries	Taylor's Quarry Rehabilitation	-	367,842	367,842	438,711	-	438,711	Complete	Project complete	Project complete	Project financially complete



Per Adopted Capital Works Budget				Per Council's Finance System									
Item No.	FUND	Service	Description	Original Budget	Variations	Revised Budget	Actuals	Commitments	WIP (Actuals & Commitments)	Financial Completion %	Project Status	Project Risk Status	Project Budget Status
3	General	Roads Infrastructure	Yamba Rd - Widening fr Palmers Isl to Romiaka Brg	-	-	-	-	509	509	Complete	Project complete	Project complete	Project financially complete
<b>FOOTPATHS &amp; CYCLEWAYS</b>				<b>216,000</b>	<b>180,000</b>	<b>396,000</b>	<b>115,600</b>	<b>-</b>	<b>115,600</b>	<b>29%</b>			
1	General	Footpaths & Cycleways	Footpath Construction - Laneway at Junction Hill	-	-	-	8,599	-	8,599	No Budget	Project complete	Project complete	Project financially complete
2	General	Footpaths & Cycleways	William Agar Park Pathway, Yamba	-	180,000	180,000	-	-	-	0%	Planning phase	Minimal risk identified.	Forecast final cost within budget
3	General	Footpaths & Cycleways	Yamba to Maclean Cycleway - Concept Design	110,000	-	110,000	-	-	-	0%	Project complete	Project complete	Project financially complete
<b>Completed Projects</b>													
1	General	Footpaths & Cycleways	Concrete Footpath Renewal Program	106,000	-	106,000	111,594	-	111,594	Complete	Project complete	Project complete	Project financially complete
2	General	Footpaths & Cycleways	Pacific Highway, ULMARRA - footpath renewal	-	-	-	12,606	-	12,606	Complete	Project complete	Project complete	Project financially complete
<b>TRAFFIC FACILITIES</b>				<b>-</b>	<b>733,866</b>	<b>733,866</b>	<b>155,111</b>	<b>266,686</b>	<b>421,797</b>	<b>21%</b>			
1	General	Internal Road Services	Coutts Crossing Public School Road Safety Project	-	100,000	100,000	-	-	-	0%	Planning phase	Some risk identified.	Forecast final cost within budget
2	General	Internal Road Services	Grafton Public / Infants Road Safety Project	-	-	-	2	-	2	No Budget	Planning phase	Minimal risk identified.	Forecast final cost within budget
3	General	Internal Road Services	Gulmarrad Public School Road Safety Project	-	320,000	320,000	91,380	40,116	131,495	29%	Construction phase	Some risk identified.	Forecast final cost within budget
4	General	Internal Road Services	Westlawn Public School Road Safety Project	-	203,866	203,866	-	105,116	105,116	0%	Construction phase	Minimal risk identified.	Forecast final cost within budget
5	General	Internal Road Services	Yamba Public School Road Safety Project	-	110,000	110,000	63,730	54,289	118,019	58%	Finalisation phase	Some risk identified.	Forecast final cost may exceed budget
<b>Completed Projects</b>													
1	General	Internal Road Services	Conversion of Local Street Lights to LED	-	-	-	-	67,166	67,166	Complete	Project complete	Project complete	Project financially complete
<b>WATER SUPPLY NETWORK</b>				<b>5,803,000</b>	<b>267,973</b>	<b>6,070,973</b>	<b>1,069,766</b>	<b>2,265,064</b>	<b>3,334,831</b>	<b>18%</b>			
0													
1	Water	Water Cycle	Dams & Weirs - Renewals Expenses	121,000	-	121,000	-	-	-	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
2	Water	Water Cycle	Water Mains - Renewals Expenses	400,000	-	400,000	234,592	20,561	255,153	59%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
3	Water	Water Cycle	Reservoirs - Renewals Expenses	1,075,000	-	1,075,000	65,031	20,975	86,006	6%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
4	Water	Water Cycle	Water Pumping Stations - Renewals Expenses	20,000	-	20,000	-	-	-	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
5	Water	Water Cycle	Remote Telemetry Unit - Software for Singer Valve control	-	-	-	877	8,400	9,277	No Budget	Implementation phase	Minimal risk identified.	Forecast final cost within budget
6	Water	Water Cycle	Nymboida Trash Screen Replacement	-	-	-	7,740	-	7,740	No Budget	Implementation phase	Minimal risk identified.	Forecast final cost within budget
7	Water	Water Cycle	Carrs Drive Yamba - 400mm Water Main	-	-	-	58,183	22,422	80,605	No Budget	Implementation phase	Minimal risk identified.	Forecast final cost within budget
8	Water	Water Cycle	RWS Cap Regional Water Scheme Cons	-	-	-	60	-	60	No Budget	Implementation phase	Minimal risk identified.	Forecast final cost within budget
9	Water	Water Cycle	Shannon Creek Dam VSD repair	-	-	-	76,755	76,755	153,510	No Budget	Implementation phase	Minimal risk identified.	Forecast final cost within budget
10	Water	Water Cycle	Network Enhancements/Improvements	20,500	-	20,500	-	-	-	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
11	Water	Water Cycle	Instrument Purchases	51,000	-	51,000	-	-	-	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
12	Water	Water Cycle	Telemetry Upgrade (Clear SCADA)	385,000	-	385,000	87,552	1,951,272	2,038,824	23%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
13	Water	Water Cycle	Minor WHS Upgrades	20,000	-	20,000	6,280	-	6,280	31%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
14	Water	Water Cycle	Water Meter Replacement	160,000	-	160,000	66,706	455	67,160	42%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
15	Water	Water Cycle	New Installations	160,000	-	160,000	72,758	11,132	83,889	45%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
16	Water	Water Cycle	Minor Plant & Tools	19,500	-	19,500	7,810	245	8,055	40%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
17	Water	Water Cycle	Rural Village Headworks	51,000	-	51,000	-	-	-	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
18	Water	Water Cycle	Valve and Hydrant Renewal and Upgrade	100,000	-	100,000	17,553	-	17,553	18%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
19	Water	Water Cycle	Rushforth Road Reservoir - additional treatment barrier inve	-	120,252	120,252	102,255	447	102,702	85%	Finalisation phase	Minimal risk identified.	Forecast final cost within budget
20	Water	Water Cycle	Swan Creek Trunk Main Renewal	250,000	-	250,000	-	-	-	0%	Planning phase	Minimal risk identified.	Forecast final cost within budget
21	Water	Water Cycle	Rushforth Road WTP Mini Hydro	250,000	-	250,000	-	-	-	0%	Planning phase	Minimal risk identified.	Forecast final cost within budget
22	Water	Water Cycle	Shannon Creek Dam Dissipator Gabion Wall Repair	1,000,000	-	1,000,000	-	29,120	29,120	0%	Planning phase	Minimal risk identified.	Forecast final cost within budget
23	Water	Water Cycle	Brooms Head Water Main Renewal	540,000	-	540,000	-	-	-	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
24	Water	Water Cycle	Armidale Road Water Pump Station Backup Generator	40,000	-	40,000	22,408	5,718	28,126	56%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
25	Water	Water Cycle	Karangli Bypass for Return Flow to Shannon Creek Dam	80,000	-	80,000	-	-	-	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
#REF!	Water	Water Cycle	Maclean 21ML Reservoir Roof Renewal	430,000	-	430,000	2,580	157	2,737	1%	Planning phase	Minimal risk identified.	Forecast final cost within budget
#REF!	Water	Water Cycle	New Watermain - Grafton Correctional Centre	-	-	-	20,361	28,096	48,457	No Budget	Implementation phase	Minimal risk identified.	Forecast final cost within budget
#REF!	Water	Water Cycle	Scope & Design Rushforth Rd 32ML replacement reservoir	385,000	-	385,000	1,113	72,146	73,260	0%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
#REF!	Water	Water Cycle	Shannon Creek Dam Drainage Upgrade	205,000	-	205,000	-	55	55	0%	Planning phase	Minimal risk identified.	Forecast final cost within budget
<b>Completed Projects</b>													
0													
1	Water	Water Cycle	Yamba Roundabout Water Relocation	-	147,721	147,721	169,809	12,415	182,223	Complete	Project complete	Project complete	Project financially complete
2	Water	Water Cycle	Purchase of property for water quality protection	-	-	-	4,848	4,522	9,371	Complete	Project complete	Project complete	Project financially complete
3	Water	Water Cycle	Online Turbidity Meters - Rushforth Treatment Plant	40,000	-	40,000	44,498	171	44,669	111%	Project complete	Project complete	Project financially complete
<b>SEWERAGE NETWORK</b>				<b>6,152,226</b>	<b>419,140</b>	<b>6,571,366</b>	<b>1,622,499</b>	<b>2,956,080</b>	<b>4,578,579</b>	<b>25%</b>			
0													
1	Sewer	Sewer Services	Sewer - Pumping Stations - Renewals Expenses	474,000	-	474,000	114,956	514,572	629,528	24%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
2	Sewer	Sewer Services	Sewer - Treatment - Renewal Expenses	50,000	-	50,000	80,941	1,824	82,765	162%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
3	Sewer	Sewer Services	SewCap Invest & Proposals Yamba	12,750	-	12,750	-	-	-	0%	No such project adopted by Council	Significant risk identified.	Finance system has allocated a budget without a Council resolution
4	Sewer	Sewer Services	Network Minor upgrading	12,750	-	12,750	-	-	-	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
5	Sewer	Sewer Services	Minor Plant and tools	53,971	-	53,971	682	-	682	1%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
6	Sewer	Sewer Services	Sewer Rehabilitation & Relining	700,000	-	700,000	29,665	606,961	636,627	4%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
7	Sewer	Sewer Services	Sewer Easement Acquisition	1,000,000	-	1,000,000	-	189,164	189,164	0%	Implementation phase	VG has advised timeframe for easement valuation of Crown Land unknown	Crown Land Native Title compensation determination delayed
8	Sewer	Sewer Services	STP Minor upgrades	80,000	-	80,000	23,151	36,145	59,296	29%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
9	Sewer	Sewer Services	Minor WH&S Upgrades	30,000	-	30,000	113	-	113	0%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
10	Sewer	Sewer Services	South Grafton Infiltration Reduction	100,000	-	100,000	-	91,772	91,772	0%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
11	Sewer	Sewer Services	Reticulation construction	50,500	-	50,500	-	-	-	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
12	Sewer	Sewer Services	Yamba STP Construction	-	-	-	-	21,871	21,871	No Budget	Finalisation phase	Minimal risk identified.	Forecast final cost within budget
13	Sewer	Sewer Services	North Grafton - EPA Licence Requirements	556,907	-	556,907	160,190	762,356	922,546	29%	Implementation phase	Minimal risk identified.	Forecast final cost within budget

Per Adopted Capital Works Budget				Per Council's Finance System									
Item No.	FUND	Service	Description	Original Budget	Variations	Revised Budget	Actuals	Commitments	WIP (Actuals & Commitments)	Financial Completion %	Project Status	Project Risk Status	Project Budget Status
14	Sewer	Sewer Services	Pressure Sewer Installation - Council Funded	20,500	-	20,500	2,986	2,090	5,076	15%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
15	Sewer	Sewer Services	STP Rehabilitation - Maclean, Townsend & Ilarwill	-	-	-	14,520	1,193	15,713	No Budget	Finalisation phase	Minimal risk identified.	Forecast final cost within budget
16	Sewer	Sewer Services	Townsend Industrial Estate Reticulation Consolidation	-	149,697	149,697	120,710	14,734	135,444	81%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
17	Sewer	Sewer Services	Vacuum Excavation Unit	275,000	-	275,000	-	-	-	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
18	Sewer	Sewer Services	Epoxy Coating Projects	731,500	-	731,500	912,972	497,008	1,409,980	125%	Finalisation phase	Minimal risk identified.	Forecast final cost within budget
19	Sewer	Sewer Services	Telemetry Upgrade Clear SCADA	309,000	-	309,000	-	2,435	2,435	0%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
20	Sewer	Sewer Services	Pressure Sewer Pump Stations - 1400 Units	-	2,906	2,906	6,528	-	6,528	225%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
21	Sewer	Sewer Services	Prince & Arthur St Sewer Pump Station - inlet macerator	75,000	-	75,000	-	-	-	0%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
22	Sewer	Sewer Services	Kent St Pump Stn WHS - hatches,rails,rellocate reflux valves	-	48,836	48,836	8,631	10	8,641	18%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
23	Sewer	Sewer Services	Renewable Energy Emissions Reduction Target Works	305,348	-	305,348	-	-	-	0%	Not commenced	Minimal risk identified.	Forecast final cost within budget
24	Sewer	Sewer Services	Odour Control System Renewal - Sth Grafton, Prince & Arthur	150,000	-	150,000	-	2,000	2,000	0%	Planning phase	Minimal risk identified.	Forecast final cost within budget
25	Sewer	Sewer Services	Iluka STP Biosolids Hardstand Area	325,000	-	325,000	-	314	314	0%	Tenders / Quotations called	Minimal risk identified.	Forecast final cost within budget
26	Sewer	Sewer Services	Maclean Infiltration Reduction Program	100,000	-	100,000	1,035	91,772	92,808	1%	Finalisation phase	Minimal risk identified.	Forecast final cost within budget
27	Sewer	Sewer Services	Y2 (Pilot Hill) Replace Pressure Sewer System	505,000	-	505,000	1,842	6,390	8,232	0%	Planning phase	Minimal risk identified.	Forecast final cost within budget
28	Sewer	Sewer Services	Yamba STP Reuse Irrigation Pumps	90,000	-	90,000	-	79,290	79,290	0%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
29	Sewer	Sewer Services	Pump Station M8 (Maclean Showground) Stanby Diesel Pump	145,000	-	145,000	-	-	-	0%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
30	Sewer	Sewer Services	Carrs Drive Yamba - Sewer Main Renewal	-	-	-	76,179	27,504	103,683	No Budget	Finalisation phase	Minimal risk identified.	Forecast final cost within budget
31	Sewer	Sewer Services	SPS Lid Replacements - Yamba	-	-	-	75	-	75	No Budget	Implementation phase	Minimal risk identified.	Forecast final cost within budget
<b>Completed Projects</b>													
0													
1	Sewer	Sewer Services	Convent Beach Pump Station (Y3) Replacement	-	2,701	2,701	32,240	5,600	37,840	Complete	Project complete	Project complete	Project financially complete
2	Sewer	Sewer Services	Replace Yamba Dewatering Shed	-	100,000	100,000	31,175	-	31,175	Complete	Project complete	Project complete	Project financially complete
3	Sewer	Sewer Services	Yamba Roundabout Sewer Relocation	-	115,000	115,000	3,908	1,073	4,981	Complete	Project complete	Project complete	Project financially complete
<b>FLOODPLAIN INFRASTRUCTURE</b>				<b>965,650</b>	<b>150,086</b>	<b>1,115,736</b>	<b>117,141</b>	<b>213,171</b>	<b>330,313</b>	<b>10%</b>			
0													
1	General	Floodplain & Estuary Management	DIPNR - Gfn Levee Access Ease Acquisition	-	-	-	-	909	909	No Budget	Not commenced	Minimal risk identified.	Forecast final cost within budget
2	General	Floodplain & Estuary Management	DIPNR (1:1.1) Ulmarra Bank Prot & Vol Purchase	38,726	-	38,726	12,742	24,981	37,723	33%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
3	General	Floodplain & Estuary Management	Works Design/Fabrication/Installation	19,234	-	19,234	8,014	4,550	12,564	42%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
4	General	Floodplain & Estuary Management	Floodplain Minor Works / Renewals	21,000	-	21,000	5,986	-	5,986	29%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
5	General	Floodplain & Estuary Management	Floodgate Replacements	45,000	-	45,000	989	41,215	42,205	2%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
6	General	Floodplain & Estuary Management	Rural Floodplain Asset Renewal	553,794	-	553,794	72,635	136,728	209,363	13%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
7	General	Floodplain & Estuary Management	Urban Floodplain Asset Renewal	276,896	-	276,896	-	4,545	4,545	0%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
8	General	Floodplain & Estuary Management	Heber St Stormwater Pump Station	-	150,086	150,086	9,255	-	9,255	6%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
9	General	Floodplain & Estuary Management	Minor Plant and Tools	11,000	-	11,000	7,520	242	7,762	68%	Implementation phase	Minimal risk identified.	Forecast final cost within budget
<b>Completed Projects</b>													
0													
1	General	Floodplain & Estuary Management								Complete	Project complete	Project complete	Project financially complete
<b>BUILDINGS &amp; FACILITIES</b>				<b>12,985,200</b>	<b>991,100</b>	<b>11,994,100</b>	<b>3,647,811</b>	<b>1,722,121</b>	<b>5,369,932</b>	<b>30%</b>			
0													
1	General	Building & Facilities	Administration Building 2 Prince St Improvements	6,360,000	-	6,360,000	200,642	317,005	517,647	3%	Tenders / Quotations called	Some risk identified.	Forecast final cost exceeds budget
2	General	Building & Facilities	Buildings in Other Services - Signage Renewal	40,000	-	40,000	-	-	-	0%	Planning phase	Minimal risk identified	Forecast final cost within budget
3	General	Building & Facilities	BuilOthServ - Furniture & Fittings	10,000	-	10,000	14,170	-	14,170	142%	Implementation phase	Minimal risk identified	Forecast final cost within budget
4	General	Building & Facilities	Corporate Administration Buildings Renewals	10,000	-	10,000	996	34,535	35,530	10%	Construction phase	Minimal risk identified	Forecast final cost may exceed budget
5	General	Building & Facilities	Depots - Roof/ Envelope/Internal Screens/Floor Coverings	10,000	-	10,000	-	-	-	0%	Planning phase	Minimal risk identified	Forecast final cost within budget
6	General	Building & Facilities	Hazardous Materials Management	15,000	-	15,000	-	455	455	0%	Implementation phase	Minimal risk identified	Forecast final cost within budget
7	General	Building & Facilities	Iluka Memorial Hall - Roof Ventilation	10,000	-	10,000	-	-	-	0%	Planning phase	Minimal risk identified	Forecast final cost within budget
8	General	Building & Facilities	Koolkhan Depot Storage Shed Drainage Renewal	6,000	-	6,000	-	-	-	0%	Tenders / Quotations called	Minimal risk identified	Forecast final cost within budget
9	General	Building & Facilities	Maclean Admin Building - Roof Safety System	72,000	-	72,000	-	-	-	0%	Tenders / Quotations called	Minimal risk identified	Forecast final cost within budget
10	General	Building & Facilities	Maclean Civic Hall - Retaining Wall	10,000	-	10,000	281	-	281	3%	Project complete	Minimal risk identified	Forecast final cost within budget
11	General	Building & Facilities	Pub Hall Cap - Envelope & Internal Screens /Floor Coverings	10,000	-	10,000	-	-	-	0%	Planning phase	Minimal risk identified	Forecast final cost within budget
12	General	Building & Facilities	Public Halls - Furniture & Fittings	10,000	-	10,000	-	-	-	0%	Planning phase	Minimal risk identified	Forecast final cost within budget
13	General	Building & Facilities	Public Halls Improvements	300,000	50,000	350,000	-	68,135	68,135	0%	Implementation phase	Minimal risk identified	Forecast final cost within budget
14	General	Building & Facilities	Townsend Depot Old Sign Shed Roof Renewal	9,700	-	9,700	-	-	-	0%	Planning phase	Minimal risk identified	Forecast final cost within budget
15	General	Building & Facilities	Tucabia Hall - Veranda Roof Replacement	7,500	-	7,500	4,430	-	4,430	59%	Project complete	Minimal risk identified	Forecast final cost within budget
16	General	Building & Facilities	Yamba Depot - Alterations to Access/Improvements	30,000	-	30,000	-	-	-	0%	Planning phase	Minimal risk identified	Forecast final cost within budget
17	General	Emergency Services	Fire Cap - Coaldale RFB meeting room amenities hard stand	-	-	-	1,900	2,844	4,744	No Budget	Finalisation phase	Minimal risk identified	Forecast final cost within budget

Per Adopted Capital Works Budget				Per Council's Finance System									
Item No.	FUND	Service	Description	Original Budget	Variations	Revised Budget	Actuals	Commitments	WIP (Actuals & Commitments)	Financial Completion %	Project Status	Project Risk Status	Project Budget Status
18	General	Emergency Services	Fire Cap - Lanitza RFB store drainage hard stand amenities	-	2,069	2,069	1,088	-	1,088	53%	Finalisation phase	Minimal risk identified	Forecast final cost within budget
19	General	Emergency Services	Fire Cap - Pillar Valley RFB toilets and showers	-	-	-	6,745	-	6,745	No Budget	Finalisation phase	Minimal risk identified	Forecast final cost within budget
20	General	Emergency Services	Fire Cap - Shift water storage and stormwater roof LAWRENCE	-	-	-	1,873	-	1,873	No Budget	Finalisation phase	Minimal risk identified	Forecast final cost within budget
21	General	Emergency Services	Fire Cap - Tyringham RFB amenities kitchen and doors	-	77,219	77,219	49,518	33,059	82,578	64%	Finalisation phase	Minimal risk identified	Forecast final cost within budget
22	General	Emergency Services	SES Minor Building Renewals	10,000	-	10,000	3,901	909	2,992	-39%	Finalisation phase	Minimal risk identified	Forecast final cost within budget
23	General	Emergency Services	Yamba SES - New Carparking and Pavement	35,000	-	35,000	-	63,138	63,138	0%	Finalisation phase	Minimal risk identified	Forecast final cost exceeds budget
24	General	Emergency Services	Yamba SES Building	-	-	-	2,500	727	3,227	No Budget	Planning phase	Minimal risk identified	Forecast final cost within budget
25	General	Cultural Services	Grafton Regional Gallery Expansion - Stage 1	6,000,000	1,511,385	4,488,615	2,807,902	1,201,315	4,009,217	63%	Construction phase	Minimal risk identified	Forecast final cost within budget
26	General	Cultural Services	Prentice House - Roof Safety System	20,000	-	20,000	-	-	-	0%	Planning phase	Minimal risk identified	Forecast final cost within budget
<b>Completed Projects</b>													
0													
1	General	Building & Facilities								Complete	Project complete	Project complete	Project financially complete
1	General	Building & Facilities	Maclean Showground - Building Roof Access Safety Improvement	-	30,866	30,866	27,273	-	27,273	Complete	Project complete	Project complete	Project financially complete
2	General	Building & Facilities	Pub Hall Cap - Main Pavillion McIn Showground – Rebuild	-	360,131	360,131	521,531	-	521,531	Complete	Project complete	Project complete	Project financially complete
3	General	Building & Facilities	Community Centres Envelope/Internal Screens/Floor Coverings	10,000	-	10,000	10,864	-	10,864	Complete	Project complete	Project complete	Project financially complete
<b>OPEN SPACES</b>				<b>11,398,500</b>	<b>2,110,250</b>	<b>13,508,750</b>	<b>3,856,333</b>	<b>932,046</b>	<b>4,788,379</b>	<b>29%</b>			
0													
1	General	Parks & Open Spaces	Amenities - North Street Sports Field	120,000	-	120,000	-	2,240	2,240	0%	Planning phase	Minimal risk identified	Forecast final cost within budget
3	General	Parks & Open Spaces	Crown Parks Signage Renewals	30,000	-	30,000	8,070	3,837	11,907	27%	Implementation phase	Minimal risk identified	Forecast final cost within budget
4	General	Parks & Open Spaces	Corcoran Park (Northern End) - Construct Pontoon / Jetty	125,000	-	125,000	2,000	9,460	11,460	2%	Planning phase	Minimal risk identified	Forecast final cost within budget
6	General	Parks & Open Spaces	Crown Park Building/Structure Renewals	20,000	-	20,000	16,037	2,700	18,737	80%	Implementation phase	Minimal risk identified	Forecast final cost within budget
7	General	Parks & Open Spaces	Crown Park Lighting Renewals	20,000	-	20,000	-	18,182	18,182	0%	Implementation phase	Minimal risk identified	Forecast final cost within budget
8	General	Parks & Open Spaces	Crown Playground Equipment Renewals	280,000	-	280,000	2,568	42,890	45,458	1%	Implementation phase	Minimal risk identified	Forecast final cost within budget
9	General	Parks & Open Spaces	Crown Sports Facilities Signage Renewals	10,000	-	10,000	-	-	-	0%	Not commenced	Minimal risk identified	Forecast final cost within budget
10	General	Parks & Open Spaces	Ferry Park Amenities - Demolition and Reconstruction	250,000	-	250,000	-	-	-	0%	Not commenced	Minimal risk identified	Forecast final cost within budget
11	General	Parks & Open Spaces	Fisher Pk Exercise Stn Out of Box Relocate Option Support Fa	-	20,099	20,099	13,430	-	13,430	67%	Construction phase	Minimal risk identified	Forecast final cost within budget
13	General	Parks & Open Spaces	Golf Cap Putting Green Rebuild - Orara	25,000	-	25,000	3,793	11,905	15,697	15%	Implementation phase	Minimal risk identified	Forecast final cost within budget
14	General	Parks & Open Spaces	Grafton Precinct Master Plan Implement - Land Acquisitions	-	131,844	131,844	920,223	16,364	936,587	698%	Planning phase	Minimal risk identified	Forecast final cost within budget
15	General	Parks & Open Spaces	Grafton Waterfront Structural Works	6,500,000	-	6,500,000	-	157	157	0%	Planning phase	Minimal risk identified	Forecast final cost within budget
16	General	Parks & Open Spaces	Grandstand Seating - CV BMX & Rushforth Park	60,000	-	60,000	-	40,198	40,198	0%	Implementation phase	Minimal risk identified	Forecast final cost within budget
17	General	Parks & Open Spaces	Jacaranda Park GRAFTON - Playground Upgrade Stage 2	220,000	-	220,000	7,159	-	7,159	3%	Implementation phase	Minimal risk identified	Forecast final cost within budget
18	General	Parks & Open Spaces	Ken Leeson Oval - Amenities Upgrade	-	-	-	23,360	10,077	33,437	No Budget	Tenders / Quotations called	Minimal risk identified	Forecast final cost within budget
19	General	Parks & Open Spaces	Ken Leeson Oval - Stage 1 upgrade from masterplan	-	-	-	106,750	7,859	114,609	No Budget	Construction phase	Minimal risk identified	Forecast final cost within budget
20	General	Parks & Open Spaces	LCSC 2018/19 - Upgrade Clubhouse Facilities Stage 3	-	2,179	2,179	1,428	-	1,428	66%	Implementation phase	Minimal risk identified	Forecast final cost within budget
21	General	Parks & Open Spaces	LCSC 2019/20 - Renew stables	-	-	-	5,360	-	5,360	No Budget	Construction phase	Minimal risk identified	Forecast final cost within budget
22	General	Parks & Open Spaces	LCSC 2020/21 - New Goals	-	-	-	2,536	-	2,536	No Budget	Construction phase	Minimal risk identified	Forecast final cost within budget
23	General	Parks & Open Spaces	Lower Clarence Sports Council	35,000	-	35,000	-	-	-	0%	Planning phase	Minimal risk identified	Forecast final cost within budget
24	General	Parks & Open Spaces	Maclean Pool Amenities Upgrade Stage 2	200,000	518,831	718,831	930,493	51,816	982,308	129%	Planning phase	Minimal risk identified	Forecast final cost within budget
25	General	Parks & Open Spaces	Maclean Showground - Jim Thompson Building Improvements	-	-	-	35,287	-	35,287	No Budget	Finalisation phase	Minimal risk identified	Forecast final cost within budget
26	General	Parks & Open Spaces	Maclean Showground - Main Aren Lighting Upgrade	300,000	-	300,000	-	-	-	0%	Planning phase	Minimal risk identified	Forecast final cost within budget
27	General	Parks & Open Spaces	Maclean showground - Upgrade of stable facilities	30,000	-	30,000	-	-	-	0%	Planning phase	Minimal risk identified	Forecast final cost within budget
28	General	Parks & Open Spaces	Memorial Park Grafton – Constructa Pontoon / Jetty	250,000	-	250,000	-	-	-	0%	Not commenced	Some risk identified.	Forecast final cost within budget
29	General	Parks & Open Spaces	Ngayundi Sport Complex–carpark seal, playing surface & irrig	-	728,928	728,928	192,754	474,562	667,316	26%	Construction phase	Minimal risk identified	Forecast final cost within budget
30	General	Parks & Open Spaces	Parks & Reserves - Access Pavement & Carparks	141,000	-	141,000	43,575	5,209	48,784	31%	Implementation phase	Minimal risk identified	Forecast final cost within budget
31	General	Parks & Open Spaces	Parks & Reserves Buildings / Structures	30,000	-	30,000	18,481	2,310	20,791	62%	Implementation phase	Minimal risk identified	Forecast final cost within budget
32	General	Parks & Open Spaces	Parks Fencing & Bollards	20,000	-	20,000	-	455	455	0%	Implementation phase	Minimal risk identified	Forecast final cost within budget
33	General	Parks & Open Spaces	Parks Signage Renewals	30,000	-	30,000	4,620	12,317	16,937	15%	Implementation phase	Minimal risk identified	Forecast final cost within budget
34	General	Parks & Open Spaces	Pool Plant and Equipment - Renewals	10,000	-	10,000	7,502	-	7,502	75%	Construction phase	Minimal risk identified	Forecast final cost within budget
35	General	Parks & Open Spaces	Pool Structures - RENEWALS UNALLOCATED	20,000	-	20,000	-	-	-	0%	Not commenced	Minimal risk identified	Forecast final cost within budget
36	General	Parks & Open Spaces	Pub Amenities Upgrade-Woolli Hall toilets adjac CCRT reserve	100,000	-	100,000	-	-	-	0%	Planning phase	Minimal risk identified	Forecast final cost within budget
37	General	Parks & Open Spaces	Shade Sails Renewals	20,000	-	20,000	10,773	-	10,773	54%	Implementation phase	Minimal risk identified	Forecast final cost within budget
38	General	Parks & Open Spaces	Shannon Park Glenreagh - Amenities Upgrade	200,000	-	200,000	-	7,700	7,700	0%	Not commenced	Minimal risk identified	Forecast final cost within budget

Per Adopted Capital Works Budget				Per Council's Finance System									
Item No.	FUND	Service	Description	Original Budget	Variations	Revised Budget	Actuals	Commitments	WIP (Actuals & Commitments)	Financial Completion %	Project Status	Project Risk Status	Project Budget Status
39	General	Parks & Open Spaces	Small Park Ulmarra - Areal Fence Renewal	35,000	-	35,000	-	-	-	0%	● Planning phase	● Minimal risk identified	● Forecast final cost within budget
40	General	Parks & Open Spaces	Sports - Cricket Assets Renewal	7,500	-	7,500	-	63,996	63,996	0%	● Implementation phase	● Minimal risk identified	● Forecast final cost within budget
41	General	Parks & Open Spaces	Sports - Lighting Systems	21,000	-	21,000	2,410	24,804	27,214	11%	● Implementation phase	● Minimal risk identified	● Forecast final cost within budget
42	General	Parks & Open Spaces	Sports Buildings - Renewals	81,000	-	81,000	-	3,439	3,439	0%	● Implementation phase	● Minimal risk identified	● Forecast final cost may exceed budget
43	General	Parks & Open Spaces	Sports Courts - Surfaces/Fittings	15,000	-	15,000	-	16,404	16,404	0%	● Implementation phase	● Minimal risk identified	● Forecast final cost within budget
44	General	Parks & Open Spaces	Sportsfield Topdress and Drainage	41,000	-	41,000	113	-	113	0%	● Implementation phase	● Minimal risk identified	● Forecast final cost within budget
45	General	Parks & Open Spaces	Sportsfields Signage Renewal	11,000	-	11,000	-	10,000	10,000	0%	● Implementation phase	● Minimal risk identified	● Forecast final cost within budget
46	General	Parks & Open Spaces	Tennis Courts Assets Renewals	20,000	-	20,000	-	3,636	3,636	0%	● Implementation phase	● Minimal risk identified	● Forecast final cost within budget
47	General	Parks & Open Spaces	Ulmarra Riverside and Village Precinct (URVP) Project	900,000	-	900,000	-	157	157	0%	● Planning phase	● Minimal risk identified	● Forecast final cost within budget
48	General	Parks & Open Spaces	Upper Clarence Sports Council	35,000	-	35,000	-	-	-	0%	● Not commenced	● Minimal risk identified	● Forecast final cost within budget
49	General	Parks & Open Spaces	Wooli Beach Access Renewal	80,000	-	80,000	-	-	-	0%	● Not commenced	● Minimal risk identified	● Forecast final cost within budget
50	General	Parks & Open Spaces	Yamba Sports Complex	-	-	-	2,500	2,500	-	No Budget	● Project complete	● Minimal risk identified.	● Forecast final cost may exceed budget
51	General	Parks & Open Spaces	Zig Zag Pathway YAMBA - Upgrade	358,000	-	358,000	11,340	36,160	47,500	3%	● Planning phase	● Minimal risk identified	● Forecast final cost within budget
52	General	Cemeteries	Clarence Lawn Cemetery - Expansion Improvements (Sculptured	40,000	-	40,000	-	-	-	0%	● Not commenced	● Minimal risk identified	● Forecast final cost within budget
53	General	Cemeteries	Maclean Lawn Cemetery Improvements - Kerbing and Parking	15,000	-	15,000	-	-	-	0%	● Not commenced	● Minimal risk identified	● Forecast final cost within budget
<b>Completed Projects</b>													
0													
1	General	Parks & Open Spaces								Complete	● Project complete	● Project complete	● Project financially complete
1	General	Parks & Open Spaces	Barnier Park Playground - Shade Structure	45,000	-	45,000	36,227	-	36,227	Complete	● Project complete	● Project complete	● Project financially complete
2	General	Parks & Open Spaces	Brushgrove Recreation Triangle Playground	-	48,561	48,561	63,310	-	63,310	Complete	● Project complete	● Project complete	● Project financially complete
3	General	Parks & Open Spaces	CBD Litter Bin Enclosures - Upgrade to 240L with Rain Cover	16,000	-	16,000	14,133	-	14,133	Complete	● Project complete	● Project complete	● Project financially complete
4	General	Parks & Open Spaces	Crown Grevillia Park Playground	-	34,220	34,220	36,566	545	37,111	Complete	● Project complete	● Project complete	● Project financially complete
5	General	Parks & Open Spaces	Crown Lawrence Memorial Park Playground	-	138,647	138,647	108,399	-	108,399	Complete	● Project complete	● Project complete	● Project financially complete
6	General	Parks & Open Spaces	Crown Parks & Reserves - Access Pavement & Carparks	60,000	-	60,000	62,130	5,350	67,480	Complete	● Project complete	● Project complete	● Project financially complete
7	General	Parks & Open Spaces	Crown Parks Fencing & Bollards	30,000	-	30,000	3,989	14,218	18,208	Complete	● Project complete	● Project complete	● Project financially complete
8	General	Parks & Open Spaces	Crown Shade Structure Shelter Renewals	11,000	-	11,000	17,055	-	17,055	Complete	● Project complete	● Project complete	● Project financially complete
9	General	Parks & Open Spaces	Crown Park Furniture Renewals	25,000	-	25,000	25,000	-	25,000	Complete	● Project complete	● Project complete	● Project financially complete
10	General	Parks & Open Spaces	Maclean Showground - Arena Fence Renewal	-	9,100	9,100	8,273	-	8,273	Complete	● Project complete	● Project complete	● Project financially complete
11	General	Parks & Open Spaces	Maclean Showground - Entrance road upgrade	-	296,633	296,633	136,933	-	136,933	Complete	● Project complete	● Project complete	● Project financially complete
12	General	Parks & Open Spaces	McIntosh Memorial Park Playground	-	68,520	68,520	67,935	682	68,617	Complete	● Project complete	● Project complete	● Project financially complete
13	General	Parks & Open Spaces	Memorial Park Lawrence - Car Park Upgrade	20,000	-	20,000	17,100	-	17,100	Complete	● Project complete	● Project complete	● Project financially complete
14	General	Parks & Open Spaces	Park Furniture Renewals	30,000	-	30,000	29,830	-	29,830	Complete	● Project complete	● Project complete	● Project financially complete
15	General	Parks & Open Spaces	Public Amenities Renewals	-	-	-	5,675	7,558	13,233	Complete	● Project complete	● Project complete	● Project financially complete
16	General	Parks & Open Spaces	Rushforth Park – Stage 2 new amenities and canteen	420,000	112,688	532,688	841,040	909	841,949	Complete	● Project complete	● Project complete	● Project financially complete
17	General	Parks & Open Spaces	Wooli Boat Ramp Upgrade	-	-	-	1,209	9,546	10,755	Complete	● Project complete	● Project complete	● Project financially complete
18	Sewer	Sewer Services	Golf Cap Putting Green Rebuild - Orara	25,000	-	25,000	3,793	11,905	15,697	Complete	● Project complete	● Project complete	● Project financially complete
2	General	Parks & Open Spaces	BBQ Replacements	5,500	-	5,500	-	-	-	0%	● Not commenced	● Minimal risk identified	● Forecast final cost within budget
5	General	Parks & Open Spaces	Crown BBQ Replacements	5,500	-	5,500	6,890	-	6,890	125%	● Implementation phase	● Minimal risk identified	● Forecast final cost within budget
12	General	Parks & Open Spaces	Flo Clark Park - Fish Cleaning Table	-	-	-	3,285	-	3,285	No Budget	● Implementation phase	● Minimal risk identified	● Forecast final cost within budget
<b>SALEYARDS</b>				-	50,000	50,000	29,755	-	29,755	60%			
0													
1													
<b>Completed Projects</b>													
0													
1	General	Saleyards								Complete	● Project complete	● Project complete	● Project financially complete
1	General	Saleyards	Saleyard - Internal sealed road & carparks - Armidale St	-	50,000	50,000	29,755	-	29,755	Complete	● Project complete	● Project complete	● Project financially complete
<b>HOLIDAY PARKS</b>				7,450,000	255,179	7,705,179	74,584	456,337	530,922	1%			
0													
1	Holiday Park	Holiday Parks	C/Park - Clarence Coast Holiday Parks Strategic Plan	-	-	-	10,320	-	10,320	No Budget	● Finalisation phase	● Minimal risk identified	● Forecast final cost may exceed budget
2	Holiday Park	Holiday Parks	HPk – Building Improvements - Amenities	10,000	-	10,000	6,709	1,818	8,527	67%	● Implementation phase	● Minimal risk identified	● Forecast final cost within budget
3	Holiday Park	Holiday Parks	HPk - Furniture & Fittings	25,000	-	25,000	9,488	6,959	16,447	38%	● Implementation phase	● Minimal risk identified	● Forecast final cost within budget
4	Holiday Park	Holiday Parks	HPk - Office Equipment	5,000	-	5,000	-	-	-	0%	● Implementation phase	● Minimal risk identified	● Forecast final cost within budget
5	Holiday Park	Holiday Parks	HPk Cap – Building Improvements – Cabins	10,000	-	10,000	-	-	-	0%	● Not commenced	● Minimal risk identified	● Forecast final cost within budget
6	Holiday Park	Holiday Parks	CR - Calypso Holiday Park Redevelopment Design & Planning	-	196,754	196,754	12,503	446,900	459,403	6%	● Finalisation phase	● Minimal risk identified	● Forecast final cost may exceed budget
7	Holiday Park	Holiday Parks	HPk - Calypso Yamba HP Redevelopment	6,400,000	-	6,400,000	-	-	-	0%	● Tenders / Quotations called	● Minimal risk identified	● Forecast final cost exceeds budget
8	Holiday Park	Holiday Parks	Iluka H/Pk Replace Amenities	500,000	-	500,000	-	-	-	0%	● Not commenced	● Minimal risk identified	● Forecast final cost within budget

Per Adopted Capital Works Budget				Per Council's Finance System									
Item No.	FUND	Service	Description	Original Budget	Variations	Revised Budget	Actuals	Commitments	WIP (Actuals & Commitments)	Financial Completion %	Project Status	Project Risk Status	Project Budget Status
9	Holiday Park	Holiday Parks	Brooms Head C/Park Septic System Upgrade	-	-	-	-	660	660	No Budget	● Planning phase	● Minimal risk identified	● Forecast final cost exceeds budget
10	Holiday Park	Holiday Parks	MW C/Pk Cap Amenities Renewal	500,000	-	500,000	-	-	-	0%	● Not commenced	● Minimal risk identified	● Forecast final cost within budget
11	Holiday Park	Holiday Parks	Wooli HP Managers Residence/Office Renewal	-	58,425	58,425	35,565	-	35,565	61%	● Finalisation phase	● Minimal risk identified	● Forecast final cost within budget
<b>Completed Projects</b>													
0													
1	Holiday Park	Holiday Parks							-	Complete	● Project complete	● Project complete	● Project financially complete
<b>WASTE AND SUSTAINABILITY</b>				<b>970,000</b>	<b>565,098</b>	<b>1,535,098</b>	<b>526,383</b>	<b>418,565</b>	<b>944,949</b>	<b>34%</b>			
0													
1	General	Waste & Sustainability	Drinking fountain station - various locations	15,000	-	15,000	13,156	-	13,156	88%	● Implementation phase	● Minimal risk identified	● Forecast final cost within budget
2	General	Waste & Sustainability	Energy Audits & Actions	50,000	221,621	271,621	284,552	344,186	628,739	105%	● Construction phase	● Minimal risk identified	● Forecast final cost may exceed budget
3	General	Waste & Sustainability	Maclean Transfer Station - Organics Management Shed	150,000	-	150,000	-	-	-	0%	● Planning phase	● Minimal risk identified	● Forecast final cost within budget
4	General	Waste & Sustainability	Minnie Water - Waste Transfer Station	-	343,477	343,477	106,399	74,379	180,778	31%	● Construction phase	● Minimal risk identified	● Forecast final cost within budget
5	General	Waste & Sustainability	Solar Energy Systems -various Council buildings	755,000	-	755,000	122,276	-	122,276	16%	● Implementation phase	● Minimal risk identified	● Forecast final cost within budget
<b>Completed Projects</b>													
0													
1	General	Waste & Sustainability							-	Complete	● Project complete	● Project complete	● Project financially complete
1	General	Waste & Sustainability	Landfill Storage Shed Expansion - remove storage containers	-	-	-	-	12,785	12,785	Complete	● Project complete	● Project complete	● Project financially complete



## 2020/21 Operational Result Improvement Strategies Update - December 2020

	2019/20	2020/21	Total
<b>Improvement Strategy Targets (Item 6a.19.004)</b>	<b>2,669,591</b>	<b>1,294,481</b>	<b>3,964,072</b>
<b>Amount Recognised year to date</b>	<b>415,509</b>	<b>1,453,069</b>	<b>1,868,578</b>
<b>Remaining Improvement Strategy Target Amount - December 2020</b>	<b>2,254,082</b>	<b>(158,588)</b>	<b>2,095,494</b>

#	Strategy	6 monthly progress report	2019/20 Amount	2020/21 Amount	Total
1	<b>Rates Payment Options</b> - Review AusPost Contract and promotion of E-Notices to reduce postage	Active promotion of E-Notices and use of electronic communication methods for rating functions has seen a reduction in postage. AusPost Contract yet to be reviewed	14,212	32,384	46,596
2	<b>Works &amp; Civil Services</b> - Following co-location of services at RRWD, undertake service review in line with CiAnywhere Systems Upgrade and procurement Review to reduce duplication. Including structure review	Service review is being completed in alignment with CiAnywhere Systems Upgrade and the procurement review with a focus on streamline	-	-	-
3	<b>Cemeteries</b> - Undertake a review of cemeteries service with a view to outsourcing.	Review of cemeteries service has commenced	-	-	-
4	<b>Buildings, Facilities &amp; Open Spaces</b> - Develop a rationalisation program with a view to reducing asset base	Not yet started	-	-	-
5	<b>Regulatory Compliance Activity</b> - Review compliance activity to identify increased streams of revenue	Not yet started	-	-	-
6	<b>DA and CC Lodgement Procedures</b> - Increase efficiency through online lodgement and payment	Project is currently underway with efficiencies slowly being realised through online lodgement and payment. New online lodgement and payment portal set to go live 1 July 2021. No financial savings identified as yet.	-	-	-
7	<b>Strategic Procurement</b> - Reduced costs through panel suppliers and centralised purchasing	Implementation of strategic procurement actions for stationery has resulted in the centralisation of procurement and a streamlining of the stationery products purchased. Centralised purchasing processes have also been implemented for general purchasing and work is currently underway to implement panel suppliers as well as streamline tendering processes.	50,000	-	50,000
8	<b>Water Fund Dividend Payment</b> - Payment of dividend based on the lesser of 50% of surplus operating result or \$27 per assessment.	Investigation into the payment of a water fund dividend has been undertaken and whilst currently unable to be recognised in 2019/20, there is potential that this may be able to be realised in the 2020/21 financial year	-	604,179	604,179
9	<b>Sewer Fund Dividend Payment</b> - Payment of dividend based on the lesser of 50% of surplus operating result or \$27 per assessment.	Investigation into the payment of a sewer fund dividend has been undertaken and whilst currently unable to be recognised in 2019/20, there is potential that this may be able to be realised in the 2020/21 financial year Improvement Strategy no longer viable in current timeframe as Sewer Fund made a loss in 2019/20. Maybe able to consider	-	430,137	430,137
10	<b>Library</b> - Review operations of City Services	Review planned to commence in 2020/21	-	-	-
11	<b>South Grafton Pool Operations</b> - Review per resolution with a view to sell or long term lease	Improvement Strategy no longer viable. Refer CM XX.XXX.XXXX	-	-	-
12	<b>Glenreagh Pool Operations</b> - Review per resolution with a view to sell or long term lease	Improvement Strategy no longer viable. Refer CM XX.XXX.XXXX	-	-	-
13	<b>Population growth</b> - realise projections in LTFP	A population growth factor of 0.5% has been included in the 21/22 budgeted income will be calculated and included in the 2021/22 LTFP for presentation to Council in March 2021.	-	-	-
14	<b>Corporate &amp; Governance</b> - Automate process to reduce manual workloads and workarounds	Various investigations are underway. Implementation of automated systems and subsequent restructures will be finalised in late 20/21, early 21/22.	-	-	-
15	<b>Centralise budgets</b> - (legal, stationery & printing, training & development and conference & seminars) for better control and greater efficiency and organisational benefits	Budget centralisation processes have started. To date legals, stationery & printing and conference & seminars budgets have been reviewed and consolidated. Further review of these costs will occur throughout 20/21.	60,000	-	60,000
16	<b>Compliance with DA Conditions</b> - Review to ensure appropriate developer contribution income	An Internal Audit review is in its early stages to review the levying and collection of Developer contribution income with a view to maximising allowable collections.	-	-	-
17	<b>LED street lighting installation</b> - Account for savings	Savings expected to be realised in 2020/21	-	246,000	246,000
18	<b>Project Income</b> - Review understated income	Reviews are currently underway	-	-	-
19	<b>CiAnywhere Systems Upgrade</b> - Reduce duplication, increase efficiency, automate activity	Project commenced with a view to be implemented by 1/7/2020. Systems were partially implemented 1/7/2020 with remaining efficiencies from stage 1 to be implemented 1/7/2021. Any savings will be realised in 2021/22.	-	-	-
20	<b>Implement Project Management Framework</b> - increase efficiency	This framework has been endorsed and is being piloted on some projects in 2019/20. Furthermore project management systems are being implemented as part of the CiAnywhere Systems Upgrade and any savings will be recognised late in 20/21, early 21/22.	-	-	-

#	Strategy	6 monthly progress report	2019/20 Amount	2020/21 Amount	Total
21	<b>Biodiversity Stewardship</b> - Investigate opportunity	Not yet started		-	-
22	<b>Capitalisation</b> - Timely capitalisation of projects	Investigations into process change have begun however full efficiency will not be realised until the CiAnywhere Systems Upgrade has been implemented	-	-	-
23	<b>Advertising / Marketing Space</b> - Investigate opportunities ( bus shelters / airport)	Not yet started		-	-
24	<b>Reduction of Workers Compensation Premium</b> - Reduce through the implementation of safety strategies / activities to reduce claims	Safety focussed strategies implemented leading to our premium rate dropping from an average 3-3.5% to some where in the 2.5-3% range.	152,306	30,864	<b>183,170</b>
25	<b>Telephone &amp; Communications</b> - Review expenditure and telephone plans to ensure services are maximised.	A change in phone / data plans arrangements has occurred during 19/20 which has ultimately saved money on call costs whilst maximising our data plan benefits.	25,000	49,957	<b>74,957</b>
26	<b>Electricity</b> - Review of current electricity services and associated costs	A trend analysis of budgeted electricity costs as compared to actual expenditure has been completed and electricity services mapped to correct services resulting in duplicated / overstated budgets being removed.	50,432	38,415	<b>88,847</b>
27	<b>Advertising Costs</b> - review ensure budgets reflect new methodologies	Recent changes in advertising methodologies including increased use of electronic platforms and social media have resulted in general savings across council	38,344	21,133	<b>59,477</b>
28	<b>Employee Cost Review</b> - Review of activity and costs associated with ancillary employee costs such as uniforms, meeting expenses and recruitment costs	To date meeting expenses, uniforms and personal and protective equipment costs have been reviewed in light of current requirements and trend analysis over the past 3 years. Further review of these costs will occur throughout 20/21.	25,215	-	<b>25,215</b>
29	<b>Grafton Sports Centre</b> - Transition ownership and running costs to PCYC	Ownership of the Grafton Sports Centre has occurred early in 2019/20. The final transition of ownership including ongoing running costs for the building etc. will be transferred in line with contract events and the resulting value will then be realised in the relevant financial years.	-	-	-
30	<b>Contractor Costs</b> - review of costs and services provided by Contractors as opposed to employees with a view to finding the most cost efficient outcome.	Initial investigation into understanding contractor costs and potential savings in this area has begun.	-	-	-



**Attachment A: Movement of funds between months**

<b>Portfolio Credit Limits - movement over the reporting month</b>						
<b>Credit Rating Long Term</b>	<b>Total Investments Held (Current Month)</b>	<b>% of Total Investments (Current Month)</b>	<b>Total Investments Held (Previous Month)</b>	<b>% of Total Investments (Previous Month)</b>	<b>Movement \$</b>	<b>Movement %</b>
AAA	4,990,059	3.83%	4,989,811	4.27%	248	0.00%
AA	45,557,487	34.93%	25,009,508	21.40%	20,547,979	82.16%
A	29,250,000	22.43%	32,250,000	27.60%	(3,000,000)	(9.30%)
BBB	50,624,546	38.82%	54,613,082	46.73%	(3,988,536)	(7.30%)
<b>TOTAL INVESTMENTS</b>	<b>130,422,092</b>	<b>100.00%</b>	<b>116,862,401</b>	<b>100.00%</b>	<b>13,559,691</b>	<b>11.60%</b>

Individual Institution or Counterparty Limits - movement over the reporting month						
Financial Institution	Total Investments Held (Current Month)	% of Total Investments (Current Month)	Total Investments Held (Previous Month)	% of Total Investments (Previous Month)	Movement \$	Movement %
<b>TERM DEPOSITS &amp; FRNs*</b>						
AMP	8,000,000	6.13%	8,000,000	6.85%	-	-
ANZ*	2,057,822	1.58%	2,053,248	1.76%	4,574	0.22%
BoQ	16,000,000	12.27%	16,000,000	13.69%	-	-
CBA	3,000,000	2.30%	-	0.00%	3,000,000	-
CBA*	2,048,320	1.57%	2,044,540	1.75%	3,780	0.18%
Credit Union Australia	-	0.00%	2,000,000	1.71%	(2,000,000)	(100.00%)
Defence	8,000,000	6.13%	8,000,000	6.85%	-	-
ING Direct	15,000,000	11.50%	18,000,000	15.40%	(3,000,000)	(16.67%)
Macquarie	6,000,000	4.60%	6,000,000	5.13%	-	-
ME Bank	2,000,000	1.53%	4,000,000	3.42%	(2,000,000)	(50.00%)
NAB	4,000,000	3.07%	4,000,000	3.42%	-	-
NAB*	1,015,123	0.78%	1,029,078	0.88%	(13,955)	(1.36%)
P&N Bank	3,000,000	2.30%	3,000,000	2.57%	-	-
RaboDirect	9,000,000	6.90%	9,000,000	7.70%	-	-
Westpac	7,000,000	5.37%	7,000,000	5.99%	-	-
Westpac*	1,549,465	1.19%	1,545,107	1.32%	4,358	0.28%
<b>TOTAL TERM DEPOSITS &amp; FRNs*</b>	<b>87,670,730</b>	<b>67.22%</b>	<b>91,671,973</b>	<b>78.44%</b>	<b>(4,001,243)</b>	<b>(4.36%)</b>
<b>MANAGED FUNDS</b>						
TCorp	490,059	0.38%	489,811	0.42%	248	0.05%
<b>TOTAL MANAGED FUNDS</b>	<b>490,059</b>	<b>0.38%</b>	<b>489,811</b>	<b>0.42%</b>	<b>248</b>	<b>0.05%</b>
<b>FUNDS AT CALL</b>						
AMP	15,318,538	11.75%	15,307,529	13.10%	11,009	0.07%
AMP	1,056,008	0.81%	1,055,553	0.90%	455	0.04%
ANZ	3,787,190	2.90%	3,785,996	3.24%	1,194	0.03%
CBA	22,038,367	16.90%	4,490,341	3.84%	17,548,026	390.79%
CBA	61,200	0.05%	61,198	0.05%	2	0.00%
<b>TOTAL FUNDS AT CALL</b>	<b>42,261,303</b>	<b>32.40%</b>	<b>24,700,617</b>	<b>21.14%</b>	<b>17,560,686</b>	<b>71.09%</b>
<b>TOTAL INVESTMENTS</b>	<b>130,422,092</b>	<b>100.00%</b>	<b>116,862,401</b>	<b>100.00%</b>	<b>13,559,691</b>	<b>11.60%</b>

**Other Internal Reserves (detail)**

<b>Other Internal Reserves</b>	
Environmental & Noxious Weeds Projects	0.57%
Software Implementation Reserves	0.49%
Maclean & District Improvements	0.46%
Public Pool Improvements	0.41%
Coastal and Estuary Management	0.38%
Sporting Facilities Improvements	0.32%
Other Parks Improvements	0.31%
Floodplain Management Reserves	0.31%
Saleyards Asset Replacement	0.26%
Election Cost Reserve	0.18%
Insurance Reserves	0.14%
Emergency Services Reserves	0.12%
Strategic Development Programs	0.10%
Unspent General Loans	0.06%
Regional Development & Tourism Projects	0.03%
Council s7.11 Development Funds	0.02%
Public Toilet Refurbishment Program	0.02%
Community Cultural & Heritage Programs	0.02%
Miscellaneous Administrative Reserves	0.01%
Mobile & Public Library Projects	0.01%
CCS - General Fund	1.51%
<b>Total Other Internal Reserves</b>	<b>5.73%</b>

# Clarence Valley Council

ANNUAL FINANCIAL STATEMENTS  
for the year ended 30 June 2020

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# Clarence Valley Council

GENERAL PURPOSE FINANCIAL STATEMENTS  
for the year ended 30 June 2020

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# Clarence Valley Council

## General Purpose Financial Statements

for the year ended 30 June 2020

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### Overview

Clarence Valley Council is constituted under the Local Government Act 1993 (NSW) and has its principal place of business at:

2 Prince St  
GRAFTON NSW 2460

Council's guiding principles are detailed in Chapter 3 of the LGA and includes:

- principles applying to the exercise of functions generally by council,
- principles to be applied when making decisions,
- principles of community participation,
- principles of sound financial management, and
- principles for strategic planning relating to the development of an integrated planning and reporting framework.

A description of the nature of Council's operations and its principal activities are provided in Note 2(b).

Through the use of the internet, we have ensured that our reporting is timely, complete and available at minimum cost. All press releases, financial statements and other information are publicly available on our website: [www.clarence.nsw.gov.au](http://www.clarence.nsw.gov.au).

## Clarence Valley Council

### General Purpose Financial Statements

for the year ended 30 June 2020

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Statement by Councillors and Management made pursuant to Section 413(2)(c) of the Local Government Act 1993 (NSW) (as amended)

The attached General Purpose Financial Statements have been prepared in accordance with:


- the *Local Government Act 1993* (NSW) (as amended) and the regulations made thereunder,
- the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
- the *Local Government Code of Accounting Practice and Financial Reporting*.

To the best of our knowledge and belief, these statements:

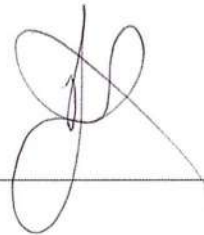
- present fairly the Council's operating result and financial position for the year
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 27 October 2020.



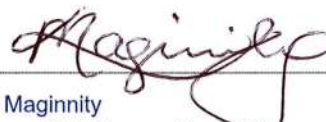
Jim Simmons  
**Mayor**  
27 October 2020



Jason Kingsley  
**Councillor**  
27 October 2020



Ashley Lindsay  
**General Manager**  
27 October 2020



Kate Maginnity  
**Responsible Accounting Officer**  
27 October 2020



## Clarence Valley Council

## Income Statement

for the year ended 30 June 2020

Original unaudited budget 2020	\$ '000	Notes	Actual 2020	Actual 2019 <sup>1</sup>
<b>Income from continuing operations</b>				
60,533	Rates and annual charges	3a	62,791	59,436
38,649	User charges and fees	3b	39,312	38,070
1,105	Other revenues	3c	2,403	3,350
24,941	Grants and contributions provided for operating purposes	3d,3e	32,610	20,760
21,344	Grants and contributions provided for capital purposes	3d,3e	24,740	12,817
3,085	Interest and investment income	4	3,344	3,750
931	Rental income	14e	826	–
150,588	<b>Total income from continuing operations</b>		166,026	138,183
<b>Expenses from continuing operations</b>				
38,418	Employee benefits and on-costs	5a	36,062	33,716
7,203	Borrowing costs	5b	7,655	7,869
31,093	Materials and contracts	5c	42,034	30,703
42,717	Depreciation and amortisation	5d	44,033	42,279
14,147	Other expenses	5e	13,505	12,948
–	Net losses from the disposal of assets	6	15,227	6,926
–	Net share of interests in joint ventures and associates using the equity method	19	34	42
133,578	<b>Total expenses from continuing operations</b>		158,550	134,483
17,010	<b>Operating result from continuing operations</b>		7,476	3,700
<b>Discontinued operations</b>				
–	Operating result from discontinued operations	24	52	728
17,010	<b>Net operating result for the year</b>		7,528	4,428
17,010	Net operating result attributable to council		7,528	4,428
(4,334)	<b>Net operating result for the year before grants and contributions provided for capital purposes</b>		(17,212)	(8,389)

<sup>(1)</sup> The Council has not restated comparatives when initially applying AASB 1058 *Income of Not-for-Profit Entities*, AASB 15 *Revenue from Contracts with Customers* and AASB 16 *Leases*. The comparative information has been prepared under AASB 111 *Construction Contracts*, AASB 118 *Revenue*, AASB 1004 *Contributions*, AASB 117 *Leases* and related Accounting Interpretations.

The above Income Statement should be read in conjunction with the accompanying notes.

## Clarence Valley Council

## Statement of Comprehensive Income

for the year ended 30 June 2020

\$ '000	Notes	2020	2019 <sup>1</sup>
<b>Net operating result for the year (as per Income Statement)</b>		<b>7,528</b>	<b>4,428</b>
<b>Other comprehensive income:</b>			
Amounts which will not be reclassified subsequently to the operating result			
Gain (loss) on revaluation of IPP&E	11	7,471	9,474
Impairment (loss) reversal / (Revaluation decrement) relating to IPP&E	11	(712)	245
Other comprehensive income – joint ventures and associates	19	40	39
<b>Total items which will not be reclassified subsequently to the operating result</b>		<b>6,799</b>	<b>9,758</b>
<b>Total other comprehensive income for the year</b>		<b>6,799</b>	<b>9,758</b>
<b>Total comprehensive income for the year</b>		<b>14,327</b>	<b>14,186</b>
Total comprehensive income attributable to Council		14,327	14,186

(1) The Council has not restated comparatives when initially applying AASB 1058 *Income of Not-for-Profit Entities*, AASB 15 *Revenue from Contracts with Customers* and AASB 16 *Leases*. The comparative information has been prepared under AASB 111 *Construction Contracts*, AASB 118 *Revenue*, AASB 1004 *Contributions*, AASB 117 *Leases* and related Accounting Interpretations.

The above Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

## Clarence Valley Council

## Statement of Financial Position

as at 30 June 2020

\$ '000	Notes	2020	2019 <sup>1</sup>
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and cash equivalents	7(a)	22,120	12,320
Investments	7(b)	68,000	61,007
Receivables	8	30,584	23,081
Inventories	9a	1,348	1,507
Contract assets	13a	4,991	–
Other	9b	172	87
Non-current assets classified as 'held for sale'	10	1,147	930
<b>Total current assets</b>		<u>128,362</u>	<u>98,932</u>
<b>Non-current assets</b>			
Investments	7(b)	35,610	47,604
Receivables	8	1,363	899
Inventories	9a	156	156
Infrastructure, property, plant and equipment	11	1,965,093	1,964,114
Intangible Assets	12	950	336
Right of use assets	14a	368	–
Investments accounted for using the equity method	19	42	36
<b>Total non-current assets</b>		<u>2,003,582</u>	<u>2,013,145</u>
<b>Total assets</b>		<u>2,131,944</u>	<u>2,112,077</u>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	15	21,840	12,311
Income received in advance	15	–	2,098
Contract liabilities	13b	4,509	–
Lease liabilities	14b	282	–
Borrowings	15	8,195	7,040
Provisions	16	12,648	12,330
<b>Total current liabilities</b>		<u>47,474</u>	<u>33,779</u>
<b>Non-current liabilities</b>			
Lease liabilities	14b	93	–
Borrowings	15	95,940	104,135
Provisions	16	15,034	12,203
<b>Total non-current liabilities</b>		<u>111,067</u>	<u>116,338</u>
<b>Total liabilities</b>		<u>158,541</u>	<u>150,117</u>
<b>Net assets</b>		<u>1,973,403</u>	<u>1,961,960</u>
<b>EQUITY</b>			
Accumulated surplus	17	836,142	831,458
Revaluation reserves	17	1,137,261	1,130,502
<b>Council equity interest</b>		<u>1,973,403</u>	<u>1,961,960</u>
<b>Total equity</b>		<u>1,973,403</u>	<u>1,961,960</u>

(1) The Council has not restated comparatives when initially applying AASB 1058 *Income of Not-for-Profit Entities*, AASB 15 *Revenue from Contracts with Customers* and AASB 16 *Leases*. The comparative information has been prepared under AASB 111 *Construction Contracts*, AASB 118 *Revenue*, AASB 1004 *Contributions*, AASB 117 *Leases* and related Accounting Interpretations.

The above Statement of Financial Position should be read in conjunction with the accompanying notes.

## Clarence Valley Council

Statement of Changes in Equity  
for the year ended 30 June 2020

\$ '000	Notes	as at 30/06/20			as at 30/06/19 <sup>1</sup>		
		Accumulated surplus	IPP&E revaluation reserve	Total equity	Accumulated surplus	IPP&E revaluation reserve	Total equity
Opening balance		831,458	1,130,502	1,961,960	826,991	1,120,783	1,947,774
Changes due to AASB 1058 and AASB 15 adoption	17	(2,884)	–	(2,884)	–	–	–
Changes due to AASB 16 adoption	17	–	–	–	–	–	–
<b>Restated opening balance</b>		<b>828,574</b>	<b>1,130,502</b>	<b>1,959,076</b>	<b>826,991</b>	<b>1,120,783</b>	<b>1,947,774</b>
Net operating result for the year		7,528	–	7,528	4,428	–	4,428
<b>Other comprehensive income</b>							
– Gain (loss) on revaluation of IPP&E	11	–	7,471	7,471	–	9,474	9,474
– Impairment (loss) reversal relating to IPP&E	11	–	(712)	(712)	–	245	245
– Joint ventures and associates	19	40	–	40	39	–	39
<b>Other comprehensive income</b>		<b>40</b>	<b>6,759</b>	<b>6,799</b>	<b>39</b>	<b>9,719</b>	<b>9,758</b>
<b>Total comprehensive income</b>		<b>7,568</b>	<b>6,759</b>	<b>14,327</b>	<b>4,467</b>	<b>9,719</b>	<b>14,186</b>
<b>Equity – balance at end of the reporting period</b>		<b>836,142</b>	<b>1,137,261</b>	<b>1,973,403</b>	<b>831,458</b>	<b>1,130,502</b>	<b>1,961,960</b>

(1) The Council has not restated comparatives when initially applying AASB 1058 *Income of Not-for-Profit Entities*, AASB 15 *Revenue from Contracts with Customers* and AASB 16 *Leases*. The comparative information has been prepared under AASB 111 *Construction Contracts*, AASB 118 *Revenue*, AASB 1004 *Contributions*, AASB 117 *Leases* and related Accounting Interpretations.

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

## Clarence Valley Council

## Statement of Cash Flows

for the year ended 30 June 2020

Original unaudited budget 2020	\$ '000	Notes	Actual 2020	Actual 2019 <sup>1</sup>
<b>Cash flows from operating activities</b>				
<b>Receipts:</b>				
60,242	Rates and annual charges		64,211	58,883
38,547	User charges and fees		37,531	38,986
3,022	Investment and interest revenue received		3,859	3,452
40,958	Grants and contributions		36,866	37,376
–	Bonds, deposits and retention amounts received		385	184
1,990	Other		11,104	3,053
<b>Payments:</b>				
(37,564)	Employee benefits and on-costs		(35,330)	(37,513)
(27,150)	Materials and contracts		(41,921)	(35,842)
(7,296)	Borrowing costs		(7,219)	(7,664)
(12,445)	Other		(10,552)	(10,197)
<b>60,304</b>	<b>Net cash provided (or used in) operating activities</b>	18b	<b>58,934</b>	<b>50,718</b>
<b>Cash flows from investing activities</b>				
<b>Receipts:</b>				
–	Sale of investment securities		90,000	41,000
–	Sale of real estate assets		–	76
1,718	Sale of infrastructure, property, plant and equipment		1,716	1,433
38	Deferred debtors receipts		117	66
<b>Payments:</b>				
–	Purchase of investment securities		(84,986)	(54,518)
(49,403)	Purchase of infrastructure, property, plant and equipment		(47,891)	(36,398)
(30)	Purchase of intangible assets		(829)	(222)
(32)	Deferred debtors and advances made		–	–
<b>(47,709)</b>	<b>Net cash provided (or used in) investing activities</b>		<b>(41,873)</b>	<b>(48,563)</b>
<b>Cash flows from financing activities</b>				
<b>Payments:</b>				
(7,040)	Repayment of borrowings and advances		(7,040)	(6,591)
–	Lease liabilities (principal repayments)		(221)	–
(1,022)	Other financing activity payments		–	–
<b>(8,062)</b>	<b>Net cash flow provided (used in) financing activities</b>		<b>(7,261)</b>	<b>(6,591)</b>
<b>4,533</b>	<b>Net increase/(decrease) in cash and cash equivalents</b>		<b>9,800</b>	<b>(4,436)</b>
15,698	Plus: cash and cash equivalents – beginning of year	18a	12,320	16,756
<b>20,231</b>	<b>Cash and cash equivalents – end of the year</b>	18a	<b>22,120</b>	<b>12,320</b>
98,537	plus: Investments on hand – end of year	7(b)	103,610	108,611
<b>118,768</b>	<b>Total cash, cash equivalents and investments</b>		<b>125,730</b>	<b>120,931</b>

(1) The Council has not restated comparatives when initially applying AASB 1058 *Income of Not-for-Profit Entities*, AASB 15 *Revenue from Contracts with Customers* and AASB 16 *Leases*. The comparative information has been prepared under AASB 111 *Construction Contracts*, AASB 118 *Revenue*, AASB 1004 *Contributions*, AASB 117 *Leases* and related Accounting Interpretations.

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

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## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 1. Basis of preparation

These financial statements were authorised for issue by Council on 27 October 2020. Council has the power to amend and reissue these financial statements in cases where critical information is received from public submissions or where the OLG directs Council to amend the financial statements.

The principal accounting policies adopted in the preparation of these consolidated financial statements are set out below.

These policies have been consistently applied to all the years presented, unless otherwise stated.

These general purpose financial statements have been prepared in accordance with Australian Accounting Standards and Australian Accounting Interpretations, the *Local Government Act 1993 (NSW)* and Regulations, and the Local Government Code of Accounting Practice and Financial Reporting.

Council is a not for-profit entity.

The financial statements are presented in Australian dollars and are rounded to the nearest thousand dollars.

##### (a) Historical cost convention

These financial statements have been prepared under the historical cost convention, as modified by the revaluation of certain financial assets and liabilities and certain classes of infrastructure, property, plant and equipment and investment property.

##### (b) Significant accounting estimates and judgements

The preparation of financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the Council's accounting policies.

Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that may have a financial impact on the Council and that are believed to be reasonable under the circumstances.

##### Critical accounting estimates and assumptions

Council makes estimates and assumptions concerning the future. The resulting accounting estimates will, by definition, seldom equal the related actual results. The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year include:

- (i) estimated fair values of infrastructure, property, plant and equipment – refer Note 11
- (ii) estimated tip remediation provisions – refer Note 16
- (iii) employee benefit provisions – refer Note 16

##### Significant judgements in applying the council's accounting policies

- (i) Impairment of receivables

Council has made a significant judgement about the impairment of a number of its receivables – refer Note 8.

##### Monies and other assets received by Council

###### (a) The Consolidated Fund

In accordance with the provisions of Section 409(1) of the Local Government Act 1993 (NSW), all money and property received by Council is held in the Council's Consolidated Fund unless it is required to be held in the Council's Trust Fund.

The Consolidated Fund has been included in the financial statements.

Cash and other assets of the following entities have been included as part of the Consolidated Fund:

- General purpose operations
- Water Supply
- Sewerage service
- Clarence Regional Library



## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 1. Basis of preparation (continued)

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##### **(b) The Trust Fund**

In accordance with the provisions of Section 411 of the *Local Government Act 1993 (NSW)* (as amended), a separate and distinct Trust Fund is maintained to account for all money and property received by the council in trust which must be applied only for the purposes of, or in accordance with, the trusts relating to those monies. Trust monies and property subject to Council's control have been included in these reports.

A separate statement of monies held in the Trust Fund is available for inspection at the council office by any person free of charge.

##### **Goods and Services Tax (GST)**

Revenues, expenses and assets are recognised net of the amount of associated GST, unless the GST incurred is not recoverable from the taxation authority. In this case it is recognised as part of the cost of acquisition of the asset or as part of the expense.

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to the taxation authority is included with other receivables or payables in the Statement of Financial Position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities that are recoverable from, or payable to, the taxation authority are presented as operating cash flows.

##### **Volunteer services**

Council has many volunteers working in various areas. These volunteer services have not been recognised as income as per AASB 1058. This is because the fair value of such services cannot be reliably measured and it would not have been purchased if they were not donated.

##### **New accounting standards and interpretations issued not yet effective**

Certain new accounting standards and interpretations have been published that are not mandatory for 30 June 2020 reporting periods (and which have not been early adopted by Council).

As at the date of authorisation of these financial statements, Council does not consider that any of those standards are likely to have a material impact on the Council's future financial statements, financial position, financial performance or cash flows.

##### **New accounting standards adopted during the year**

During the year, Council adopted all standards which were mandatorily effective for the first time at 30 June 2020.

Those newly adopted standards which had an impact on reported position, performance and/or disclosures have been discussed in Note 17.

Clarence Valley Council

Notes to the Financial Statements  
for the year ended 30 June 2020

Note 2(a). Council functions/activities – financial information

Income, expenses and assets have been directly attributed to the following functions or activities.  
Details of those functions or activities are provided in Note 2(b).

\$ '000	Income from continuing operations		Expenses from continuing operations		Operating result from continuing operations		Grants included in income from continuing operations		Carrying amount of assets	
	2020	2019	2020	2019	2020	2019 <sup>1</sup>	2020	2019	2020	2019 <sup>1</sup>
<b>Functions or activities</b>										
Leadership	1,636	1,542	22,211	19,839	(20,575)	(18,297)	513	131	394,040	384,177
Infrastructure	80,650	60,635	89,585	75,266	(8,935)	(14,631)	19,422	5,893	1,541,657	1,533,868
Society	12,496	9,127	24,356	18,269	(11,860)	(9,142)	6,616	4,174	141,710	142,508
Environment	18,007	16,111	15,764	14,425	2,243	1,686	502	471	24,221	23,265
Economy	7,515	7,633	6,600	6,642	915	991	759	288	30,280	28,223
Share of losses in JV (using the equity method)	–	–	34	42	(34)	(42)	–	–	36	36
General purpose income	45,722	43,135	–	–	45,722	43,135	11,346	10,908	–	–
<b>Total functions and activities</b>	<b>166,026</b>	<b>138,183</b>	<b>158,550</b>	<b>134,483</b>	<b>7,476</b>	<b>3,700</b>	<b>39,158</b>	<b>21,865</b>	<b>2,131,944</b>	<b>2,112,077</b>

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 2(b). Council functions/activities - component descriptions

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Details relating to the Council's functions/activities as reported in Note 2(a) are as follows:

##### Leadership

- Continuous Improvement
- Accountability and Compliance
- Participation and Communication
- Resourcing and Support

##### Infrastructure

- Quality Built Environment and Places
- Efficient Transport and Access
- Effective Essential Services

##### Society

- Community Health and Welbeing
- Creative Culture and Recreation
- Good Community Relations
- Community Resilience

##### Environment

- Protecting the Land
- Maintaining Healthy Waterways
- Protecting Biodiversity

##### Economy

- Efficient and Careful Resource Use
- Healthy Economic Activity
- Meaningful Work and Employment

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 3. Revenue from continuing operations

\$ '000	AASB	2020	2019
<b>(a) Rates and annual charges</b>			
<b>Ordinary rates</b>			
Residential	1058 (1)	25,793	23,690
Farmland	1058 (1)	3,425	3,172
Business	1058 (1)	4,089	3,812
Less: pensioner rebates (mandatory)	1058 (1)	(1,118)	(1,109)
<b>Rates levied to ratepayers</b>		<b>32,189</b>	<b>29,565</b>
Pensioner rate subsidies received	1058 (1)	610	610
<b>Total ordinary rates</b>		<b>32,799</b>	<b>30,175</b>
<b>Annual charges</b>			
<small>(pursuant to s.496, s.496A, s.496B, s.501 &amp; s.611)</small>			
Domestic waste management services	1058 (1)	7,437	7,224
Water supply services	1058 (1)	2,900	2,831
Sewerage services	1058 (1)	17,998	17,575
Waste management services (non-domestic)	1058 (1)	2,167	2,151
Less: pensioner rebates (mandatory)	1058 (1)	(1,141)	(1,154)
<b>Annual charges levied</b>		<b>29,361</b>	<b>28,627</b>
Pensioner subsidies received:			
– Water	1058 (1)	248	248
– Sewerage	1058 (1)	186	181
– Domestic waste management	1058 (1)	197	205
<b>Total annual charges</b>		<b>29,992</b>	<b>29,261</b>
<b>TOTAL RATES AND ANNUAL CHARGES</b>		<b>62,791</b>	<b>59,436</b>

The **AASB** notation (above) identifies the revenue recognition pattern for material items of Council revenue:

- 15 (1)** indicates income recognised under AASB 15 “at a point in time”,
- 15 (2)** indicates income recognised under AASB 15 “over time”,
- 1058 (1)** indicates income recognised under AASB 1058 “at a point in time”, while
- 1058 (2)** indicates income recognised under AASB 1058 “over time”.

Council has used 2019 year valuations provided by the NSW Valuer General in calculating its rates.

**Accounting policy for rates and charges**

Rates and annual charges are recognised as revenue when the Council obtains control over the assets comprising these receipts which is the beginning of the rating period to which they relate.

Prepaid rates are recognised as a financial liability until the beginning of the rating period.

Pensioner rebates relate to reductions in rates and certain annual charges for eligible pensioners’ place of residence in the local government council area that are not subsidised by the NSW Government.

Pensioner rate subsidies are received from the NSW Government to provide a contribution towards the pensioner rebates and are in substance a rates payment.

**2019 accounting policy**

Control over assets acquired from rates and annual charges is obtained at the commencement of the rating year as it is an enforceable debt linked to the rateable property or, where earlier, upon receipt of the rates.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 3. Revenue from continuing operations (continued)

\$ '000	AASB	2020	2019
<b>(b) User charges and fees</b>			
<b>Specific user charges</b>			
(per s.502 - specific 'actual use' charges)			
Water supply services	15 (2)	13,825	12,917
Sewerage services	15 (2)	1,750	1,821
On-site septic management services	15 (2)	351	326
<b>Total specific user charges</b>		<b>15,926</b>	<b>15,064</b>
<b>Other user charges and fees</b>			
<b>(i) Fees and charges – statutory and regulatory functions (per s.608)</b>			
Private works – section 67	15 (2)	447	401
Regulatory/ statutory fees	15 (1)	1,765	1,878
Section 10.7 certificates (EP&A Act)	15 (1)	113	135
Section 603 certificates	15 (1)	114	113
<b>Total fees and charges – statutory/regulatory</b>		<b>2,439</b>	<b>2,527</b>
<b>(ii) Fees and charges – other (incl. general user charges (per s.608))</b>			
Aerodrome	15 (1)	128	162
Caravan park	15 (1)	5,547	6,348
Cemeteries	15 (1)	585	622
Community centres	15 (1)	38	56
Leaseback fees – Council vehicles	15 (1)	305	309
Quarry revenues	15 (1)	350	1,234
RMS (formerly RTA) charges (state roads not controlled by Council)	15 (2)	3,378	3,972
Saleyards	15 (1)	434	294
Swimming centres	15 (1)	281	333
Art gallery	15 (1)	68	95
Community services	15 (1)	–	–
Other sewer fees	15 (1)	1,216	681
Other water fees	15 (1)	1,121	531
Other waste management	15 (1)	292	237
Regional landfill	15 (1)	6,614	4,964
Water tapping fees	15 (1)	283	263
Other	15 (1)	307	378
<b>Total fees and charges – other</b>		<b>20,947</b>	<b>20,479</b>
<b>TOTAL USER CHARGES AND FEES</b>		<b>39,312</b>	<b>38,070</b>

The **AASB** notation (above) identifies the revenue recognition pattern for material items of Council revenue:

**15 (1)** indicates income recognised under AASB 15 “at a point in time”,

**15 (2)** indicates income recognised under AASB 15 “over time”,

**1058 (1)** indicates income recognised under AASB 1058 “at a point in time”, while

**1058 (2)** indicates income recognised under AASB 1058 “over time”.

**Accounting policy for user charges and fees**

Revenue arising from user charges and fees is recognised when or as the performance obligation is completed and the customer receives the benefit of the goods / services being provided.

The performance obligation relates to the specific services which are provided to the customers and generally the payment terms are within 30 days of the provision of the service or in some cases such as caravan parks, the customer is required to pay on arrival. There is no material obligation for Council in relation to refunds or returns.

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 3. Revenue from continuing operations (continued)

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Where an upfront fee is charged such as membership fees for a leisure centre the fee is recognised on a straight-line basis over the expected life of the membership.

Licences granted by Council are all either short-term or low value and all revenue from licences is recognised at the time that the licence is granted rather than the term of the licence.

**2019 accounting policy**

User charges and fees are recognised as revenue when the service has been provided.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 3. Revenue from continuing operations (continued)

\$ '000	AASB	2020	2019
<b>(c) Other revenues</b>			
Rental income – other council properties (2019 only)		–	895
Fines	1058 (1)	83	88
Legal fees recovery – rates and charges (extra charges)	1058 (1)	132	39
Legal fees recovery – other	1058 (1)	–	8
Commissions and agency fees	1058 (1)	43	50
Diesel rebate	1058 (1)	319	266
Container Deposit Scheme Sharing	1058 (1)	110	409
Insurance claims recoveries	1058 (1)	952	1,125
Sales – general	15 (1)	269	192
Commonwealth emissions reduction fund	1058 (1)	215	99
Interest in associated entities (adjusted)		40	39
State waste rebate	1058 (1)	88	89
Other	15 (1)	152	51
<b><u>TOTAL OTHER REVENUE</u></b>		<b><u>2,403</u></b>	<b><u>3,350</u></b>

The **AASB** notation (above) identifies the revenue recognition pattern for material items of Council revenue:

**15 (1)** indicates income recognised under AASB 15 “at a point in time”,

**15 (2)** indicates income recognised under AASB 15 “over time”,

**1058 (1)** indicates income recognised under AASB 1058 “at a point in time”, while

**1058 (2)** indicates income recognised under AASB 1058 “over time”.

**Accounting policy for other revenue**

Where the revenue relates to a contract with customer, the revenue is recognised when or as the performance obligation is completed and the customer receives the benefit of the goods / services being provided.

Where the revenue relates to a contract which is not enforceable or does not contain sufficiently specific performance obligations then revenue is recognised when an unconditional right to a receivable arises or the cash is received, which is earlier.

**2019 accounting policy:**

Council recognises revenue when the amount of revenue can be reliably measured, it is probable that future economic benefits will flow to the Council and specific criteria have been met for each of the Council’s activities as described below. Council bases its estimates on historical results, taking into consideration the type of customer, the type of transaction and the specifics of each arrangement.

Parking fees and fines are recognised as revenue when the service has been provided, or when the penalty has been applied, whichever occurs first.

Rental income is accounted for on a straight-line basis over the lease term.

Miscellaneous sales are recognised when physical possession has transferred to the customer which is deemed to be the point of transfer of risks and rewards.

Other income is recorded when the payment is due, the value of the payment is notified, or the payment is received, whichever occurs first.



## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 3. Revenue from continuing operations (continued)

\$ '000	AASB	Operating 2020	Operating 2019	Capital 2020	Capital 2019
<b>(d) Grants</b>					
<b>General purpose (untied)</b>					
<b>Current year allocation</b>					
Financial assistance – general component	1058 (1)	3,800	3,762	–	–
Financial assistance – local roads component	1058 (1)	1,707	1,593	–	–
<b>Payment in advance - future year allocation</b>					
Financial assistance – general component	1058 (1)	4,067	3,885	–	–
Financial assistance – local roads component	1058 (1)	1,770	1,668	–	–
<b>Total general purpose</b>		<b>11,344</b>	<b>10,908</b>	<b>–</b>	<b>–</b>
<b>Specific purpose</b>					
Community care	1058 (1)	115	115	–	–
Community centres	1058 (1)	28	–	–	–
Economic development	1058 (2)	–	–	4,553	3,066
Employment and training programs	1058 (1)	8	25	–	–
Floodplain management	1058 (1)	143	210	–	28
Environmental services	1058 (1)	78	389	–	–
Library	1058 (1)	201	179	6	–
Harwood Precinct Upgrade	1058 (2)	–	–	1,696	–
Heritage and cultural	1058 (2)	95	97	2,693	–
LIRS subsidy	1058 (1)	25	29	–	–
Maclean Showground	1058 (2)	–	–	218	–
Noxious weeds	1058 (1)	221	–	–	–
Recreation and culture	1058 (2)	–	–	4	9
NSW rural fire services	1058 (2)	5,434	622	265	339
Storm/flood damage	1058 (1)	7,080	458	–	–
Street lighting	1058 (1)	106	104	–	–
Transport (roads to recovery)	1058 (1)	2,051	2,540	–	–
Transport (other roads and bridges funding)	1058 (2)	–	–	2,724	2,572
Other	1058 (1)	47	102	23	73
<b>Total specific purpose</b>		<b>15,632</b>	<b>4,870</b>	<b>12,182</b>	<b>6,087</b>
<b>Total grants</b>		<b>26,976</b>	<b>15,778</b>	<b>12,182</b>	<b>6,087</b>
<b>Grant revenue is attributable to:</b>					
– Commonwealth funding		14,836	13,455	709	1,792
– State funding		12,140	2,323	11,473	4,295
		<b>26,976</b>	<b>15,778</b>	<b>12,182</b>	<b>6,087</b>

The **AASB** notation (above) identifies the revenue recognition pattern for material items of Council revenue:

**15 (1)** indicates income recognised under AASB 15 “at a point in time”,

**15 (2)** indicates income recognised under AASB 15 “over time”,

**1058 (1)** indicates income recognised under AASB 1058 “at a point in time”, while

**1058 (2)** indicates income recognised under AASB 1058 “over time”.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 3. Revenue from continuing operations (continued)

\$ '000	Notes	AASB	Operating 2020	Operating 2019	Capital 2020	Capital 2019
<b>(e) Contributions</b>						
<b>Developer contributions: (s7.4 &amp; s7.11 - EP&amp;A Act, s64 of the LGA):</b>						
<b>Cash contributions</b>						
S 7.11 – contributions towards amenities/services		1058 (1)	–	–	771	505
S 7.12 – fixed development consent levies		1058 (1)	–	–	139	105
S 64 – water supply contributions		1058 (1)	–	–	3,550	614
S 64 – sewerage service contributions		1058 (1)	–	–	452	839
<b>Total developer contributions – cash</b>			<b>–</b>	<b>–</b>	<b>4,912</b>	<b>2,063</b>
<b>Total developer contributions</b>	28		<b>–</b>	<b>–</b>	<b>4,912</b>	<b>2,063</b>
<b>Other contributions:</b>						
<b>Cash contributions</b>						
Clarence regional library		1058 (1)	231	265	–	–
Community services		1058 (1)	–	3	–	–
Roads and bridges		1058 (2)	–	–	27	529
RMS contributions (regional roads, block grant)		1058 (1)	3,893	3,778	1,482	755
Other		1058 (1)	(102)	153	102	180
Regional assessment service program		1058 (1)	315	–	–	–
Rural fire services		1058 (1)	470	41	–	–
Water supplies (excl. section 64 contributions)		1058 (1)	583	502	–	–
Work health and safety		1058 (1)	244	240	–	–
<b>Total other contributions – cash</b>			<b>5,634</b>	<b>4,982</b>	<b>1,611</b>	<b>1,464</b>
<b>Non-cash contributions</b>						
Dedications – subdivisions (other than by s7.11)		1058 (1)	–	–	5,564	2,857
Sewerage (excl. section 64 contributions)		1058 (1)	–	–	176	115
Water supplies (excl. section 64 contributions)		1058 (1)	–	–	295	231
<b>Total other contributions – non-cash</b>			<b>–</b>	<b>–</b>	<b>6,035</b>	<b>3,203</b>
<b>Total other contributions</b>			<b>5,634</b>	<b>4,982</b>	<b>7,646</b>	<b>4,667</b>
<b>Total contributions</b>			<b>5,634</b>	<b>4,982</b>	<b>12,558</b>	<b>6,730</b>
<b>TOTAL GRANTS AND CONTRIBUTIONS</b>			<b>32,610</b>	<b>20,760</b>	<b>24,740</b>	<b>12,817</b>

The **AASB** notation (above) identifies the revenue recognition pattern for material items of Council revenue:

- 15 (1)** indicates income recognised under AASB 15 “at a point in time”,
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- 1058 (1)** indicates income recognised under AASB 1058 “at a point in time”, while
- 1058 (2)** indicates income recognised under AASB 1058 “over time”.

**Accounting policy for grants and contributions****Accounting policy from 1 July 2019**

continued on next page ...

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 3. Revenue from continuing operations (continued)

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##### **Grant income under AASB 15**

Where grant income arises from an agreement which is enforceable and contains sufficiently specific performance obligations then the revenue are recognised when control of each performance obligations is satisfied.

The performance obligations are varied based on the agreement. Payment terms vary depending on the terms of the grant, cash is received upfront for some grants and on the achievement of certain payment milestones for others.

Each performance obligation is considered to ensure that the revenue recognition reflects the transfer of control and within grant agreements there may be some performance obligations where control transfers at a point in time and others which have continuous transfer of control over the life of the contract.

Where control is transferred over time, generally the input methods being either costs or time incurred are deemed to be the most appropriate methods to reflect the transfer of benefit.

##### **Grant income**

Assets arising from grants in the scope of AASB 1058 is recognised at the assets fair value when the asset is received. Councils considers whether there are any related liability or equity items associated with the asset which are recognised in accordance with the relevant accounting standard.

Once the assets and liabilities have been recognised then income is recognised for any remaining asset value at the time that the asset is received

##### **Capital grants**

Capital grants received to enable Council to acquire or construct an item of infrastructure, property, plant and equipment to identified specifications which will be under Council's control and which is enforceable are recognised as revenue as and when the obligation to construct or purchase is completed.

For construction projects, this is generally as the construction progresses in accordance with costs incurred since this is deemed to be the most appropriate measure of the completeness of the construction project as there is no profit margin.

For acquisitions of assets, the revenue is recognised when the asset is acquired and controlled by the Council.

##### **Contributions**

Council has obligations to provide facilities from contribution revenues levied on developers under the provisions of sections 7.4, 7.11 and 7.12 of the *Environmental Planning and Assessment Act 1979*.

While Council generally incorporates these amounts as part of a Development Consents Order, such developer contributions are only recognised as income upon receipt by Council, due to the possibility that individual development consents may not be acted upon by the applicant and, accordingly, would not be payable to Council.

Developer contributions may only be expended for the purposes for which the contributions were required, but the Council may apply contributions according to the priorities established in work schedules

##### **Accounting policy prior to 1 July 2019**

Control over grants and contributions is normally obtained upon their receipt (or acquittal) and revenue is recognised at this time and is valued at the fair value of the granted or contributed asset at the date of transfer.

Where grants or contributions recognised as revenues during the financial year were obtained on condition that they be expended in a particular manner, or used over a particular period, and those conditions were un-discharged at reporting date, the unused grant or contribution is disclosed below.

A liability is recognised in respect of revenue that is reciprocal in nature to the extent that the requisite service has not been provided at reporting date.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 3. Revenue from continuing operations (continued)

\$ '000	2020	2019
<b>(f) Unspent grants and contributions – external restrictions</b>		
Certain grants and contributions are obtained by Council on condition that they be spent in a specified manner due to externally imposed restrictions.		
<b>Operating grants</b>		
Unexpended at the close of the previous reporting period	2,933	1,737
<b>Add:</b> operating grants recognised as income in the current period but not yet spent (2019 only)	2,103	1,547
<b>Add:</b> operating grants received for the provision of goods and services in a future period	–	–
<b>Less:</b> operating grants recognised in a previous reporting period now spent (2019 only)	(2,149)	(351)
<b>Less:</b> operating grants received in a previous reporting period now spent and recognised as income	–	–
<b>Unexpended and held as externally restricted assets (operating grants)</b>	<b>2,887</b>	<b>2,933</b>
<b>Capital grants</b>		
Unexpended at the close of the previous reporting period	2,569	4,365
<b>Add:</b> capital grants recognised as income in the current period but not yet spent (2019 only)	1,441	454
<b>Add:</b> capital grants received for the provision of goods and services in a future period	–	–
<b>Less:</b> capital grants recognised in a previous reporting period now spent (2019 only)	(895)	(2,250)
<b>Less:</b> capital grants received in a previous reporting period now spent and recognised as income	–	–
<b>Unexpended and held as externally restricted assets (capital grants)</b>	<b>3,115</b>	<b>2,569</b>
<b>Contributions</b>		
Unexpended at the close of the previous reporting period	19,599	17,354
<b>Add:</b> contributions recognised as income in the current period but not yet spent	5,627	2,749
<b>Add:</b> contributions received for the provision of goods and services in a future period	–	–
<b>Add:</b> contributions recognised as income in the current period obtained in respect of a future rating identified by Council for the purpose of establishing a rate (2019 only)	–	–
<b>Less:</b> contributions recognised in a previous reporting period now spent	(2,050)	(504)
<b>Unexpended and held as externally restricted assets (contributions)</b>	<b>23,176</b>	<b>19,599</b>

## Note 4. Interest and investment income

\$ '000	2020	2019
<b>Interest on financial assets measured at amortised cost</b>		
– Overdue rates and annual charges (incl. special purpose rates)	312	281
– Cash and investments	3,005	3,375
<b>Fair value adjustments</b>		
– Movements in investments at fair value through profit and loss	13	87
<b>Amortisation of premiums and discounts</b>		
– Interest free (and interest reduced) loans provided	14	7
Finance income on the net investment in the lease	–	–
<b>Total Interest and investment income</b>	<b>3,344</b>	<b>3,750</b>

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 4. Interest and investment income (continued)

\$ '000	2020	2019
<b>Interest revenue is attributable to:</b>		
<b>Unrestricted investments/financial assets:</b>		
Overdue rates and annual charges (general fund)	127	103
General Council cash and investments	733	964
<b>Restricted investments/funds – external:</b>		
Development contributions		
– Section 7.11	202	254
– Section 64	280	266
Water fund operations	867	906
Sewerage fund operations	230	210
Domestic waste management operations	82	76
Holiday Parks	83	63
Clarence Regional Library	21	25
<b>Restricted investments/funds – internal:</b>		
Internally restricted assets	719	883
<b>Total interest and investment revenue</b>	<b>3,344</b>	<b>3,750</b>

**Accounting policy for interest and investment revenue**

Interest income is recognised using the effective interest rate at the date that interest is earned.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 5. Expenses from continuing operations

\$ '000	2020	2019
<b>(a) Employee benefits and on-costs</b>		
Salaries and wages	28,194	26,210
Employee leave entitlements (ELE)	6,153	5,785
Superannuation	3,630	3,459
Workers' compensation insurance	720	593
Fringe benefit tax (FBT)	36	29
Payroll tax	236	315
Training costs (other than salaries and wages)	525	520
Other	191	213
<b>Total employee costs</b>	<b>39,685</b>	<b>37,124</b>
Less: capitalised costs	(3,623)	(3,408)
<b>TOTAL EMPLOYEE COSTS EXPENSED</b>	<b>36,062</b>	<b>33,716</b>

**Accounting policy for employee benefits and on-costs**

Employee benefit expenses are recorded when the service has been provided by the employee.

**Retirement benefit obligations**

All employees of the Council are entitled to benefits on retirement, disability or death. Council contributes to various defined benefit plans and defined contribution plans on behalf of its employees.

**Superannuation plans**

Contributions to defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

Council participates in a defined benefit plan under the Local Government Superannuation Scheme, however, sufficient information to account for the plan as a defined benefit is not available and therefore Council accounts for its obligations to defined benefit plans on the same basis as its obligations to defined contribution plans, i.e. as an expense when it becomes payable – refer to Note 21 for more information.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 5. Expenses from continuing operations (continued)

\$ '000	Notes	2020	2019
<b>(b) Borrowing costs</b>			
<b>(i) Interest bearing liability costs</b>			
Interest on leases		6	–
Interest on loans		7,435	7,630
Other debts		10	9
<b>Total interest bearing liability costs</b>		<b>7,451</b>	<b>7,639</b>
<b>Total interest bearing liability costs expensed</b>		<b>7,451</b>	<b>7,639</b>
<b>(ii) Other borrowing costs</b>			
Fair value adjustments on recognition of advances and deferred debtors			
– Remediation liabilities	16	204	223
Interest applicable on interest free (and favourable) loans to Council		–	7
<b>Total other borrowing costs</b>		<b>204</b>	<b>230</b>
<b>TOTAL BORROWING COSTS EXPENSED</b>		<b>7,655</b>	<b>7,869</b>

**Accounting policy for borrowing costs**

Borrowing costs incurred for the construction of any qualifying asset are capitalised during the period of time that is required to complete and prepare the asset for its intended use or sale. Other borrowing costs are expensed as incurred.



## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 5. Expenses from continuing operations (continued)

\$ '000	2020	2019
<b>(c) Materials and contracts</b>		
Raw materials and consumables	10,373	8,289
Contractor and consultancy costs	31,234	21,497
Auditors remuneration <sup>2</sup>	115	120
<b>Legal expenses:</b>		
Expenses from short-term leases (2020 only)	87	–
Expenses from leases of low value assets (2020 only)	–	–
Expenses from Peppercorn leases (2020 only)	–	–
– Legal expenses: planning and development	48	10
– Legal expenses: debt recovery	129	62
– Legal expenses: other	48	386
Variable lease expense relating to usage (2020 only)	–	–
<b>Operating leases expense (2019 only):</b>		
– Operating lease rentals: minimum lease payments <sup>1</sup>	–	339
<b>TOTAL MATERIALS AND CONTRACTS</b>	<b>42,034</b>	<b>30,703</b>

**Accounting policy for materials and contracts**

Expenses are recorded on an accruals basis as the council receives the goods or services.

**Operating leases (2019 only)**

Leases in which a significant portion of the risks and rewards of ownership are not transferred to Council as lessee are classified as operating leases. Payments made under operating leases (net of any incentives received from the lessor) are charged to the income statement on a straight-line basis over the period of the lease.

**1. Operating lease payments are attributable to:**

Buildings	–	339
	<u>–</u>	<u>339</u>

**2. Auditor remuneration**

During the year, the following fees were incurred for services provided by the auditor of Council, related practices and non-related audit firms

**Auditors of the Council - NSW Auditor-General:****(i) Audit and other assurance services**

Audit and review of financial statements	106	112
<b>Remuneration for audit and other assurance services</b>	<u>106</u>	<u>112</u>
<b>Total Auditor-General remuneration</b>	<u>106</u>	<u>112</u>

**Non NSW Auditor-General audit firms****(i) Audit and other assurance services**

Other audit and assurance services	9	8
<b>Remuneration for audit and other assurance services</b>	<u>9</u>	<u>8</u>
<b>Total remuneration of non NSW Auditor-General audit firms</b>	<u>9</u>	<u>8</u>
<b>Total Auditor remuneration</b>	<u>115</u>	<u>120</u>

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 5. Expenses from continuing operations (continued)

\$ '000	Notes	2020	2019
<b>(d) Depreciation, amortisation and impairment of non-financial assets</b>			
<b>Depreciation and amortisation</b>			
Plant and equipment		3,269	2,950
Office equipment		319	330
Furniture and fittings		140	142
<b>Infrastructure:</b>	11		
– Buildings – non-specialised		757	794
– Buildings – specialised		1,321	1,310
– Other structures		1,284	887
– Roads		13,506	13,406
– Bridges		1,506	2,078
– Footpaths		616	632
– Other road assets		691	628
– Stormwater drainage		2,755	2,775
– Water supply network		5,798	6,071
– Sewerage network		8,650	7,135
– Swimming pools		166	166
– Other open space/recreational assets		1,757	1,646
– Other infrastructure		1,554	1,543
<b>Right of use assets</b>	14	228	–
<b>Other assets:</b>			
– Library books		159	275
<b>Reinstatement, rehabilitation and restoration assets:</b>			
– Tip assets	16,11	409	261
– Quarry assets	16,11	30	11
Intangible assets	12	215	116
<b>Total gross depreciation and amortisation costs</b>		<u>45,130</u>	<u>43,156</u>
Less: capitalised costs		(1,097)	(877)
<b>Total depreciation and amortisation costs</b>		<u>44,033</u>	<u>42,279</u>
<b>Impairment / revaluation decrement of IPP&amp;E</b>			
<b>Infrastructure:</b>	11		
– Roads		712	(245)
<b>Total gross IPP&amp;E impairment / revaluation decrement costs / (reversals)</b>		<u>712</u>	<u>(245)</u>
Amounts taken through revaluation reserve	11	(712)	245
<b>Total IPP&amp;E impairment / revaluation decrement costs / (reversals) charged to Income Statement</b>		<u>–</u>	<u>–</u>
<b>TOTAL DEPRECIATION, AMORTISATION AND IMPAIRMENT FOR NON-FINANCIAL ASSETS</b>		<u>44,033</u>	<u>42,279</u>

**Accounting policy for depreciation, amortisation and impairment expenses of non-financial assets****Depreciation and amortisation**

Depreciation and amortisation are calculated using the straight line method to allocate their cost, net of their residual values, over their estimated useful lives. Useful lives are included in Note 11 for IPPE assets and Note 12 for intangible assets and Note 14 for right of use assets.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 5. Expenses from continuing operations (continued)

**Impairment of non-financial assets**

Council assets held at fair value that are not held primarily for their ability to generate net cash flow, and that are deemed to be specialised, are no longer required to be tested for impairment under AASB 136. This is because these assets are assessed on an annual basis to ensure that the carrying amount is not materially different from fair value and therefore an impairment loss would be captured during this assessment.

Intangible assets that have an indefinite useful life, or are not yet available for use, are tested annually for impairment, or more frequently if events or changes in circumstances indicate that they might be impaired. Other assets that do not meet the criteria above are tested for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use.

For the purposes of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash inflows that are largely independent of the cash inflows from other assets or groups of assets (cash-generating units). Non-financial assets that suffered an impairment are reviewed for possible reversal of the impairment at each reporting date.

Impairment losses for revalued assets are firstly offset against the amount in the revaluation surplus for the class of asset, with only the excess to be recognised in the Income Statement.

\$ '000	2020	2019
<b>(e) Other expenses</b>		
Advertising	381	419
Training costs (other than salaries and wages)	–	–
Travel expenses	–	–
Bad and doubtful debts	–	1
Bank charges	217	233
Caravan park levies	305	304
Computer maintenance	1,090	753
Contributions/levies to other levels of government		
– Department of planning levy	72	124
– Emergency services levy (includes FRNSW, SES, and RFS levies)	995	952
– Waste levy	3,594	3,254
– Other contributions/levies	4	5
Contributions to other organisations	664	–
Councillor expenses – mayoral fee	38	38
Councillor expenses – councillors' fees	157	157
Councillors' expenses (incl. mayor) – other (excluding fees above)	7	11
Donations, contributions and assistance to other organisations (Section 356)	60	92
Electricity and heating	2,347	1,870
Flood prone land acquisition program (FPLAP) return of sale proceeds	–	123
Insurance	1,736	1,794
Postage	180	198
Printing and stationery	227	230
Quarry expenses	105	653
Street lighting	436	749
Subscriptions and publications	342	302
Telephone and communications	369	340
Valuation fees	177	201
Other	2	145
<b>Total other expenses</b>	<b>13,505</b>	<b>12,948</b>
<b>TOTAL OTHER EXPENSES</b>	<b>13,505</b>	<b>12,948</b>

**Accounting policy for other expenses**

Other expenses are recorded on an accruals basis as the Council receives the goods or services.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 6. Gain or loss from disposal of assets

\$ '000	Notes	2020	2019
<b>Property (excl. investment property)</b>			
Proceeds from disposal – property		9	340
Less: carrying amount of property assets sold/written off		(268)	(176)
<b>Net gain/(loss) on disposal</b>		<b>(259)</b>	<b>164</b>
<b>Plant and equipment</b>			
	11		
Proceeds from disposal – plant and equipment		1,707	969
Less: carrying amount of plant and equipment assets sold/written off		(2,581)	(949)
<b>Net gain/(loss) on disposal</b>		<b>(874)</b>	<b>20</b>
<b>Infrastructure</b>			
	11		
Less: carrying amount of infrastructure assets sold/written off		(14,094)	(7,122)
<b>Net gain/(loss) on disposal</b>		<b>(14,094)</b>	<b>(7,122)</b>
<b>Real estate assets held for sale</b>			
	9		
Proceeds from disposal – real estate assets		–	76
Less: carrying amount of real estate assets sold/written off		–	(45)
<b>Net gain/(loss) on disposal</b>		<b>–</b>	<b>31</b>
<b>Investments</b>			
	7(b)		
Proceeds from disposal/redemptions/maturities – investments		90,000	41,000
Less: carrying amount of investments sold/redeemed/matured		(90,000)	(41,000)
<b>Net gain/(loss) on disposal</b>		<b>–</b>	<b>–</b>
<b>Non-current assets classified as ‘held for sale’</b>			
	10		
Proceeds from disposal – non-current assets ‘held for sale’		–	124
Less: carrying amount of ‘held for sale’ assets sold/written off		–	(143)
<b>Net gain/(loss) on disposal</b>		<b>–</b>	<b>(19)</b>
<b>NET GAIN/(LOSS) ON DISPOSAL OF ASSETS</b>		<b>(15,227)</b>	<b>(6,926)</b>

**Accounting policy for disposal of assets**

Gains and losses on disposals are determined by comparing proceeds with carrying amount. These are included in the Income Statement.

The gain or loss on sale of an asset is determined when control of the asset has irrevocably passed to the buyer and the asset is de-recognised.

## Clarence Valley Council

Notes to the Financial Statements  
for the year ended 30 June 2020

## Note 7(a). Cash and cash equivalents

\$ '000	2020	2019
<b>Cash and cash equivalents</b>		
Cash on hand and at bank	2,971	909
Cash-equivalent assets		
– Deposits at call	18,650	9,407
– Managed funds	489	1,971
– Short-term deposits	10	33
<b>Total cash and cash equivalents</b>	<u>22,120</u>	<u>12,320</u>

**Accounting policy for cash and cash equivalents**

For Statement of Cash Flow presentation purposes, cash and cash equivalents include: cash on hand; deposits held at call with financial institutions; other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value; and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities on the Statement of Financial Position.

## Note 7(b). Investments

\$ '000	2020 Current	2020 Non-current	2019 Current	2019 Non-current
<b>Investments</b>				
a. 'Financial assets at fair value through profit and loss'				
– 'Designated at fair value on initial recognition'	–	6,610	1,007	6,604
b. 'Financial assets at amortised cost'	68,000	29,000	60,000	41,000
<b>Total Investments</b>	<u>68,000</u>	<u>35,610</u>	<u>61,007</u>	<u>47,604</u>
<b>TOTAL CASH ASSETS, CASH EQUIVALENTS AND INVESTMENTS</b>	<u>90,120</u>	<u>35,610</u>	<u>73,327</u>	<u>47,604</u>
<b>Financial assets at fair value through the profit and loss</b>				
NCD's, FRN's (with maturities > 3 months)	–	6,610	1,007	6,604
<b>Total</b>	<u>–</u>	<u>6,610</u>	<u>1,007</u>	<u>6,604</u>
<b>Financial assets at amortised cost</b>				
Long term deposits	68,000	29,000	60,000	41,000
<b>Total</b>	<u>68,000</u>	<u>29,000</u>	<u>60,000</u>	<u>41,000</u>

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 7(b). Investments (continued)

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##### Accounting policy for investments

Financial instruments are recognised initially on the date that the Council becomes party to the contractual provisions of the instrument.

On initial recognition, all financial instruments are measured at fair value plus transaction costs (except for instruments measured at fair value through profit or loss where transaction costs are expensed as incurred).

##### Financial assets

All recognised financial assets are subsequently measured in their entirety at either amortised cost or fair value, depending on the classification of the financial assets.

##### Classification

On initial recognition, Council classifies its financial assets into the following categories – those measured at:

- amortised cost
- fair value through profit and loss (FVTPL)
- fair value through other comprehensive income – equity instrument (FVOCI-equity)

Financial assets are not reclassified subsequent to their initial recognition.

##### Amortised cost

Assets measured at amortised cost are financial assets where:

- the business model is to hold assets to collect contractual cash flows, and
- the contractual terms give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

Council's financial assets measured at amortised cost comprise trade and other receivables, term deposits and cash and cash equivalents in the Statement of Financial Position.

Subsequent to initial recognition, these assets are carried at amortised cost using the effective interest rate method less provision for impairment.

Interest income, impairment and gains or loss on de-recognition are recognised in profit or loss.

##### Fair value through other comprehensive income – equity instruments

Council has a number of strategic investments in entities over which they do not have significant influence nor control. Council has made an irrevocable election to classify these equity investments as fair value through other comprehensive income as they are not held for trading purposes.

These investments are carried at fair value with changes in fair value recognised in other comprehensive income (financial asset reserve). On disposal any balance in the financial asset reserve is transferred to accumulated surplus and is not reclassified to profit or loss.

Other net gains and losses excluding dividends are recognised in Other Comprehensive Income Statement.

##### Financial assets through profit or loss

All financial assets not classified as measured at amortised cost or fair value through other comprehensive income as described above are measured at fair value through profit or loss.

Net gains or losses, including any interest or dividend income, are recognised in profit or loss.

Council's financial assets measured at fair value through profit or loss comprise investments in FRNs and NCDs in the Statement of Financial Position.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 7(c). Restricted cash, cash equivalents and investments

\$ '000	2020		2019	
	Current	Non-current	Current	Non-current
Total cash, cash equivalents and investments	90,120	35,610	73,327	47,604
<b>attributable to:</b>				
External restrictions	62,420	19,424	34,484	34,284
Internal restrictions	27,116	16,186	37,794	13,320
Unrestricted	584	–	1,049	–
	90,120	35,610	73,327	47,604

\$ '000	2020	2019
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## Details of restrictions

**External restrictions – included in liabilities**

Deposits, bonds and retentions	2,192	1,807
Held as custodian	758	778
Clarence Care & Support (CCS) – grants	–	1,495
<b>External restrictions – included in liabilities</b>	<b>2,950</b>	<b>4,080</b>

**External restrictions – other**

Developer contributions – general	8,597	9,324
Developer contributions – water fund	7,802	4,095
Developer contributions – sewer fund	6,782	6,180
Specific purpose unexpended grants (recognised as revenue) – general fund	5,061	4,673
Specific purpose unexpended grants – Holiday Parks	24	24
Specific purpose unexpended grants – Other	917	805
Water supplies	36,676	27,399
Sewerage services	7,967	7,121
Domestic waste management	1,600	1,058
Holiday Parks	2,238	2,684
Clarence regional library	826	1,048
Other	404	277
<b>External restrictions – other</b>	<b>78,894</b>	<b>64,688</b>

**Total external restrictions**

<b>81,844</b>	<b>68,768</b>
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**Internal restrictions**

Building Asset renewals	1,083	1,101
Cemetery reserves	–	25
Coastal and estuary management	475	283
Commercial waste service reserve	1,145	823
Community cultural and heritage programs	23	35
Clarence Care & Support reserves	1,898	3,336
Council s7.11 development funds	30	30
Election cost reserve	225	150
Emergency services reserves	156	635
Employee leave entitlements	3,401	3,159
Environmental and noxious weeds projects	726	553
Fleet plant reserve	9,354	11,839
Floodplain management reserves	384	522
Infrastructure assets renewals reserve	1,684	3,703
Insurance reserves	178	976

continued on next page ...



## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 7(c). Restricted cash, cash equivalents and investments (continued)

\$ '000	2020	2019
Maclean and district improvements	578	614
Miscellaneous administrative reserves	18	18
Mobile and public library projects	8	33
Other parks improvements	389	503
Public pool improvements	512	493
Public toilet refurbishment program	30	344
Quarries operations and rehabilitation	883	1,089
Regional development and tourism projects	32	31
Regional landfill reserves	5,153	6,275
Roads reserves	2,509	1,657
Saleyards asset replacement	320	234
Software implementation reserves	608	483
Sporting facilities improvements	396	993
Strategic building reserve	1,522	1,354
Strategic development programs	129	140
Unspent financial assistance grant	5,837	5,553
Unspent general loans	47	89
Unspent general loans floodplain infrastructure and natural resources	27	27
Waste management reserves	3,542	4,014
<b>Total internal restrictions</b>	<b>43,302</b>	<b>51,114</b>
<b>TOTAL RESTRICTIONS</b>	<b>125,146</b>	<b>119,882</b>

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 8. Receivables

\$ '000	2020 Current	2020 Non-current	2019 Current	2019 Non-current
<b>Purpose</b>				
Rates and annual charges	3,095	1,363	2,887	810
Interest and extra charges	480	–	435	–
User charges and fees	9,340	–	7,621	–
Accrued revenues				
– Interest on investments	938	–	1,525	–
Amounts due from other councils	225	–	169	–
Deferred debtors	–	–	14	89
Government grants and subsidies	13,821	–	7,444	–
Net GST receivable	784	–	785	–
Government departments (other than grants)	952	–	1,436	–
Other debtors	958	–	774	–
<b>Total</b>	<b>30,593</b>	<b>1,363</b>	<b>23,090</b>	<b>899</b>
<b>Less: provision of impairment</b>				
Rates and annual charges	(4)	–	(4)	–
Other debtors	(5)	–	(5)	–
<b>Total provision for impairment – receivables</b>	<b>(9)</b>	<b>–</b>	<b>(9)</b>	<b>–</b>
<b>TOTAL NET RECEIVABLES</b>	<b>30,584</b>	<b>1,363</b>	<b>23,081</b>	<b>899</b>
<b>Externally restricted receivables</b>				
<b>Water supply</b>				
– Rates and availability charges	121	53	120	34
– Other	4,308	–	5,077	–
<b>Sewerage services</b>				
– Rates and availability charges	772	340	774	217
– Other	645	–	1,138	–
<b>Domestic waste management</b>				
Other	541	195	468	116
Holiday Parks	41	–	1,639	–
Clarence Care & Support	958	–	455	–
Clarence Regional Library	40	–	1	–
<b>Total external restrictions</b>	<b>7,426</b>	<b>588</b>	<b>9,672</b>	<b>367</b>
<b>Internally restricted receivables</b>				
– Cemetery reserves	57	–	47	–
– Clarence Care & Support reserves	414	–	86	–
– Commercial waste service reserve	157	–	245	–
– Emergency services reserves	471	–	–	–
– Fleet plant reserve	2,875	–	538	–
– Maclean and district improvements	533	–	537	–
– Regional landfill	3,789	–	1,036	–
– Road reserves	346	–	288	–
– Saleyards asset replacement	50	–	41	–
– Waste management reserve	1,439	–	98	–
<b>Internally restricted receivables</b>	<b>10,131</b>	<b>–</b>	<b>2,916</b>	<b>–</b>
<b>Unrestricted receivables</b>	<b>13,027</b>	<b>775</b>	<b>10,493</b>	<b>532</b>

continued on next page ...

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 8. Receivables (continued)

TOTAL NET RECEIVABLES	30,584	1,363	23,081	899
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\$ '000			2020	2019
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**Movement in provision for impairment of receivables**

Balance at the beginning of the year (calculated in accordance with AASB 139)			9	34
– amounts already provided for and written off this year			–	(25)
<b>Balance at the end of the year</b>			<b>9</b>	<b>9</b>

**Accounting policy for receivables****Recognition and measurement**

Receivables are included in current assets, except for those with maturities greater than 12 months after the reporting date which are classified as non-current assets.

Receivables are recognised initially at fair value and subsequently measured at amortised cost using the effective interest method, less provision for impairment. Receivables are generally due for settlement within 30 days.

Cash flows relating to short-term receivables are not discounted if the effect of discounting is immaterial.

**Impairment**

Impairment of financial assets measured at amortised cost is recognised on an expected credit loss (ECL) basis.

When determining whether the credit risk of a financial asset has increased significantly since initial recognition, and when estimating ECL, the Council considers reasonable and supportable information that is relevant and available without undue cost or effort. This includes both quantitative and qualitative information and analysis based on Council's historical experience and informed credit assessment, and including forward-looking information.

When considering the ECL for rates debtors, Council takes into account that unpaid rates represent a charge against the rateable property that will be recovered when the property is next sold. For non-rates debtors, Council uses the presumption that an asset which is more than 30 days past due has seen a significant increase in credit risk.

The Council uses the presentation that a financial asset is in default when:

- the other party is unlikely to pay its credit obligations to the Council in full, without recourse by the Council to actions such as realising security (if any is held) or
- the financial assets (for non-rates debtors) are more than 90 days past due.

Credit losses are measured as the present value of the difference between the cash flows due to the entity in accordance with the contract, and the cash flows expected to be received. This is applied using a probability weighted approach.

On initial recognition of the asset, an estimate of the expected credit losses for the next 12 months is recognised. Where the asset has experienced significant increase in credit risk then the lifetime losses are estimated and recognised.

There has been no change in the estimation techniques or significant assumptions made during the current reporting period.

The Council writes off a trade receivable when there is information indicating that the debtor is in severe financial difficulty and there is no realistic prospect of recovery, e.g. when the debtor has been placed under liquidation or has entered into bankruptcy proceedings.

None of the receivables that have been written off are subject to enforcement activity.

Where the Council renegotiates the terms of receivables due from certain customers, the new expected cash flows are discounted at the original effective interest rate and any resulting difference to the carrying value is recognised in profit or loss.

Rates and annual charges outstanding are secured against the property.

## Clarence Valley Council

Notes to the Financial Statements  
for the year ended 30 June 2020

## Note 9. Inventories and other assets

\$ '000	2020 Current	2020 Non-current	2019 Current	2019 Non-current
<b>(a) Inventories</b>				
<b>(i) Inventories at cost</b>				
Real estate for resale	90	156	90	156
Stores and materials	1,258	–	1,417	–
<b>Total inventories at cost</b>	<b>1,348</b>	<b>156</b>	<b>1,507</b>	<b>156</b>
<b><u>TOTAL INVENTORIES</u></b>	<b><u>1,348</u></b>	<b><u>156</u></b>	<b><u>1,507</u></b>	<b><u>156</u></b>
<b>(b) Other assets</b>				
Prepayments	172	–	87	–
<b><u>TOTAL OTHER ASSETS</u></b>	<b><u>172</u></b>	<b><u>–</u></b>	<b><u>87</u></b>	<b><u>–</u></b>
<b>Externally restricted assets</b>				
\$ '000	2020 Current	2020 Non-current	2019 Current	2019 Non-current
<b>Water</b>				
Prepayments	–	–	2	–
<b>Total water</b>	<b>–</b>	<b>–</b>	<b>2</b>	<b>–</b>
<b>Sewerage</b>				
Prepayments	–	–	2	–
<b>Total sewerage</b>	<b>–</b>	<b>–</b>	<b>2</b>	<b>–</b>
<b>Total externally restricted assets</b>	<b>–</b>	<b>–</b>	<b>4</b>	<b>–</b>
<b>Total unrestricted assets</b>	<b>1,520</b>	<b>156</b>	<b>1,590</b>	<b>156</b>
<b><u>TOTAL INVENTORIES AND OTHER ASSETS</u></b>	<b><u>1,520</u></b>	<b><u>156</u></b>	<b><u>1,594</u></b>	<b><u>156</u></b>

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 9. Inventories and other assets (continued)

## (i) Other disclosures

\$ '000	Notes	2020 Current	2020 Non-current	2019 Current	2019 Non-current
<b>(a) Details for real estate development</b>					
Residential		90	156	90	156
<b>Total real estate for resale</b>		<b>90</b>	<b>156</b>	<b>90</b>	<b>156</b>
(Valued at the lower of cost and net realisable value)					
<b>Represented by:</b>					
Acquisition costs		90	156	90	156
<b>Total costs</b>		<b>90</b>	<b>156</b>	<b>90</b>	<b>156</b>
<b>Total real estate for resale</b>		<b>90</b>	<b>156</b>	<b>90</b>	<b>156</b>
<b>Movements:</b>					
Real estate assets at beginning of the year		90	156	135	156
– WDV of sales (expense)	6	–	–	(45)	–
<b>Total real estate for resale</b>		<b>90</b>	<b>156</b>	<b>90</b>	<b>156</b>

## (b) Current assets not anticipated to be settled within the next 12 months

The following inventories and other assets, even though classified as current are not expected to be recovered in the next 12 months;

\$ '000	2020	2019
Real estate for resale	90	20
	<b>90</b>	<b>20</b>

## Accounting policy for inventories and other assets

**Raw materials and stores, work in progress and finished goods**

Raw materials and stores, work in progress and finished goods are stated at the lower of cost and net realisable value. Costs are assigned to individual items of inventory on the basis of weighted average costs. Costs of purchased inventory are determined after deducting rebates and discounts. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

**Land held for resale/capitalisation of borrowing costs**

Land held for resale is stated at the lower of cost and net realisable value. Cost is assigned by specific identification and includes the cost of acquisition, and development and borrowing costs during development. When development is completed, borrowing costs and other holding charges are expensed as incurred.

Borrowing costs included in the cost of land held for resale are those costs that would have been avoided if the expenditure on the acquisition and development of the land had not been made. Borrowing costs incurred while active development is interrupted for extended periods are recognised as expenses.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 10. Non-current assets classified as held for sale

## (i) Non-current assets and disposal group assets

\$ '000	2020 Current	2020 Non-current	2019 Current	2019 Non-current
<b>Non-current assets 'held for sale'</b>				
Land	342	–	342	–
Buildings	588	–	588	–
Other assets	217	–	–	–
<b>Total non-current assets 'held for sale'</b>	<b>1,147</b>	<b>–</b>	<b>930</b>	<b>–</b>
<b>TOTAL NON-CURRENT ASSETS CLASSIFIED AS 'HELD FOR SALE'</b>				
	<b>1,147</b>	<b>–</b>	<b>930</b>	<b>–</b>

## (ii) Details of assets and disposal groups

Council has resolved to sell the following parcel of land & building assets as part of its property rationalisation strategy:

- Previous Clarence Valley Tourist Information Centre, Spring Street, South Grafton

Council has engaged the services of a licenced real estate agent.

## (iii) Reconciliation of non-current assets 'held for sale' and disposal groups – i.e. discontinued operations

\$ '000	2020 Assets 'held for sale'	2019 Assets 'held for sale'
<b>Opening balance</b>	930	1,073
Less: carrying value of assets/operations sold	–	(143)
<b>Balance still unsold after 12 months:</b>	<b>930</b>	<b>930</b>
<b>Plus new transfers in:</b>		
– Assets 'held for sale'	217	–
<b>Closing balance of 'held for sale' non-current assets and operations</b>	<b>1,147</b>	<b>930</b>

**Accounting policy for non-current assets classified as held for sale**

Non-current assets (or disposal groups) are classified as held for sale if their carrying amount will be recovered principally through a sale transaction rather than through continued use. They are measured at the lower of their carrying amount and fair value less costs to sell, except for assets such as assets arising from employee benefits; financial assets; and investment properties that are carried at fair value.

An impairment loss is recognised for any initial or subsequent write-down of the asset (or disposal group) to fair value less costs to sell. A gain is recognised for any subsequent increases in fair value less costs to sell of an asset (or disposal group), but not in excess of any cumulative impairment loss previously recognised. A gain or loss not previously recognised by the date of the sale of the non-current asset (or disposal group) is recognised at the date of de-recognition.

Non-current assets (including those that are part of a disposal group) are not depreciated or amortised while they are classified as held for sale.

## Clarence Valley Council

Notes to the Financial Statements  
for the year ended 30 June 2020

## Note 11. Infrastructure, property, plant and equipment

	as at 30/06/19			Asset movements during the reporting period									as at 30/06/20		
	Gross carrying amount	Accumulated depreciation	Net carrying amount	Additions renewals	Additions new assets	Carrying value of disposals	Depreciation expense	Impairment loss / revaluation decrements (recognised in equity)	WIP transfers	Adjustments and transfers	Tfrs from/(to) 'held for sale' category	Revaluation increments to equity (ARR)	Gross carrying amount	Accumulated depreciation	Net carrying amount
<b>\$ '000</b>															
Capital work in progress	17,091	–	17,091	5,722	9,843	–	–	–	(10,262)	(888)	–	–	21,506	–	21,506
Plant and equipment	44,903	(21,764)	23,139	6,371	42	(2,465)	(3,269)	–	–	–	–	–	44,483	(20,665)	23,818
Office equipment	3,958	(3,210)	748	483	7	(7)	(319)	–	–	–	–	–	4,396	(3,484)	912
Furniture and fittings	3,983	(2,696)	1,287	49	23	(92)	(140)	–	–	–	–	–	3,826	(2,699)	1,127
<b>Land:</b>															
– Crown land	19,883	–	19,883	–	–	–	–	–	–	–	–	7,483	27,366	–	27,366
– Operational land	40,354	–	40,354	–	409	(23)	–	–	–	461	–	–	41,201	–	41,201
– Community land	7,556	–	7,556	–	899	(238)	–	–	–	(461)	–	764	8,520	–	8,520
– Land under roads (post 30/6/08)	20	–	20	–	–	–	–	–	–	–	–	–	20	–	20
<b>Infrastructure:</b>															
– Buildings – non-specialised	58,371	(19,475)	38,896	3	439	–	(757)	–	11	–	–	–	58,855	(20,263)	38,592
– Buildings – specialised	113,987	(33,327)	80,660	153	1,872	(4,269)	(1,321)	–	510	–	–	–	109,033	(31,428)	77,605
– Other structures	26,895	(7,357)	19,538	95	1,997	(88)	(1,284)	–	722	–	–	–	29,557	(8,577)	20,980
– Roads	601,446	(181,161)	420,285	4,387	4,352	(3,872)	(13,506)	–	3,303	(16)	–	–	607,381	(192,448)	414,933
– Bridges	151,437	(42,100)	109,337	920	1,220	(1,019)	(1,506)	(712)	914	32	–	–	152,862	(43,676)	109,186
– Footpaths	30,303	(10,023)	20,280	47	144	(92)	(616)	–	–	–	–	–	30,367	(10,604)	19,763
– Other road assets	34,381	(6,590)	27,791	2,066	–	(177)	(691)	–	–	170	–	–	36,404	(7,245)	29,159
– Bulk earthworks (non-depreciable)	189,594	–	189,594	1,870	2,325	(1,220)	–	–	1,484	(102)	–	–	193,951	–	193,951
– Stormwater drainage	218,045	(67,096)	150,949	157	1,275	(246)	(2,755)	–	441	(84)	–	–	219,408	(69,671)	149,737
– Water supply network	482,993	(135,303)	347,690	797	833	(1,318)	(5,798)	–	2,291	(2,159)	–	3,271	486,326	(140,719)	345,607
– Sewerage network	366,665	(110,936)	255,729	1,414	313	(1,174)	(8,650)	–	194	2,159	–	(4,047)	365,456	(119,518)	245,938
– Swimming pools	9,810	(4,182)	5,628	15	–	(16)	(166)	–	–	–	–	–	9,783	(4,322)	5,461
– Other open space/recreational assets	51,183	(19,601)	31,582	501	2,256	(542)	(1,757)	–	392	–	(217)	–	52,665	(20,450)	32,215
– Other infrastructure	184,020	(39,161)	144,859	253	–	(81)	(1,554)	–	–	–	–	–	184,164	(40,687)	143,477
<b>Other assets:</b>															
– Library books	6,077	(5,440)	637	296	–	(4)	(159)	–	–	–	–	–	6,369	(5,599)	770
– Other	3,901	–	3,901	94	–	–	–	–	–	–	–	–	3,995	–	3,995
<b>Reinstatement, rehabilitation and restoration assets (refer Note 17):</b>															
– Tip assets	8,924	(2,991)	5,933	1,992	636	–	(409)	–	–	–	–	–	11,552	(3,400)	8,152
– Quarry assets	862	(115)	747	385	–	–	(30)	–	–	–	–	–	1,247	(145)	1,102
<b>Total Infrastructure, property, plant and equipment</b>	<b>2,676,642</b>	<b>(712,528)</b>	<b>1,964,114</b>	<b>28,070</b>	<b>28,885</b>	<b>(16,943)</b>	<b>(44,687)</b>	<b>(712)</b>	<b>–</b>	<b>(888)</b>	<b>(217)</b>	<b>7,471</b>	<b>2,710,693</b>	<b>(745,600)</b>	<b>1,965,093</b>

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## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 11. Infrastructure, property, plant and equipment (continued)

	as at 30/06/18			Asset movements during the reporting period							as at 30/06/19		
	Gross carrying amount	Accumulated depreciation	Net carrying amount	Additions renewals <sup>1</sup>	Additions new assets	Carrying value of disposals	Depreciation expense	Impairment reversal (recognised in equity)	WIP transfers	Revaluation increments to equity (ARR)	Gross carrying amount	Accumulated depreciation	Net carrying amount
<b>\$ '000</b>													
Capital work in progress	12,362	–	12,362	8,823	4,809	–	–	–	(8,903)	–	17,091	–	17,091
Plant and equipment	40,434	(20,846)	19,588	7,331	109	(939)	(2,950)	–	–	–	44,903	(21,764)	23,139
Office equipment	3,699	(2,885)	814	254	11	(1)	(330)	–	–	–	3,958	(3,210)	748
Furniture and fittings	3,946	(2,552)	1,394	4	36	(5)	(142)	–	–	–	3,983	(2,696)	1,287
<b>Land:</b>													
– Operational land	40,530	–	40,530	–	–	(176)	–	–	–	–	40,354	–	40,354
– Community land	7,396	–	7,396	–	160	–	–	–	–	–	7,556	–	7,556
– Crown land	19,883	–	19,883	–	–	–	–	–	–	–	19,883	–	19,883
– Land under roads (post 30/6/08)	20	–	20	–	–	–	–	–	–	–	20	–	20
<b>Infrastructure:</b>													
– Buildings – non-specialised	58,200	(18,696)	39,504	123	77	(14)	(794)	–	–	–	58,371	(19,475)	38,896
– Buildings – specialised	112,680	(32,191)	80,489	453	233	(76)	(1,310)	–	871	–	113,987	(33,327)	80,660
– Other structures	24,526	(6,469)	18,057	–	28	(239)	(887)	–	2,579	–	26,895	(7,357)	19,538
– Roads	599,261	(169,390)	429,871	1,464	1,882	(2,440)	(13,406)	245	2,669	–	601,446	(181,161)	420,285
– Bridges	148,965	(41,446)	107,519	1,330	120	(34)	(2,078)	–	2,480	–	151,437	(42,100)	109,337
– Footpaths	30,012	(9,490)	20,522	76	402	(89)	(632)	–	1	–	30,303	(10,023)	20,280
– Other road assets	32,680	(6,122)	26,558	442	1,618	(199)	(628)	–	–	–	34,381	(6,590)	27,791
– Bulk earthworks (non-depreciable)	188,558	–	188,558	1,036	–	–	–	–	–	–	189,594	–	189,594
– Stormwater drainage	216,314	(64,440)	151,874	714	1,203	(67)	(2,775)	–	–	–	218,045	(67,096)	150,949
– Water supply network	477,727	(128,210)	349,517	835	406	(2,473)	(6,071)	–	19	5,457	482,993	(135,303)	347,690
– Sewerage network	361,914	(102,366)	259,548	476	201	(1,378)	(7,135)	–	–	4,017	366,665	(110,936)	255,729
– Swimming pools	9,712	(4,025)	5,687	56	17	–	(166)	–	34	–	9,810	(4,182)	5,628
– Other open space/recreational assets	49,715	(18,195)	31,520	795	852	(114)	(1,646)	–	175	–	51,183	(19,601)	31,582
– Other infrastructure	183,566	(37,618)	145,948	231	148	–	(1,543)	–	75	–	184,020	(39,161)	144,859
<b>Other assets:</b>													
– Library books	5,782	(5,165)	617	298	–	(3)	(275)	–	–	–	6,077	(5,440)	637
– Other	3,815	–	3,815	–	86	–	–	–	–	–	3,901	–	3,901
<b>Reinstatement, rehabilitation and restoration assets (refer Note 17):</b>													
– Tip assets	5,827	(2,730)	3,097	2,838	259	–	(261)	–	–	–	8,924	(2,991)	5,933
– Quarry assets	493	(104)	389	369	–	–	(11)	–	–	–	862	(115)	747
<b>Total Infrastructure, property, plant and equipment</b>	<b>2,638,017</b>	<b>(672,940)</b>	<b>1,965,077</b>	<b>27,948</b>	<b>12,657</b>	<b>(8,247)</b>	<b>(43,040)</b>	<b>245</b>	<b>–</b>	<b>9,474</b>	<b>2,676,642</b>	<b>(712,528)</b>	<b>1,964,114</b>

(1) Renewals are defined as the replacement of existing assets (as opposed to the acquisition of new assets). (2) See Note 14(b) for details regarding restatement as a result of Prior Period Error.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 11. Infrastructure, property, plant and equipment (continued)

**Accounting policy for infrastructure, property, plant and equipment**

Infrastructure, property, plant and equipment are held at fair value. Independent comprehensive valuations are performed at least every five years, however the carrying amount of assets is assessed by Council at each reporting date to confirm that it is not materially different from current fair value.

Water and sewerage network assets are indexed at each reporting period in accordance with the Rates Reference Manual issued by Best Practice Management of Water Supply and Sewer Guidelines.

Increases in the carrying amounts arising on revaluation are credited to the revaluation reserve. To the extent that the increase reverses a decrease previously recognising profit or loss relating to that asset class, the increase is first recognised as profit or loss. Decreases that reverse previous increases of assets in the same class are first charged against revaluation reserves directly in equity to the extent of the remaining reserve attributable to the class; all other decreases are charged to the Income Statement.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to Council and the cost of the item can be measured reliably. All other repairs and maintenance are charged to the Income Statement during the financial period in which they are incurred.

When infrastructure, property, plant and equipment are acquired by Council at significantly below fair value, the assets are initially recognised at their fair value at acquisition date.

Land is not depreciated. Depreciation on other assets is calculated using the straight-line method to allocate their cost, net of their residual values, over their estimated useful lives as follows:

<b>Plant and equipment</b>	Years	<b>Buildings</b>	Years
Office equipment	5 to 10	Buildings: specialised	37 to 284
Office furniture	10 to 30	Buildings: non specialised	59 to 158
Computer equipment	5		
Vehicles	5 yrs/ 150,000km	<b>Other infrastructure assets</b>	Years
Heavy plant/road making equipment	5 to 15	Bulk earthworks	Infinite
Other plant and equipment	5 to 15	Floodplain assets	19 to 174
<b>Water and sewer assets</b>	Years	<b>Stormwater assets</b>	Years
Dams and reservoirs	10 to 200	Pits	63 to 90
Water reticulation pipes: PVC	74 to 120	Culverts	62 to 90
Water reticulation pipes: other	20 to 160	Pipes	63 to 88
Water pumps and telemetry	5 to 30		
Regional water supply pipes	30 to 200	<b>Other Structures</b>	Years
Sewerage treatment plant	11 to 200	Lighting	19 to 28
Sewer reticulation pipes: PVC	70 to 210	Fences	11 to 42
Sewer reticulation pipes: other	50 to 210	Airport Structures	21 to 45
Sewer pumps and telemetry	5 to 30	Saleyards	23 to 92
Sewer pressure units	5 to 50		
<b>Transportation assets</b>	Years	<b>Swimming Pools</b>	Years
Sealed roads: surface	12 to 135	Chlorination plant	17
Sealed roads: structure	84 to 200	Surfaces	100 to 128
Unsealed roads	22 to 85	Facilities	77 to 109
Bridge: concrete	107 to 165	Structures (Pool & shade)	11 to 118
Bridge: other	53 to 78		
Kerb and gutter	72 to 110	<b>Other open space/recreational assets</b>	Years
Traffic facilities	20 to 134	Barbeques	16 to 26
Guard rail	59 to 75	Playground equipment	16 to 26
Roadside furniture	16 to 27	Shelters	26 to 52
Bus shelters	34 to 63		

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 11. Infrastructure, property, plant and equipment (continued)

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Street lights	35 to 42
Car parks	70 to 133

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at each reporting date. Gains and losses on disposals are determined by comparing proceeds with carrying amount. These are included in the Income Statement.

##### **Land under roads**

Land under roads is land under roadways and road reserves including land under footpaths, nature strips and median strips.

Council has elected not to recognise land under roads acquired before 1 July 2008 in accordance with AASB 1051 Land Under Roads.

Land under roads acquired after 1 July 2008 is recognised in accordance with AASB 116 Property, Plant and Equipment.

##### **Crown reserves**

Crown reserves under Council's care and control are recognised as assets of the Council. While ownership of the reserves remains with the Crown, Council retains operational control of the reserves and is responsible for their maintenance and use in accordance with the specific purposes to which the reserves are dedicated.

Where the Crown reserves are under a lease arrangement they are accounted for under AASB 16 Lease, refer to Note 15.

Improvements on Crown reserves are also recorded as assets, while maintenance costs incurred by Council and revenues relating to the reserves are recognised within Council's Income Statement.

##### **Rural Fire Service assets**

Under Section 119 of the *Rural Fire Services Act 1997 (NSW)*, "all firefighting equipment purchased or constructed wholly or from money to the credit of the Fund is to be vested in the council of the area for or on behalf of which the firefighting equipment has been purchased or constructed".

Until such time as discussions on this matter have concluded and legislation changed, Council will not recognise rural fire service assets including plant and vehicles.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 12. Intangible assets

Intangible assets are as follows:

\$ '000	2020	2019
<b>Software</b>		
<b>Opening values at 1 July</b>		
Gross book value	3,225	3,003
Accumulated amortisation	(2,889)	(2,765)
<b>Net book value – opening balance</b>	<b>336</b>	<b>238</b>
<b>Movements for the year</b>		
– Other movements	(16)	–
– Purchases	866	214
– Amortisation charges	(215)	(116)
– Gross book value written off	(43)	–
– Accumulated amortisation charges written off	22	–
<b>Closing values at 30 June</b>		
Gross book value	4,041	3,225
Accumulated amortisation	(3,091)	(2,889)
<b>Total software – net book value</b>	<b>950</b>	<b>336</b>
<b>TOTAL INTANGIBLE ASSETS – NET BOOK VALUE</b>	<b>950</b>	<b>336</b>

**Accounting policy for intangible assets****IT development and software**

Costs incurred in developing products or systems and costs incurred in acquiring software and licenses that will contribute to future period financial benefits through revenue generation and/or cost reduction are capitalised to software and systems.

Costs capitalised include external direct costs of materials and service, direct payroll, and payroll related costs of employees' time spent on the project. Amortisation is calculated on a straight line basis over periods generally ranging from three to five years.

IT development costs include only those costs directly attributable to the development phase and are only recognised following completion of technical feasibility, and where Council has an intention and ability to use the asset.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 13. Contract assets and liabilities

\$ '000	2020 Current	2020 Non-current
<b>(a) Contract assets</b>		
Government grants	4,991	–
<b><u>Total Contract assets</u></b>	<b><u>4,991</u></b>	<b><u>–</u></b>

\$ '000	Notes	2020 Current	2020 Non-current
<b>(b) Contract liabilities</b>			
Unexpended capital grants (to construct Council controlled assets)	(i)	4,002	–
Holiday park deposits in advance of services provided		420	–
Other		87	–
<b><u>Total contract liabilities</u></b>		<b><u>4,509</u></b>	<b><u>–</u></b>

**Notes**

(i) Council has received funding to refurbish and extend the Grafton Regional Gallery and undertake improvements at the Maclean Showground. The funds received are under an enforceable contract which require Council to construct an identified asset which will be under Council's control on completion. The revenue is recognised as Council constructs the asset and the contract liability reflects the funding received which cannot yet be recognised as revenue. The revenue is expected to be recognised in the next 12 months.

\$ '000	2020
<b>(ii) Revenue recognised (during the financial year) from opening contract liability balances</b>	
<b>Grants and contributions received in advance:</b>	
Capital grants (to construct Council controlled assets)	2,884
<b>Total Revenue recognised during the financial year that was included in the contract liability balance at the beginning of the period</b>	<b>2,884</b>

**Significant changes in contract assets and liabilities**

The contract liabilities have arisen on adoption of AASB 15 and AASB 1058. Previously income received in advance was recognised for reciprocal contracts. The increase in a contract liability is primarily due to grants in the scope of AASB 15 and capital grants received by Council to acquire or construct assets which will be under Council's control. Previously, revenue was recognised on receipt of the funds.

**Accounting policy for contract assets and liabilities**

Where the amounts billed to customers are based on the achievement of various milestones established in the contract, the amounts recognised as revenue in a given period do not necessarily coincide with the amounts billed to or certified by the customer.

When a performance obligation is satisfied by transferring a promised good or service to the customer before the customer pays consideration or before the payment is due, Council presents the work in progress as a contract asset, unless the rights to that amount of consideration are unconditional, in which case Council recognises a receivable.

When an amount of consideration is received from a customer / fund provider prior to Council transferring a good or service to the customer, Council presents the funds which exceed revenue recognised as a contract liability.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 14. Leases

The Council has applied AASB 16 using the modified retrospective (cumulative catch-up) method and therefore the comparative information has not been restated and continues to be reported under AASB 117 and related Interpretations.

## (i) Council as a lessee

Council has two leases for the asset class buildings. Information relating to the leases in place and associated balances and transactions is provided below.

**Buildings**

Council leases two administration buildings:

- 42 Victoria Street Grafton - the lease is for 2 years with 2 x 5 year renewal options. The building lease contains an annual pricing mechanism based on 3% increase at each anniversary of the lease inception.
- 49 Queen Street Grafton - the original lease was for 3 years with a 3 year option to renew. The renewal date was 21 February 2019 where Council took up the 3 year renewal option making the lease term 6 years with an additional 1 x 3 year renewal option. The building lease contains an annual pricing mechanism based on CPI movements at each anniversary of the lease inception.

**Extension options**

Council includes options in the building leases to provide flexibility and certainty to Council operations and reduce costs of moving premises; and the extension options are at Council's discretion.

At commencement date and each subsequent reporting date, Council assesses where it is reasonably certain that the extension options will be exercised.

The potential future lease payments are not included in lease liabilities as Council has assessed that the exercise of the option is not reasonably certain.

\$ '000	Plant & Equipment	Ready to use	Total
<b>(a) Right of use assets</b>			
Adoption of AASB 16 at 1 July 2019 – first time lease recognition	–	646	646
Depreciation charge	–	(228)	(228)
Other movement	–	(50)	(50)
<b><u>Balance at 30 June 2020</u></b>	<b><u>–</u></b>	<b><u>368</u></b>	<b><u>368</u></b>

\$ '000	2020 Current	2020 Non-current
<b>(b) Lease liabilities</b>		
Lease liabilities	282	93
<b><u>TOTAL LEASE LIABILITIES</u></b>	<b><u>282</u></b>	<b><u>93</u></b>

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 14. Leases (continued)

**(i) The maturity analysis**

The maturity analysis of lease liabilities based on contractual undiscounted cash flows is shown in the table below:

\$ '000	< 1 year	1 – 5 years	> 5 years	Total	Total per Statement of Financial Position
Cash flows	286	93	–	379	375
<b>\$ '000</b>					<b>2020</b>

**(c) Income Statement**

The amounts recognised in the Income Statement relating to leases where Council is a lessee are shown below:

Interest on lease liabilities	6
Depreciation of right of use assets	228
Impairment of right of use assets	–
Expenses relating to short-term leases	87
	<b>321</b>

**(d) Statement of Cash Flows**

Total cash outflow for leases	(278)
	<b>(278)</b>

**Accounting policy****Accounting policies under AASB 16 – applicable from 1 July 2019**

At inception of a contract, Council assesses whether a lease exists – i.e. does the contract convey the right to control the use of an identified asset for a period of time in exchange for consideration?

Council has elected not to separate non-lease components from lease components for any class of asset and has accounted for payments as a single component.

At the lease commencement, Council recognises a right-of-use asset and associated lease liability for the lease term. The lease term includes extension periods where Council believes it is reasonably certain that the option will be exercised.

The right-of-use asset is measured using the cost model where cost on initial recognition comprises: the lease liability, initial direct costs, prepaid lease payments, estimated cost of removal and restoration, less any lease incentives. The right-of-use is depreciated over the lease term on a straight-line basis and assessed for impairment in accordance with the impairment of asset accounting policy.

The lease liability is initially recognised at the present value of the remaining lease payments at the commencement of the lease. The discount rate is the rate implicit in the lease, however where this cannot be readily determined then the Council's incremental borrowing rate for a similar term with similar security is used.

Subsequent to initial recognition, the lease liability is measured at amortised cost using the effective interest rate method. The lease liability is re-measured when there is a lease modification, or change in estimate of the lease term or index upon which the lease payments are based (e.g. CPI).

Where the lease liability is re-measured, the right-of-use asset is adjusted to reflect the re-measurement.



## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 14. Leases (continued)

**Exceptions to lease accounting**

Council has applied the exceptions to lease accounting for both short-term leases (i.e. leases with a term of less than or equal to 12 months) and leases of low-value assets. Council recognises the payments associated with these leases as an expense on a straight-line basis over the lease term.

**Leases at significantly below market value / concessionary leases**

Council has elected to measure the right of use asset arising from the concessionary leases at cost which is based on the associated lease liability at initial recognition.

**Accounting policy under AASB 117 and associated Accounting Interpretations (2019 only)**

Refer to Note 5c and Note 15.

## (ii) Council as a lessor

## (e) Operating leases

Council leases out a number of properties to community groups; these leases have been classified as operating leases for financial reporting purposes and the assets are included as IPP&E in the Statement of Financial Position.

The amounts recognised in the Income Statement relating to operating leases where Council is a lessor are shown below:

\$ '000	2020
<b>(i) Operating lease income</b>	
<b>Other lease income</b>	
Room/Facility Hire	826
<b>Total income relating to operating leases</b>	<b>826</b>

**Accounting policy**

When Council is a lessor, the lease is classified as either an operating or finance lease at inception date, based on whether substantially all of the risks and rewards incidental to ownership of the asset have been transferred to the lessee. If the risks and rewards have been transferred then the lease is classified as a finance lease, otherwise it is an operating lease.

When Council has a sub-lease over an asset and is the intermediate lessor then the head lease and sub-lease are accounted for separately. The classification of the sub-lease is based on the right-of-use asset which arises from the head lease rather than the useful life of the underlying asset.

If the lease contains lease and non-lease components then the non-lease components are accounted for in accordance with AASB 15 *Revenue from Contracts with Customers*.

The lease income is recognised on a straight-line basis over the lease term.

## Clarence Valley Council

Notes to the Financial Statements  
for the year ended 30 June 2020

## Note 15. Payables and borrowings

\$ '000	2020 Current	2020 Non-current	2019 Current	2019 Non-current
<b>Payables</b>				
Goods and services – operating expenditure	9,033	–	4,654	–
Goods and services – capital expenditure	1,907	–	863	–
Accrued expenses:				
– Borrowings	777	–	545	–
– Salaries and wages	888	–	11	–
– ELE - CCS transition to Wesley	384	–	–	–
Security bonds, deposits and retentions	2,192	–	1,807	–
Government departments	2,135	–	3,666	–
Employee time in lieu and RDO	462	–	461	–
Prepaid rates	2,181	–	–	–
Other	373	–	304	–
Client Balances - CCS transition to Wesley	1,508	–	–	–
<b>Total payables</b>	<b>21,840</b>	<b>–</b>	<b>12,311</b>	<b>–</b>
<b>Income received in advance (2019 only)</b>				
Payments received in advance	–	–	2,098	–
<b>Total income received in advance</b>	<b>–</b>	<b>–</b>	<b>2,098</b>	<b>–</b>
<b>Borrowings</b>				
Loans – secured <sup>1</sup>	8,195	95,940	7,040	104,135
<b>Total borrowings</b>	<b>8,195</b>	<b>95,940</b>	<b>7,040</b>	<b>104,135</b>
<b>TOTAL PAYABLES AND BORROWINGS</b>	<b>30,035</b>	<b>95,940</b>	<b>21,449</b>	<b>104,135</b>

(1) Loans are secured over the general rating income of Council.

Disclosures on liability interest rate risk exposures, fair value disclosures and security can be found in Note 22.

\$ '000	2020 Current	2020 Non-current	2019 Current	2019 Non-current
<b>(a) Payables and borrowings relating to restricted assets</b>				
<b>Externally restricted assets</b>				
Water	2,349	20,350	1,669	21,436
Sewer	5,322	60,238	4,000	64,752
Domestic waste management	821	4,906	1,005	5,446
Clarence Care & Support	2,912	–	1,612	–
Security bonds, deposits and retentions	2,192	–	1,807	–
Clarence Regional Library	17	–	3	–
Holidays Parks	751	–	681	–
Payables and borrowings relating to externally restricted assets	14,364	85,494	10,777	91,634
<b>Total payables and borrowings relating to restricted assets</b>	<b>14,364</b>	<b>85,494</b>	<b>10,777</b>	<b>91,634</b>
<b>Total payables and borrowings relating to unrestricted assets</b>	<b>15,671</b>	<b>10,446</b>	<b>10,672</b>	<b>12,501</b>

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## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 15. Payables and borrowings (continued)

<b>TOTAL PAYABLES AND BORROWINGS</b>	30,035	95,940	21,449	104,135
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<b>\$ '000</b>	<b>2020</b>	<b>2019</b>
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**(b) Current payables and borrowings not anticipated to be settled within the next twelve months**

The following liabilities, even though classified as current, are not expected to be settled in the next 12 months.

Payables – security bonds, deposits and retentions	1,982	1,506
<b>Total payables and borrowings</b>	<b>1,982</b>	<b>1,506</b>

**(c) Changes in liabilities arising from financing activities**

\$ '000	as at 30/06/19		Non-cash changes				as at 30/06/20
	Opening Balance	Cash flows	Acquisition	Fair value changes	Acquisition due to change in accounting policy	Other non-cash movement	Closing balance
Loans – secured	111,175	(7,040)	–	–	–	–	104,135
Lease liabilities	–	375	–	–	–	–	375
<b>TOTAL</b>	<b>111,175</b>	<b>(6,665)</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>104,510</b>

\$ '000	as at 30/06/18		Non-cash changes			as at 30/06/19
	Opening Balance	Cash flows	Acquisition	Fair value changes	Other non-cash movement	Closing balance
Loans – secured	117,759	(6,584)	–	–	–	111,175
<b>TOTAL</b>	<b>117,759</b>	<b>(6,584)</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>111,175</b>

<b>\$ '000</b>	<b>2020</b>	<b>2019</b>
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**(d) Financing arrangements****(i) Unrestricted access was available at balance date to the following lines of credit:**

Bank overdraft facilities <sup>1</sup>	500	500
Credit cards/purchase cards	150	150
<b>Total financing arrangements</b>	<b>650</b>	<b>650</b>

**Undrawn facilities as at balance date:**

– Bank overdraft facilities	500	500
– Credit cards/purchase cards	150	150
<b>Total undrawn financing arrangements</b>	<b>650</b>	<b>650</b>

**Additional financing arrangements information****Breaches and defaults**

During the current and prior year, there were no defaults or breaches on any of the loans.

(1) The bank overdraft facility may be drawn at any time and may be terminated by the bank without notice.

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 15. Payables and borrowings (continued)

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##### **Accounting policy for payables and borrowings**

Council measures all financial liabilities initially at fair value less transaction costs, subsequently financial liabilities are measured at amortised cost using the effective interest rate method.

The financial liabilities of the Council comprise trade payables, bank and other loans and finance lease liabilities.

##### **Payables**

These amounts represent liabilities for goods and services provided to the council prior to the end of financial year that are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

##### **Borrowings**

Borrowings are initially recognised at fair value, net of transaction costs incurred. Borrowings are subsequently measured at amortised cost. Any difference between the proceeds (net of transaction costs) and the redemption amount is recognised in the Income Statement over the period of the borrowings using the effective-interest method. Fees paid on the establishment of loan facilities are recognised as transaction costs of the loan to the extent that it is probable that some or all of the facility will be drawn down. In this case, the fee is deferred until the drawdown occurs. To the extent that there is no evidence that it is probable that some or all of the facility will be drawn down, the fee is capitalised as a prepayment for liquidity services and amortised over the period of the facility to which it relates.

Borrowings are removed from the Statement of Financial Position when the obligation specified in the contract is discharged, cancelled or expired. The difference between the carrying amount of a financial liability that has been extinguished or transferred to another party and the consideration paid, including any non-cash assets transferred or liabilities assumed, is recognised in other income or finance cost.

Borrowings are classified as current liabilities unless Council has an unconditional right to defer settlement of the liability for at least 12 months after the reporting date.

##### **Finance leases (2019 only)**

Leases of property, plant and equipment where Council, as lessee, has substantially all the risks and rewards of ownership, are classified as finance leases. Finance leases are capitalised at the lease's inception at the fair value of the leased assets or, if lower, the present value of the minimum lease payments. The corresponding rental obligations, net of finance charges, are included in other short-term and long-term payables. Each lease payment is allocated between the liability and finance cost. The finance cost is charged to the Income Statement over the lease period so as to produce a constant periodic rate of interest on the remaining balance of the liability for each period.

The property, plant and equipment acquired under finance leases is depreciated over the assets useful life or over the shorter of the asset's useful life and the lease term if there is no reasonable certainty that Council will obtain ownership at the end of the lease term.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 16. Provisions

\$ '000	2020 Current	2020 Non-current	2019 Current	2019 Non-current
<b>Provisions</b>				
<b>Employee benefits</b>				
Annual leave	3,477	–	3,361	–
Long service leave	8,783	303	8,969	301
<b>Sub-total – aggregate employee benefits</b>	<b>12,260</b>	<b>303</b>	<b>12,330</b>	<b>301</b>
<b>Asset remediation/restoration:</b>				
Asset remediation/restoration (future works)	388	14,731	–	11,902
<b>Sub-total – asset remediation/restoration</b>	<b>388</b>	<b>14,731</b>	<b>–</b>	<b>11,902</b>
<b><u>TOTAL PROVISIONS</u></b>	<b><u>12,648</u></b>	<b><u>15,034</u></b>	<b><u>12,330</u></b>	<b><u>12,203</u></b>

\$ '000	2020	2019
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**(a) Current provisions not anticipated to be settled within the next twelve months**

The following provisions, even though classified as current, are not expected to be settled in the next 12 months.

Provisions – employees benefits	8,631	9,097
	<b>8,631</b>	<b>9,097</b>

**(b) Description of and movements in non-employee benefit provisions**

\$ '000	Other provisions	
	Asset remediation	Total
<b>2020</b>		
At beginning of year	11,902	11,902
Additional provisions	945	945
Remeasurement effects	2,068	2,068
Unwinding of discount	204	204
<b>Total other provisions at end of year</b>	<b>15,119</b>	<b>15,119</b>
<b>2019</b>		
At beginning of year	8,213	8,213
Additional provisions	(501)	(501)
Remeasurement effects	3,967	3,967
Unwinding of discount	223	223
<b>Total other provisions at end of year</b>	<b>11,902</b>	<b>11,902</b>

**Nature and purpose of non-employee benefit provisions****Asset remediation**

The asset remediation provision represents the present value estimate of future costs Council will incur to restore, rehabilitate and reinstate the tip and quarry as a result of past operations.

**Accounting policy for provisions**

Provisions are recognised when Council has a present legal or constructive obligation as a result of past events, it is probable that an outflow of resources will be required to settle the obligation, and the amount has been reliably estimated.

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 16. Provisions (continued)

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Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations may be small.

Provisions are measured at the present value of management's best estimate of the expenditure required to settle the present obligation at the reporting date. The discount rate used to determine the present value reflects current market assessments of the time value of money and the risks specific to the liability. The increase in the provision due to the passage of time is recognised as interest expense.

#### Employee benefits

##### Short-term obligations

Liabilities for wages and salaries (including non-monetary benefits, annual leave and accumulating sick leave expected to be wholly settled within 12 months after the end of the period in which the employees render the related service) are recognised in respect of employees' services up to the end of the reporting period and are measured at the amounts expected to be paid when the liabilities are settled. The liability for annual leave and accumulating sick leave is recognised in the provision for employee benefits. All other short-term employee benefit obligations are presented as payables.

##### Other long-term employee benefit obligations

The liability for long-service leave and annual leave that is not expected to be wholly settled within 12 months after the end of the period in which the employees render the related service is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the end of the reporting period using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures, and periods of service. Expected future payments are discounted using market yields at the end of the reporting period on national government bonds with terms to maturity and currency that match, as closely as possible, the estimated future cash outflows.

##### On-costs

The employee benefit provisions include the aggregate on-cost liabilities that will arise when payment of current employee benefits is made in future periods.

These amounts include superannuation, payroll tax and workers compensation expenses which will be payable upon the future payment of certain leave liabilities which employees are entitled to at the reporting period.

The obligations are presented as current liabilities in the Statement of Financial Position if the Council does not have an unconditional right to defer settlement for at least 12 months after the reporting date, regardless of when the actual settlement is expected to occur.

#### Provisions for close-down and restoration, and environmental clean-up costs – tips and quarries

##### Restoration

Close-down and restoration costs include the dismantling and demolition of infrastructure, and the removal of residual materials and remediation of disturbed areas. Estimated close-down and restoration costs are provided for in the accounting period when the obligation arising from the related disturbance occurs, whether this occurs during the development or during the operation phase, based on the net present value of estimated future costs.

Provisions for close-down and restoration costs do not include any additional obligations which are expected to arise from future disturbance. The costs are estimated on the basis of a closure plan. The cost estimates are calculated annually during the life of the operation to reflect known developments, e.g. updated cost estimates and revisions to the estimated lives of operations, and are subject to formal review at regular intervals.

##### Rehabilitation

Where rehabilitation is conducted systematically over the life of the operation, rather than at the time of closure, provision is made for the estimated outstanding continuous rehabilitation work at each reporting date, and the cost is charged to the Income Statement.

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 16. Provisions (continued)

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Provision is made for the estimated present value of the costs of environmental clean-up obligations outstanding at the reporting date. These costs are charged to the Income Statement. Movements in the environmental clean-up provisions are presented as an operating cost, except for the unwinding of the discount which is shown as a borrowing cost.

Remediation procedures generally commence soon after the time the damage, remediation process, and estimated remediation costs become known, but may continue for many years depending on the nature of the disturbance and the remediation techniques.

As noted above, the ultimate cost of environmental remediation is uncertain and cost estimates can vary in response to many factors, including changes to the relevant legal requirements, the emergence of new restoration techniques, or experience at other locations. The expected timing of expenditure can also change, for example in response to changes in quarry reserves or production rates. As a result, there could be significant adjustments to the provision for close down and restoration and environmental clean-up, which would affect future financial results.

Other movements in the provisions for close-down and restoration costs, including those resulting from new disturbance, updated cost estimates, changes to the estimated lives of operations, and revisions to discount rates, are capitalised within property, plant and equipment. These costs are then depreciated over the lives of the assets to which they relate.

Close-down and restoration costs are a normal consequence of tip and quarry operations, and the majority of close-down and restoration expenditure is incurred at the end of the life of the operations. Although the ultimate cost to be incurred is uncertain, Council estimates the respective costs based on feasibility and engineering studies using current restoration standards and techniques.



## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 17. Accumulated surplus, revaluation reserves, changes in accounting policies, changes in accounting estimates and errors

##### (a) Nature and purpose of reserves

###### **Infrastructure, property, plant and equipment revaluation reserve**

The infrastructure, property, plant and equipment revaluation reserve is used to record increments / decrements of non-current asset values due to their revaluation.

##### (b) Changes in accounting policies due to adoption of new accounting standards (not-retrospective)

During the year ended 30 June 2020, the Council has adopted AASB 15 *Revenue from Contracts with Customers*, AASB 1058 *Income of Not-for-profit Entities* and AASB 16 *Leases* using the modified retrospective (cumulative catch-up) method and therefore the comparative information for the year ended 30 June 2019 has not been restated and continues to comply with AASB 111 *Construction Contracts*, AASB 117 *Leases*, AASB 118 *Revenue*, AASB 1004 *Contributions* and associated Accounting Interpretations.

All adjustments on adoption of AASB 15 and AASB 1058 have been taken to retained earnings at 1 July 2019.

The impacts of adopting these standards and associated transition disclosures are provided below:

##### **Adjustments to the current year figures for the year ended 30 June 2020**

###### **Statement of Financial Position**

##### (ii) AASB 15 and AASB 1058

The following approach has been applied on transition to AASB 15 and AASB 1058:

- Council has not adopted the completed contract expedient and therefore has not excluded revenue which was fully recognised in previous years in accordance with the former accounting standards and pronouncements
- Council has retrospectively restated contracts for modifications that occurred before 1 July 2019 unless such contract modification were minor.

###### **Transfer of control to a customer – over time or at a point in time**

AASB 15 has specific criteria regarding whether control is transferred over time or at a point in time. The entity has reviewed its contracts and concluded that the criteria for recognition over time is not met in some circumstances. In such cases, revenue and related production costs will be recognised at the delivery of each separate performance obligation instead of over the contract using a single margin.

###### **Licences**

Council has reviewed the licences it grants and considers that all licences are either short-term or low value and elects to recognise all revenue from licences up-front rather than spreading them over the life of the licence.

###### **Prepaid rates**

Under AASB 1004, rates were recorded as revenue at the earliest of receipt of the funds from the ratepayer and the beginning of the rating period. Under AASB 1058, prepaid rates are recognised as a financial liability until the beginning of the rating period.

###### **Grants – operating**

Under AASB 1004, most grant income was recognised as revenue on receipt. Under AASB 15, where an agreement is enforceable and contains sufficiently specific performance obligations, the revenue is either recognised over time as the work is performed, or recognised at the point in time that the control of the services passes to the customer.

###### **Grants – capital**

Under AASB 1004, most grant monies were recorded as revenue on receipt. Under AASB 1058, where Council has received assets (including cash) to acquire or construct a non-financial asset, the asset is to be controlled by Council and the contract is enforceable, then the asset is recognised as a contract liability on receipt and recorded as revenue as the performance obligation to acquire or construct the asset is completed.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

**Note 17. Accumulated surplus, revaluation reserves, changes in accounting policies, changes in accounting estimates and errors (continued)****Changes in presentation**

In addition to the above changes in accounting policies, the Council has also amended the presentation of certain items to align them with the requirements of AASB 15 and AASB 1058:

- Additional line items of contract liabilities have been created.

\$ '000	Balance at 1 July 2019
<b>Opening contract balances at 1 July 2019</b>	
<b>Contract liabilities</b>	
– Under AASB 15	–
– Under AASB 1058	2,884
<b>Total Contract liabilities</b>	<b>2,884</b>

**Comparison of financial statement line items under AASB 15 compared to previous standards for the current year**

The following tables show the impact of adopting AASB 15 and AASB 1058 on the Council's financial statements for the year ended 30 June 2020.

**Statement of Financial Position**

\$ '000	Carrying amount per Statement of Financial Position under AASB 15 and AASB 1058	Reclassific- ation	Remeasur-e ment	Carrying amount under previous revenue standards	Notes
<b>Current assets</b>					
Cash and cash equivalents	22,120	–	–	22,120	
Investments	68,000	–	–	68,000	
Receivables	30,584	–	–	30,584	
Inventories	1,348	–	–	1,348	
Contract assets	4,991	–	–	4,991	
Other	172	–	–	172	
Current assets classified as 'held for sale'	1,147	–	–	1,147	
<b>Total current assets</b>	<b>128,362</b>	<b>–</b>	<b>–</b>	<b>128,362</b>	
<b>Current liabilities</b>					
Payables	21,840	(2,181)	–	19,659	
Income received in advance	–	2,688	–	2,688	
Contract liabilities	4,509	(507)	(4,002)	–	
Lease liabilities	282	–	–	282	
Borrowings	8,195	–	–	8,195	
Provisions	12,648	–	–	12,648	
<b>Total current liabilities</b>	<b>47,474</b>	<b>–</b>	<b>(4,002)</b>	<b>43,472</b>	
<b>Non-current assets</b>					
Investments	35,610	–	–	35,610	
Receivables	1,363	–	–	1,363	

continued on next page ...

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 17. Accumulated surplus, revaluation reserves, changes in accounting policies, changes in accounting estimates and errors (continued)

\$ '000	Carrying amount per Statement of Financial Position under AASB 15 and AASB 1058	Reclassific- ation	Remeasur-e ment	Carrying amount under previous revenue standards	Notes
Inventories	156	-	-	156	
Infrastructure, property, plant and equipment	1,965,093	-	-	1,965,093	
Intangible assets	950	-	-	950	
Right of use assets	368	-	-	368	
Investments accounted for using equity method	42	-	-	42	
<b>Total non-current assets</b>	<b>2,003,582</b>	<b>-</b>	<b>-</b>	<b>2,003,582</b>	
<b>Non-current liabilities</b>					
Lease liabilities	93	-	-	93	
Borrowings	95,940	-	-	95,940	
Provisions	15,034	-	-	15,034	
<b>Total Non-current liabilities</b>	<b>111,067</b>	<b>-</b>	<b>-</b>	<b>111,067</b>	
<b>Net assets</b>	<b>1,973,403</b>	<b>-</b>	<b>4,002</b>	<b>1,977,405</b>	
<b>Equity</b>					
Accumulated surplus	836,142	-	4,002	840,144	
Revaluation reserves	1,137,261	-	-	1,137,261	
<b>Council equity interest</b>	<b>1,973,403</b>	<b>-</b>	<b>4,002</b>	<b>1,977,405</b>	
<b>Total equity</b>	<b>1,973,403</b>	<b>-</b>	<b>4,002</b>	<b>1,977,405</b>	

Funds under AASB 1058 which have been received prior to the satisfaction of the performance obligation.

**Income Statement**

\$ '000	Income Statement and comprehen- sive income under AASB 15 and AASB 1058	Reclassific- ation	Remeasur- ement	Income Statement and comprehen- sive income under previous revenue standards	Notes
<u>Income from continuing operations</u>					
Rates and annual charges	62,791	-	-	62,791	
User charges and fees	39,312	-	-	39,312	
Other revenues	2,403	-	-	2,403	
Grants and contributions provided for operating purposes	32,610	-	-	32,610	
Grants and contributions provided for capital purposes	24,740	-	1,117	25,857	
Interest and investment income	3,344	-	-	3,344	
Rental income	826	-	-	826	

continued on next page ...

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

**Note 17. Accumulated surplus, revaluation reserves, changes in accounting policies, changes in accounting estimates and errors (continued)**

\$ '000	Income Statement and comprehensive income under AASB 15 and AASB 1058	Reclassification	Remeasurement	Income Statement and comprehensive income under previous revenue standards	Notes
<b>Total Income from continuing operations</b>	166,026	–	1,117	167,143	
<u>Expenses from continuing operations</u>					
Employee benefits and on-costs	36,062	–	–	36,062	
Borrowing costs	7,655	–	–	7,655	
Materials and contracts	42,034	–	–	42,034	
Depreciation and amortisation	44,033	–	–	44,033	
Other expenses	13,505	–	–	13,505	
Net losses from the disposal of assets	15,227	–	–	15,227	
Net share of interests in joint ventures and associates using the equity method	34	–	–	34	
<b>Total Expenses from continuing operations</b>	158,550	–	–	158,550	
<b>Total Operating result from continuing operations</b>	7,476	–	1,117	8,593	
Operating result from discontinued operations	52	–	–	52	
<b>Net operating result for the year</b>	7,528	–	1,117	8,645	
<b>Total comprehensive income</b>	14,327	–	–	14,327	

Difference in revenue between recognition on receipt under the old standards and as/when performance obligations are met under the new standards.

**Adjustments to the current year figures for the year ended 30 June 2020****Statement of Financial Position**

\$ '000	Original Balance 1 July, 2019	Impact Increase/ (decrease)	Restated Balance 1 July, 2019
Contract assets	–	–	–
<b>Total assets</b>	–	–	–
Contract liabilities	–	2,884	2,884
<b>Total liabilities</b>	150,117	2,884	153,001
Accumulated surplus	832,603	(2,884)	829,719
<b>Total equity</b>	(150,117)	(2,884)	(153,001)

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

**Note 17. Accumulated surplus, revaluation reserves, changes in accounting policies, changes in accounting estimates and errors (continued)****(iii) AASB 16 Leases****Council as a lessee**

Under AASB 117, Council assessed whether leases were operating or finance leases, based on its assessment of whether the significant risks and rewards of ownership had been transferred to Council or remained with the lessor. Under AASB 16, there is no differentiation between finance and operating leases for the lessee and therefore all leases which meet the definition of a lease are recognised on the statement of financial position (except for short-term leases and leases of low-value assets).

Council has used the exception to lease accounting for short-term leases and leases of low-value assets, and the lease expense relating to these leases is recognised in the Income Statement on a straight- line basis.

Practical expedients used on transition

AASB 16 includes a number of practical expedients which can be used on transition. Council has used the following expedients:

- Contracts which had previously been assessed as not containing leases under AASB 117 were not re-assessed on transition to AASB 16.
- Lease liabilities have been discounted using the Council's incremental borrowing rate at 1 July 2019.
- Right-of-use assets at 1 July 2019 have been measured at an amount equal to the lease liability adjustment by the any prepaid or accrued lease payments.
- A single discount rate was applied to all leases with similar characteristics.
- The right-of-use asset was adjusted by the existing onerous lease provision (where relevant) at 30 June 2019 rather than perform impairment testing of the right-of-use asset.
- Excluded leases with an expiry date prior to 30 June 2020 from the Statement of Financial Position, and lease expenses for these leases have been recorded on a straight-line basis over the remaining term.
- Used hindsight when determining the lease term if the contract contains options to extend or terminate the lease.

**Financial statement impact of adoption of AASB 16**

Council has recognised right-of-use assets and lease liabilities of \$646,599 at 1 July 2019 for leases previously classified as operating leases, or leases that are significantly below market value which were previously off balance sheet.

The weighted average lessee's incremental borrowing rate applied to lease liabilities at 1 July 2019 was 1.42%.

\$ '000	Balance at 1 July 2019
<b>Operating lease commitments at 30 June 2019 per Council financial statements</b>	<b>657</b>

**Reconciliation of lease liabilities recognised on adoption of AASB 16 Leases**

<b>Operating lease commitments discounted using the incremental borrowing rate at 1 July 2019</b>	<u>646</u>
<b>Lease liabilities recognised at 1 July 2019</b>	<u>646</u>

**Council as a lessor**

For the arrangements where Council is a lessor, there are no significant accounting policy changes on adoption of AASB 16 except for sub-leases, which have now been classified in relation to the right-of-use asset under the head lease rather than the underlying asset.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 18. Statement of cash flow information

\$ '000	Notes	2020	2019
<b>(a) Reconciliation of cash and cash equivalents</b>			
Total cash and cash equivalents per Statement of Financial Position	7(a)	22,120	12,320
<b>Balance as per the Statement of Cash Flows</b>		<b>22,120</b>	<b>12,320</b>
<b>(b) Reconciliation of net operating result to cash provided from operating activities</b>			
<b>Net operating result from Income Statement</b>		7,528	4,428
<b>Adjust for non-cash items:</b>			
Depreciation and amortisation		44,033	42,306
Net losses/(gains) on disposal of assets		15,227	6,926
Non-cash capital grants and contributions		(6,035)	(3,204)
Adoption of AASB 15/1058		(2,884)	–
Losses/(gains) recognised on fair value re-measurements through the P&L:			
– Investments classified as ‘at fair value’ or ‘held for trading’		(13)	(87)
Amortisation of premiums, discounts and prior period fair valuations			
– Interest on all fair value adjusted interest free advances made by Council		(14)	(7)
– Interest exp. on interest-free loans received by Council (previously fair valued)		–	7
Unwinding of discount rates on reinstatement provisions		204	223
Share of net (profits)/losses of associates/joint ventures using the equity method		34	42
<b>+/- Movement in operating assets and liabilities and other cash items:</b>			
Decrease/(increase) in receivables		(8,070)	(4,647)
Increase/(decrease) in provision for impairment of receivables		–	(25)
Decrease/(increase) in inventories		159	(180)
Decrease/(increase) in other current assets		(85)	176
Decrease/(increase) in contract assets		(4,991)	–
Increase/(decrease) in payables		4,379	316
Increase/(decrease) in accrued interest payable		232	(25)
Increase/(decrease) in other accrued expenses payable		1,261	10
Increase/(decrease) in other liabilities and accruals		515	561
Increase/(decrease) in contract liabilities		4,509	–
Increase/(decrease) in provision for employee benefits		(68)	432
Increase/(decrease) in other provisions		3,013	3,466
<b>Net cash provided from/(used in) operating activities from the Statement of Cash Flows</b>		<b>58,934</b>	<b>50,718</b>
<b>(c) Non-cash investing and financing activities</b>			
Other non-cash items		6,035	3,204
<b>Total non-cash investing and financing activities</b>		<b>6,035</b>	<b>3,204</b>

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 19. Interests in other entities

\$ '000	Council's share of net income		Council's share of net assets	
	2020	2019	2020	2019
Joint ventures	(34)	(42)	42	36
<b>Total</b>	<b>(34)</b>	<b>(42)</b>	<b>42</b>	<b>36</b>

## Joint arrangements

## (i) Joint ventures

The following information is provided for joint ventures that are individually material to the Council. Included are the total amounts as per the joint venture financial statements, adjusted for fair-value adjustments at acquisition date and differences in accounting policies, rather than the Council's share.

## (a) Net carrying amounts – Council's share

\$ '000	Nature of relationship	Measurement method	2020	2019
NEWLOG	Joint venture	Equity	36	36
<b>Total carrying amounts – material joint ventures</b>			<b>36</b>	<b>36</b>

## (b) Details

	Principal activity	Place of business
NEWLOG	Monitor and weigh heavy vehicles	Ballina

## (c) Relevant interests and fair values

\$ '000	Interest in outputs		Interest in ownership		Proportion of voting power	
	2020	2019	2020	2019	2020	2019
NEWLOG	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%

## (d) Summarised financial information for joint ventures

\$ '000	NEWLOG	
	2020	2019
<b>Statement of financial position</b>		
<b>Current assets</b>		
Cash and cash equivalents	284	229
Other current assets	54	57
<b>Non-current assets</b>	44	67
<b>Current liabilities</b>		
Other current liabilities	234	246
<b>Net assets</b>	<b>148</b>	<b>107</b>

## Reconciliation of the carrying amount

Opening net assets (1 July)	107	129
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## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 19. Interests in other entities (continued)

\$ '000	NEWLOG	
	2020	2019
Profit/(loss) for the period	(236)	(291)
Contributions	277	269
<b>Closing net assets</b>	<b>148</b>	<b>107</b>
<b>Council's share of net assets (%)</b>	<b>28.3%</b>	<b>34.0%</b>
<b>Council's share of net assets (\$)</b>	<b>42</b>	<b>36</b>
<b>Statement of comprehensive income</b>		
Income	285	259
Interest income	5	5
Depreciation and amortisation	(23)	(23)
Other expenses	(503)	(532)
<b>Profit/(loss) from continuing operations</b>	<b>(236)</b>	<b>(291)</b>
<b>Profit/(loss) for the period</b>	<b>(236)</b>	<b>(291)</b>
<b>Total comprehensive income</b>	<b>(236)</b>	<b>(291)</b>
<b>Share of income – Council (%)</b>	<b>14.4%</b>	<b>14.4%</b>
<b>Profit/(loss) – Council (\$)</b>	<b>(34)</b>	<b>(42)</b>
<b>Total comprehensive income – Council (\$)</b>	<b>(34)</b>	<b>(42)</b>
<b>Summarised Statement of cash flows</b>		
Cash flows from operating activities	(221)	(247)
Cash flows from financing activities	276	269
<b>Net increase (decrease) in cash and cash equivalents</b>	<b>55</b>	<b>22</b>

**(e) The nature and extent of significant restrictions relating to joint ventures**

Member Councils have delegated (under s377 of the Local Government Act 1993 (NSW)) the relevant functions to NEWLOG officers, who are employees of Ballina Shire Council the "Administrative" Council).

**Accounting policy for joint arrangements**

The Council has determined that it only has joint ventures.

**Joint ventures:**

Interests in joint ventures are accounted for using the equity method in accordance with *AASB128 Investments in Associates and Joint Ventures*.

Under this method, the investment is initially recognised as a cost and the carrying amount is increased or decreased to recognise the Council's share of the profit or loss and other comprehensive income of the joint venture after the date of acquisition.

If the Council's share of losses of a joint venture equals or exceeds its interest in the joint venture, the Council discontinues recognising its share of further losses.

The Council's share in the joint venture's gains or losses arising from transactions between itself and its joint venture are eliminated.

Adjustments are made to the joint venture's accounting policies where they are different from those of the Council for the purposes of the consolidated financial statements.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 20. Commitments

\$ '000	2020	2019
<b>Capital commitments (exclusive of GST)</b>		
Capital expenditure committed for at the reporting date but not recognised in the financial statements as liabilities:		
<b>Property, plant and equipment</b>		
Buildings	3,252	1,806
Plant and equipment	4,170	2,123
Sewerage services infrastructure	1,845	912
Water supply infrastructure	635	2,794
Road infrastructure	–	264
Other	814	1,292
<b>Total commitments</b>	<b>10,716</b>	<b>9,191</b>
<b>These expenditures are payable as follows:</b>		
Within the next year	10,167	9,191
Later than one year and not later than 5 years	549	–
<b>Total payable</b>	<b>10,716</b>	<b>9,191</b>

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 21. Contingencies

The following assets and liabilities do not qualify for recognition in the Statement of Financial Position, but their knowledge and disclosure is considered relevant to the users of Council's financial report.

##### LIABILITIES NOT RECOGNISED

###### 1. Guarantees

###### (i) Defined benefit superannuation contribution plans

Council is party to an Industry Defined Benefit Plan under the Local Government Superannuation Scheme, named The Local Government Superannuation Scheme – Pool B (the Scheme) which is a defined benefit plan that has been deemed to be a 'multi-employer fund' for purposes of AASB119 Employee Benefits for the following reasons:

- Assets are not segregated within the sub-group according to the employees of each sponsoring employer.
- The contribution rates have been the same for all sponsoring employers. That is, contribution rates have not varied for each sponsoring employer according to the experience relating to the employees of that sponsoring employer.
- Benefits for employees of all sponsoring employers are determined according to the same formulae and without regard to the sponsoring employer.
- The same actuarial assumptions are currently used in respect of the employees of each sponsoring employer.

Given the factors above, each sponsoring employer is exposed to the actuarial risks associated with current and former employees of other sponsoring employers, and hence shares in the associated gains and losses (to the extent that they are not borne by members).

###### *Description of the funding arrangements*

Pooled employers are required to pay standard employer contributions and additional lump sum contributions to the fund.

The standard employer contributions were determined using the new entrant rate method under which a contribution rate sufficient to fund the total benefits over the working life-time of a typical new entrant is calculated. The current standard employer contribution rates are:

Division B	1.9 times member contributions for non-180 Point Members; Nil for 180 Point Members*
Division C	2.5% salaries
Division D	1.64 times employee contributions

\* For 180 Point Members, Employers are required to contribute 7% of salaries to these members' accumulation accounts, which are paid in addition to members' defined benefits.

The additional lump sum contribution for each Pooled Employer is a share of the total additional contributions of \$40 million per annum from 1 July 2018 to 30 June 2021, apportioned according to each employer's share of the accrued liabilities as at 30 June 2019. These additional lump sum contributions are used to fund the deficit of assets to accrued liabilities as at 30 June 2019.

The adequacy of contributions is assessed at each triennial actuarial investigation and monitored annually between triennials.

###### *Description of the extent to which Council can be liable to the plan for other Council's obligations under the terms and conditions of the multi-employer plan*

As stated above, each sponsoring employer (Council) is exposed to the actuarial risks associated with current and former employees of other sponsoring employers and hence shares in the associated gains and losses.

However, there is no relief under the Fund's trust deed for employers to walk away from their defined benefit obligations. Under limited circumstances, an employer may withdraw from the plan when there are no active members, on full payment of outstanding additional contributions. There is no provision for allocation of any surplus which may be present at the date of withdrawal of the Council.

There are no specific provisions under the Fund's trust deed dealing with deficits or surplus on wind-up.

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 21. Contingencies (continued)

The amount of Council employer contributions to the defined benefit section of the Local Government Superannuation Scheme and recognised as an expense for the year ending 30 June 2020 was \$1,013,511.15. The last valuation of the Scheme was performed by the Actuary, Mr Richard Boyfield, FIAA as at 30 June 2019.

The amount of additional contributions included in the total employer contribution advised above is \$521,600.00. Council's expected contribution to the plan for the next annual reporting period is \$921,671.36.

The estimated employer reserves financial position for the Pooled Employers at 30 June 2020 is:

Employer reserves only *	\$millions	Asset Coverage
Assets	1,695.2	
Past Service Liabilities	1,773.2	95.6%
Vested Benefits	1,757.5	96.5%

\* excluding member accounts and reserves in both assets and liabilities.

Council's share of that deficiency cannot be accurately calculated as the Scheme is a mutual arrangement where assets and liabilities are pooled together for all member councils. For this reason, no liability for the deficiency has been recognised in Council's accounts. Council has a possible obligation that may arise should the Scheme require immediate payment to correct the deficiency.

The key economic long term assumptions used to calculate the present value of accrued benefits are:

Investment return	5.75% per annum
Salary inflation *	3.5% per annum
Increase in CPI	2.5% per annum

\* Plus promotional increases

The contribution requirements may vary from the current rates if the overall sub-group experience is not in line with the actuarial assumptions in determining the funding program; however, any adjustment to the funding program would be the same for all sponsoring employers in the Pooled Employers group.

#### (ii) Statewide Limited

Council is a member of Statewide Mutual, a mutual pool scheme providing liability insurance to local government.

Membership includes the potential to share in either the net assets or liabilities of the fund depending on its past performance. Council's share of the net assets or liabilities reflects Council's contributions to the pool and the result of insurance claims within each of the fund years.

The future realisation and finalisation of claims incurred but not reported to 30/6 this year may result in future liabilities or benefits as a result of past events that Council will be required to fund or share in respectively.

#### (iii) StateCover Limited

Council is a member of StateCover Mutual Limited and holds a partly paid share in the entity.

StateCover is a company providing workers compensation insurance cover to the NSW local government industry and specifically Council.

Council has a contingent liability to contribute further equity in the event of the erosion of the company's capital base as a result of the company's past performance and/or claims experience or as a result of any increased prudential requirements from APRA.

These future equity contributions would be required to maintain the company's minimum level of net assets in accordance with its licence requirements.

#### (iv) Other guarantees

Council has provided no other guarantees other than those listed above.

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 21. Contingencies (continued)

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##### 2. Other liabilities

###### (i) Third party claims

The Council is involved from time to time in various claims incidental to the ordinary course of business including claims for damages relating to its services.

Council believes that it is appropriately covered for all claims through its insurance coverage and does not expect any material liabilities to eventuate.

###### (ii) Potential land acquisitions due to planning restrictions imposed by Council

Council has classified a number of privately owned land parcels as local open space or bushland.

As a result, where notified in writing by the various owners, Council will be required to purchase these land parcels.

At reporting date, reliable estimates as to the value of any potential liability (and subsequent land asset) from such potential acquisitions has not been possible.

###### (iii) Roads with possible asbestos contaminated gravel

In late 2009 Council became aware that gravel from Taylors Quarry (Council owned) was contaminated with asbestos. This material had been used on Council roads in the Ewingar area, primarily for gravel re-sheeting works. In December 2009 Council, based on the information available at the time sealed (with a bituminous seal) those roads where Council had used the gravel in the prior 12 month period based on the belief that this gravel held the highest concentration of serpentine material.

The National Occupational Health and Safety Commission (NOHSC) have set the exposure standards for occupational and non-occupational airborne asbestos fibre levels. These levels are set at 0.1 fibres/ml as the occupational level and 0.01 fibres/ml as the non-occupational level.

Council tested five sites where contaminated gravel was known to exist. These sites were selected as Council wished to assess the level of airborne asbestos that would be generated from sites where the gravel had been typically used. The results from this testing indicated four sites had airborne asbestos levels at less than 0.01 fibres/ml while one result was at 0.01 fibres/ml. Under certain provisions of the Work Health and Safety Act 2011, relevant Council staff who have received training in working with naturally occurring asbestos are allowed to work with the asbestos contaminated gravel. Council is required to and maintains an asbestos management plan.

Council has 38km of unsealed rural roads which may contain asbestos.

Council has undertaken modelling of the impacts of dust generated from the roads which indicates minimal potential impact to public health. This modelling and subsequent report has been reviewed and accepted by the Office of Environment and Heritage and NSW Health. The recommendation of the report however is to take a fully conservative approach and seal the roads concerned.

Council has completed estimates to seal the roads containing asbestos contaminated gravel.

In preparing the estimate Council has allowed for the importation of gravel on a number of roads prior to sealing to allow sealing to be undertaken on an adequately prepared base to achieve some longevity from the sealing works.

Council has also allowed to seal uncontaminated road segments between contaminated areas where these road lengths are relatively small. This is being completed for long-term maintenance purposes.

The initial estimated cost for these works was \$1,491,160 incorporating gravel and sealing works. The estimated cost of remaining sealing works is \$1,112,000. Costs for material supply have increased over time as has the amount of pre-sealing works as road conditions have deteriorated since the initial assessment of the roads. Council continues to seal affected sections of road annually.

###### (iv) Innovative Care and Short Term Restorative Care Programmes

At balance date the organisation has unspent grants totalling approximately \$917,000 relating to the Innovative Care and Short Term Restorative Care Programmes where the funding body has not yet approved retention by Council. These unspent grants

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 21. Contingencies (continued)

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are classified at Note 7 (c) as restricted investments. There is a risk that the funding bodies may demand repayment of these unspent grants thereby reducing restricted investments by approximately \$917,000.

#### **ASSETS NOT RECOGNISED**

##### **(i) Land under roads**

As permitted under AASB 1051, Council has elected not to bring to account land under roads that it owned or controlled up to and including 30/6/08.

##### **(ii) Infringement notices/fines**

Fines and penalty income, the result of Council issuing infringement notices is followed up and collected by the Infringement Processing Bureau.

Council's revenue recognition policy for such income is to account for it as revenue on receipt.

Accordingly, at year end, there is a potential asset due to Council representing issued but unpaid infringement notices.

Due to the limited information available on the status, value and duration of outstanding notices, Council is unable to determine the value of outstanding income.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 22. Financial risk management

## Risk management

Council's activities expose it to a variety of financial risks including (1) price risk, (2) credit risk, (3) liquidity risk and (4) interest rate risk.

Council's overall risk management program focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the financial performance of the Council.

Council does not engage in transactions expressed in foreign currencies and is therefore not subject to foreign currency risk.

Financial risk management is carried out by Council's finance section under policies approved by the Council.

The fair value of Council's financial assets and financial liabilities approximates their carrying amount.

Council's objective is to maximise its return on cash and investments whilst maintaining an adequate level of liquidity and preserving capital.

Council's finance area manages the cash and investments portfolio with the assistance of independent advisors.

Council has an investment policy which complies with s625 of the Local Government Act 1993 and the Ministerial Investment Order. This policy is regularly reviewed by Council and a monthly investment report is provided to Council setting out the make-up and performance of the portfolio as required by Local Government regulations.

The risks associated with the instruments held are:

– **Price risk**– the risk that the capital value of investments may fluctuate due to changes in market prices, whether these changes are caused by factors specific to individual financial instruments or their issuers, or by factors affecting similar instruments traded in a market.

– **Interest rate risk**– the risk that movements in interest rates could affect returns.

– **Liquidity risk**– the risk that Council will not be able to pay debt as and when they fall due.

– **Credit risk**– the risk that the investment counterparty will not complete their obligations particular to a financial instrument, resulting in a financial loss to Council – be it of a capital or income nature.

Council manages these risks (amongst other measures) by diversifying its portfolio and only purchasing investments with high credit ratings or capital guarantees.

Council also seeks advice from independent advisers before placing any funds in cash equivalents and investments.

\$ '000	Carrying value 2020	Carrying value 2019	Fair value 2020	Fair value 2019
Lease liabilities	375	–	–	–

## (a) Market risk – price risk and interest rate risk

The impact on result for the year and equity of a reasonably possible movement in the price of investments held and interest rates is shown below. The reasonably possible movements were determined based on historical movements and economic conditions in place at the reporting date.

\$ '000	Increase of values/rates		Decrease of values/rates	
	Profit	Equity	Profit	Equity
<b>2020</b>				
Possible impact of a 10% movement in market values	710	710	(710)	(710)
Possible impact of a 1% movement in interest rates	1,252	1,252	(1,252)	(1,252)



## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 22. Financial risk management (continued)

\$ '000	Increase of values/rates		Decrease of values/rates	
	Profit	Equity	Profit	Equity
<b>2019</b>				
Possible impact of a 10% movement in market values	958	958	(958)	(958)
Possible impact of a 1% movement in interest rates	1,189	1,189	(1,189)	(1,189)

**(b) Credit risk**

Council's major receivables comprise (i) rates and annual charges and (ii) user charges and fees.

Council manages the credit risk associated with these receivables by monitoring outstanding debt and employing stringent debt recovery procedures. Council also encourages ratepayers to pay their rates by the due date through incentives.

The credit risk for liquid funds and other short-term financial assets is considered negligible, since the counterparties are reputable banks with high quality external credit ratings.

There are no significant concentrations of credit risk, whether through exposure to individual customers, specific industry sectors and/or regions.

Credit risk on rates and annual charges is minimised by the ability of Council to secure a charge over the land relating to the debts – that is, the land can be sold to recover the debt. Council is also able to charge interest on overdue rates and annual charges at higher than market rates which further encourages the payment of debt.

The maximum exposure to credit risk at the reporting date is the carrying amount of each class of receivable in the financial statements.

The level of outstanding receivables is reported to Council monthly and benchmarks are set and monitored for acceptable collection performance.

Council makes suitable provision for doubtful receivables as required and carries out credit checks on most non-rate debtors.

There are no material receivables that have been subjected to a re-negotiation of repayment terms.

**Credit risk profile****Receivables – rates and annual charges**

Credit risk on rates and annual charges is minimised by the ability of Council to secure a charge over the land relating to the debts – that is, the land can be sold to recover the debt. Council is also able to charge interest on overdue rates and annual charges at higher than market rates which further encourages the payment of debt.

\$ '000	Not yet overdue	< 1 year overdue	1 - 2 years overdue	2 - 5 years overdue	> 5 years overdue	Total
<b>2020</b>						
Gross carrying amount	17	2,891	742	705	103	4,458
<b>2019</b>						
Gross carrying amount	224	2,230	305	859	79	3,697

**Receivables - non-rates and annual charges**

Council applies the simplified approach for non-rates and annual charges debtors to provide for expected credit losses prescribed by AASB 9, which permits the use of the lifetime expected loss provision. To measure the expected credit losses, non-rates and annual charges debtors have been grouped based on shared credit risk characteristics and the days past due.

The loss allowance provision as at 30 June 2020 is determined as follows. The expected credit losses incorporate forward-looking information.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 22. Financial risk management (continued)

\$ '000	Not yet overdue	0 - 30 days overdue	31 - 60 days overdue	61 - 90 days overdue	> 91 days overdue	Total
<b>2020</b>						
Gross carrying amount	21,981	312	763	236	2,572	25,864
Expected loss rate (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
<b>ECL provision</b>	–	–	–	–	–	–
<b>2019</b>						
Gross carrying amount	17,956	213	537	215	586	19,507
Expected loss rate (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
<b>ECL provision</b>	–	–	–	–	–	–

## (c) Liquidity risk

Payables, lease liabilities and borrowings are subject to liquidity risk – the risk that insufficient funds may be on hand to meet payment obligations as and when they fall due.

Council manages this risk by monitoring its cash flow requirements and liquidity levels and maintaining an adequate cash buffer.

Payment terms can (in extenuating circumstances) also be extended and overdraft facilities utilised as required.

Borrowings are also subject to interest rate risk – the risk that movements in interest rates could adversely affect funding costs and debt servicing requirements. Council manages this risk through diversification of borrowing types, maturities and interest rate structures. The finance team regularly reviews interest rate movements to determine if it would be advantageous to refinance or renegotiate part or all of the loan portfolio.

The timing of cash flows presented in the table below to settle financial liabilities reflects the earliest contractual settlement dates. The timing of expected outflows is not expected to be materially different from contracted cashflows.

The amounts disclosed in the table are the undiscounted contracted cash flows for non-lease liabilities and therefore the balances in the table may not equal the balances in the Statement of Financial Position due to the effect of discounting.

\$ '000	Weighted average interest rate	Subject to no maturity	≤ 1 Year	payable in:		Total cash outflows	Actual carrying values
				1 - 5 Years	> 5 Years		
<b>2020</b>							
Trade/other payables	0.00%	2,192	17,467	–	–	19,659	19,659
Loans and advances	6.48%	–	14,900	53,271	81,541	149,712	104,135
<b>Total financial liabilities</b>		<b>2,192</b>	<b>32,367</b>	<b>53,271</b>	<b>81,541</b>	<b>169,371</b>	<b>123,794</b>
<b>2019</b>							
Trade/other payables	0.00%	1,807	10,490	–	–	12,297	12,298
Loans and advances	6.63%	–	14,244	55,325	94,386	163,955	111,175
<b>Total financial liabilities</b>		<b>1,807</b>	<b>24,734</b>	<b>55,325</b>	<b>94,386</b>	<b>176,252</b>	<b>123,473</b>

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 23. Material budget variations

Council's original financial budget for 19/20 was adopted by the Council on 25/06/2019 and is not required to be audited. The original projects on which the budget was based have been affected by a number of factors. These include state and federal government decisions, including new grant programs, changing economic activity, the weather, and by decisions made by the council.

While these general purpose financial statements include the original budget adopted by Council, the *Local Government Act* requires Council to review its financial budget on a quarterly basis, so it is able to manage the variation between actuals and budget that invariably occur during the year.

This note sets out the details of **material variations** between Council's original budget and its actual results for the year as per the Income Statement – even though such variations may have been adjusted for during each quarterly budget review.

Material variations of more than 10% between original budget and actual results are explained below.

**Variation Key:** **F** = Favourable budget variation, **U** = Unfavourable budget variation.

\$ '000	2020 Budget	2020 Actual	2020 ----- Variance -----	
<b>REVENUES</b>				
<b>Rates and annual charges</b>	60,533	62,791	2,258	4% <b>F</b>
<b>User charges and fees</b>	38,649	39,312	663	2% <b>F</b>
<b>Other revenues</b>	1,105	2,403	1,298	117% <b>F</b>
Insurance Claims Revenue \$951k (F) - mostly attributable to Storm Damage incident in Jan 2018				
Domestic Waste Management \$110k (F)				
Fuel Tax Credits \$94k (F)				
<b>Operating grants and contributions</b>	24,941	32,610	7,669	31% <b>F</b>
Storm / Flood Damage Grants \$7,080k (F)				
Bushfire Grants & Contributions \$5,207k (F)				
Community Care Services (HomeCare and NDIS) \$1,257k (F)				
<b>Capital grants and contributions</b>	21,344	24,740	3,396	16% <b>F</b>
Section 64 Developer Contributions - Water \$2,919k (F)				
<b>Interest and investment revenue</b>	3,085	3,344	259	8% <b>F</b>
<b>Rental income</b>	931	826	(105)	(11)% <b>U</b>
At this stage, Council's budget does not recognise a reduction in rental income as required by the new Revenue Recognition Standards AASB15, AASB 1058 and AASB 16.				

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 23. Material budget variations

\$ '000	2020 Budget	2020 Actual	2020 ----- Variance -----		
<b>EXPENSES</b>					
Employee benefits and on-costs	38,418	36,062	2,356	6%	F
Borrowing costs	7,203	7,655	(452)	(6)%	U
Materials and contracts	31,093	42,034	(10,941)	(35)%	U
Council's budget is base on a "normal" mix of self-constructed and contract works. The process of calling and accepting tenders during the year, along with fluctuations in grant funding can result in substantial changes in this mix, resulting in significant budget variations in this item.					
Sub Services mainly contributing to the variances were:					
Natural Disaster Response - Floodplain \$6,433k (U)					
Natural Disaster Response - Roads \$1,720k (U)					
Sewer Operation Maintenance & Renewals \$1,513k (U)					
Water Operation Maintenance & Reneals \$1,341k (U)					
Street Lighting \$916k (U)					
Building, Properties & Leases \$495k (U)					
Depreciation and amortisation	42,717	44,033	(1,316)	(3)%	U
Other expenses	14,147	13,505	642	5%	F
Net losses from disposal of assets	-	15,227	(15,227)	∞	U
At this stage, council's budget only allows for proceeds from sale of assets and does not attempt to predict any book profit or loss from disposals.					
Joint ventures and associates – net losses	-	34	(34)	∞	U
Council's budget does not predict any profit or loss from Joint Ventures.					
Operating result from discontinued operations	-	52	(52)	∞	U
<b>STATEMENT OF CASH FLOWS</b>					
Cash flows from operating activities	60,304	58,934	(1,370)	(2)%	U
Cash flows from investing activities	(47,709)	(41,873)	5,836	(12)%	F
Cashflows from investing activities greater than budgeted as surplus funds invested due to additional grant funds received for natural disaster response and recovery activities.					
Cash flows from financing activities	(8,062)	(7,261)	801	(10)%	F

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 24. Discontinued operation

\$ '000	2020	2019
<b>(i) Discontinued operations</b>		
On 30 June 2020 Clarence Valley Council transferred the existing services provided by Clarence Care + Support to Wesley Community Services Limited trading as Wesley Mission. As at 30 June 2020, Clarence Care + Support no longer exists as a Category 1 business. Detailed financial information on Clarence Care + Support can be found in the Special Purpose Financial Statements.		
Clarence Care + Support was not previously classified as a discontinued operation. The comparatives in this note and the comparative consolidated Income Statement and Statement of Comprehensive Income has been restated to show the discontinued operation separately from continuing operations.		
<b>(ii) Financial performance of discontinued operations</b>		
<b>Financial performance</b>		
Revenues	7,804	7,281
Expenses	(8,037)	(6,553)
<b>Gross profit/(loss) of discontinued operations</b>	<b>(233)</b>	<b>728</b>
Consideration received for discontinued operations	376	–
<b>Less:</b>		
Net carrying value of discontinued operations	(91)	–
<b>Gain/(loss) on reclassification/sale</b>	<b>285</b>	<b>–</b>
<b>NET PROFIT/(LOSS) FROM DISCONTINUED OPERATIONS</b>	<b>52</b>	<b>728</b>
<b>(iv) Net carrying value of discontinued operations</b>		
<b>Discontinued operation - sold</b>		
Carrying value – assets	–	6,668
Carrying value – liabilities	–	(1,612)
<b>Net carrying value</b>	<b>–</b>	<b>5,056</b>
<b>Total value of discontinued operations (on hand)</b>	<b>–</b>	<b>5,056</b>



## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 25. Fair Value Measurement (continued)

2020	Fair value measurement hierarchy				Total
	Date of latest valuation	Level 1 Quoted prices in active mkts	Level 2 Significant observable inputs	Level 3 Significant unobservable inputs	
\$ '000					
Quarry remediation		–	–	1,102	1,102
<b>Total infrastructure, property, plant and equipment</b>		–	77,900	1,839,830	1,917,730
<b>Non-current assets classified as 'held for sale'</b>					
Land		–	–	342	342
Buildings		–	588	–	588
Other		–	–	217	217
<b>Total NCA's classified as 'held for sale'</b>		–	588	559	1,147



## Clarence Valley Council

Notes to the Financial Statements  
for the year ended 30 June 2020

## Note 25. Fair Value Measurement (continued)

2019	Fair value measurement hierarchy				Total
	Date of latest valuation	Level 1 Quoted prices in active mkts	Level 2 Significant observable inputs	Level 3 Significant unobservable inputs	
<b>\$ '000</b>					
<b>Recurring fair value measurements</b>					
<b>Financial assets</b>					
Investments					
– 'Designated at fair value on initial recognition'		–	7,611	–	7,611
<b>Total financial assets</b>		<b>–</b>	<b>7,611</b>	<b>–</b>	<b>7,611</b>
<b>Infrastructure, property, plant and equipment</b>					
Operational land		–	40,354	–	40,354
Community land		–	7,556	–	7,556
Crown land		–	19,883	–	19,883
Land under roads (post 30/6/08)		–	–	20	20
Buildings – non-specialised		–	832	38,064	38,896
Buildings – specialised		–	–	80,660	80,660
Other structures		–	–	19,538	19,538
Roads		–	–	420,285	420,285
Bridges		–	–	109,337	109,337
Footpaths		–	–	20,280	20,280
Other road assets		–	–	27,791	27,791
Bulk earthworks (non-depreciable)		–	–	189,594	189,594
Stormwater drainage		–	–	150,949	150,949
Water supply network		–	–	347,690	347,690
Sewerage network		–	–	255,729	255,729
Swimming pools		–	–	5,628	5,628
Other open space/recreational assets		–	–	31,582	31,582
Floodplain		–	–	144,859	144,859
Library books		–	–	637	637
Artwork		–	–	3,901	3,901
Tip remediation		–	–	5,933	5,933
Quarry remediation		–	–	747	747
<b>Total infrastructure, property, plant and equipment</b>		<b>–</b>	<b>68,625</b>	<b>1,853,224</b>	<b>1,921,849</b>
<b>Non-current assets classified as 'held for sale'</b>					
Land		–	–	342	342
Buildings		–	588	–	588
Other		–	–	–	–
<b>Total NCA's classified as 'held for sale'</b>		<b>–</b>	<b>588</b>	<b>342</b>	<b>930</b>

Note that capital WIP is not included above since it is carried at cost.

## (2) Transfers between level 1 and level 2 fair value hierarchies

During the year, there were no transfers between level 1 and level 2 fair value hierarchies for recurring fair value measurements.

## (3) Valuation techniques used to derive level 2 and level 3 fair values

Where Council is unable to derive fair valuations using quoted market prices of identical assets (ie. level 1 inputs) Council instead utilises a spread of both observable inputs (level 2 inputs) and unobservable inputs (level 3 inputs).

The fair valuation techniques Council has employed while utilising level 2 and level 3 inputs are as follows:

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 25. Fair Value Measurement (continued)

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##### **Infrastructure, property, plant and equipment (IPP&E) LEVEL 2**

###### **Operational, Crown and Community Land**

This asset class comprises all of Council's land classified as Operational, Crown and Community Land under the NSW Local Government Act 1993. The key observable input to the valuation is the price per square metre. The last valuation for Operational Land was undertaken at 31 March 2017 and was performed by APV Valuers and Asset Management (APV), Registered Valuer. The last valuation for Community Land was undertaken at 1 July 2019 and was performed by the Valuer General of New South Wales.

Level 2 valuation inputs were used to value land held in freehold title (investment and noninvestment) as well as land used for special purposes which is restricted in use under current zoning rules. Sales prices of comparable land sites in close proximity are adjusted for differences in key attributes such as property size. For Operational, Crown and Community Land the most significant inputs into this valuation approach are price per square metre.

###### **Buildings Non-Specialised**

The last valuation was undertaken as at 31 March 2018 and was performed by APV.

Level 2 valuation inputs were used to determine the fair value of a range of properties. This included residential and commercial properties. The residential properties fair value has been derived from sales prices of comparable properties after adjusting for differences in key attributes such as property size. The most significant inputs into this valuation approach are price per square metre.

Commercial buildings have been generally derived using a combination of sales direct comparison approach and capitalisation of income approach. Fair value has been derived from sales prices of comparable properties after adjusting for differences in key attributes such as property size. The most significant inputs into this valuation approach are rental yields and price per square metre.

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##### **LEVEL 3**

###### **Land Under Roads**

Council has elected to recognise Land Under Roads where the road was acquired on or after 1 July 2008. Land under roads acquired after 1 July 2008 has been recognised in accordance with AASB 116 – Property, Plant and Equipment. There has been no change to the valuation process during the reporting period.

###### **Buildings Specialised and Non-Specialised (including Swimming Pools and Other Open Space/Recreational Assets)**

The last valuation was undertaken as at 31 March 2018 and was performed by APV.

The level of evidence used to support the critical assumptions of some commercial buildings was considered to be highly variable due to high levels of variability in the market for rental yields and future demand. As such the level of valuation input for these properties was considered level 3.

Specialised buildings were valued using the cost approach using APV who are professionally qualified Registered Valuers. The approach estimated the replacement cost for each building by componentising the buildings into significant parts with different useful lives and taking into account a range of factors. While the unit rates based on square metres could be supported from market evidence (level 2) other inputs (such as estimates of useful life, pattern of consumption and asset condition) required extensive professional judgement and impacted significantly on the final determination of fair value. As such these assets were classified as having been valued using level 3 valuation inputs.

###### **Other Structures (including Swimming Pools and Other Open Space/Recreational Assets)**

The last valuation was undertaken as at 31 March 2018 and was performed by APV.

Specialised assets such as all of the Other Structures were valued using the cost approach using APV who are professionally qualified Registered Valuers. The approach estimated the replacement cost for each asset by componentising the asset into significant parts with different useful lives and taking into account a range of factors. While the unit rates based on price per asset could be supported from market evidence (level 2) other inputs (such as estimates of useful life, pattern of consumption

continued on next page ...

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 25. Fair Value Measurement (continued)

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and asset condition) required extensive professional judgement and impacted significantly on the final determination of fair value. As such these assets were classified as having been valued using level 3 valuation inputs.

##### **Road (including Bridges, Footpaths, Bulk Earthworks), Stormwater, and Floodplain Assets.**

The last valuation was undertaken as at 31 March 2018 and was performed by APV.

All road, stormwater and floodplain assets were valued using level 3 valuation inputs using the cost approach.

The approach estimated the replacement cost for each asset by componentising the assets into significant parts with different useful lives and taking into account a range of factors. While the unit rates based on square metres or similar capacity could be supported from market evidence (level 2) other inputs (such as estimates of useful life, pattern of consumption and asset condition) required extensive professional judgement and impacted significantly on the final determination of fair value. As such these assets were classified as having been valued using level 3 valuation inputs.

During the year there were a number of new projects completed where the actual cost was recorded and the impact of depreciation at year end was negligible. While these could be classified as valued at level 2 given the low proportion of the total portfolio that these represented and the likelihood that in future valuations they would most likely be valued at level 3 we have adopted a policy that all road, stormwater and floodplain assets are deemed to be valued at level 3.

##### **Water Supply and Sewerage Networks Infrastructure**

The last valuation was undertaken as at 1 July 2016 and was performed by APV. APV also conducted a desktop valuation as at 31 March 2018.

All Water Supply and Sewerage Networks Infrastructure assets were valued using level 3 valuation inputs using the cost approach.

The approach estimated the replacement cost for each asset by componentising the assets into significant parts with different useful lives and taking into account a range of factors. While the unit rates based on square metres or similar capacity could be supported from market evidence (level 2) other inputs (such as estimates of useful life, pattern of consumption and asset condition) required extensive professional judgement and impacted significantly on the final determination of fair value. As such these assets were classified as having been valued using level 3 valuation inputs.

During the year there were a number of new projects completed where the actual cost was recorded and the impact of depreciation at year end was negligible. While these could be classified as valued at level 2 given the low proportion of the total portfolio that these represented and the likelihood that in future valuations they would most likely be valued at level 3 we have adopted a policy that all Water Supply and Sewerage Networks Infrastructure assets are deemed to be valued at level 3.

##### **Library Books**

Library Books are valued at cost but are disclosed at fair value in the notes. The carrying amount of these assets is assumed to approximate fair value due to the nature of the items.

Council reviews the value of these assets against quoted prices for the gross current replacement cost of similar assets and by taking account of the pattern of consumption, estimated remaining useful life and the residual value. There has been no change to the valuation process during the reporting period.

##### **Artwork**

The last valuation was undertaken as at 17 March 2018 and was performed by Dwyer Fine Art.

The valuation of artworks was based upon current primary and secondary art market conditions, by which the replacement value for artworks was determined by the price at which comparable items could be purchased from a reputable dealer, gallery or retail outlet. The valuation took into consideration the historical importance, quality, provenance, condition, size, execution date and subject matter of the artworks.

This asset class is categorised as Level 3 as some of the above mentioned inputs used in the valuation of these assets require significant professional judgement and are therefore unobservable. There has been no change to the valuation process during the reporting period.

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 25. Fair Value Measurement (continued)

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##### **Tips and Quarries remediation Assets**

It has been recognised that there will be significant costs associated with the closure and post closure management of Tips and Quarries sites.

Evaluation of costs for Tips and Quarries closure and post closure management is prepared internally. The key unobservable inputs are the discount rate, cost escalation rate, actual timing of costs and future environmental management requirements. There has been no change to the valuation process during the reporting period.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 25. Fair Value Measurement (continued)

## (4) Fair value measurements using significant unobservable inputs (level 3)

a. The following tables present the changes in level 3 fair value asset classes.

\$ '000	Land under Roads	Buildings non specialised	Building specialised	Other structures	Roads
<b>2019</b>					
<b>Opening balance</b>	20	38,654	80,489	18,057	429,871
Purchases (GBV)	–	204	1,557	2,607	6,015
Disposals (WDV)	–	(14)	(76)	(239)	(2,440)
Depreciation and impairment	–	(780)	(1,310)	(887)	(13,406)
Impairment reversal (via equity)	–	–	–	–	245
Impairment loss (recognised in equity)	–	–	–	–	–
<b>Closing balance</b>	<b>20</b>	<b>38,064</b>	<b>80,660</b>	<b>19,538</b>	<b>420,285</b>
<b>2020</b>					
<b>Opening balance</b>	20	38,064	80,660	19,538	420,285
Transfers from/(to) another asset class	–	–	–	–	(16)
Purchases (GBV)	–	475	2,535	2,814	12,042
Disposals (WDV)	–	–	(4,269)	(88)	(3,872)
Depreciation and impairment	–	(760)	(1,321)	(1,284)	(13,506)
Impairment loss (recognised in equity)	–	–	–	–	–
<b>Closing balance</b>	<b>20</b>	<b>37,779</b>	<b>77,605</b>	<b>20,980</b>	<b>414,933</b>

\$ '000	Bridges	Footpaths	Other road assets	Bulk earthworks	Stormwater drainage
<b>2019</b>					
<b>Opening balance</b>	107,519	20,522	26,558	188,558	151,874
Purchases (GBV)	3,930	479	2,060	1,036	1,917
Disposals (WDV)	(34)	(89)	(199)	–	(67)
Depreciation and impairment	(2,078)	(632)	(628)	–	(2,775)
Impairment loss (recognised in equity)	–	–	–	–	–
<b>Closing balance</b>	<b>109,337</b>	<b>20,280</b>	<b>27,791</b>	<b>189,594</b>	<b>150,949</b>
<b>2020</b>					
<b>Opening balance</b>	109,337	20,280	27,791	189,594	150,949
Transfers from/(to) another asset class	32	–	170	(102)	(84)
Purchases (GBV)	3,054	191	2,066	5,679	1,873
Disposals (WDV)	(1,019)	(92)	(177)	(1,220)	(246)
Depreciation and impairment	(1,506)	(616)	(691)	–	(2,755)
Impairment loss (recognised in equity)	(712)	–	–	–	–
<b>Closing balance</b>	<b>109,186</b>	<b>19,763</b>	<b>29,159</b>	<b>193,951</b>	<b>149,737</b>

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 25. Fair Value Measurement (continued)

\$ '000	Water supply network	Sewerage network	Swimming pools	Other open spaces/rec assets	Foodplain assets
<b>Opening balance</b>	349,517	259,548	5,687	31,520	145,948
Purchases (GBV)	1,260	677	107	1,822	454
Disposals (WDV)	(2,473)	(1,378)	–	(114)	–
Depreciation and impairment	(6,071)	(7,135)	(166)	(1,646)	(1,543)
Revaluation increments to equity (ARR)	5,457	4,017	–	–	–
Impairment loss (recognised in equity)	–	–	–	–	–
<b>Closing balance</b>	<b>347,690</b>	<b>255,729</b>	<b>5,628</b>	<b>31,582</b>	<b>144,859</b>
<b>Opening balance</b>	347,690	255,729	5,628	31,582	144,859
Transfers from/(to) another asset class	(2,159)	2,159	–	–	–
Purchases (GBV)	3,921	1,921	15	2,932	253
Disposals (WDV)	(1,318)	(7,597)	(16)	(542)	(81)
Depreciation and impairment	(5,798)	(8,650)	(166)	(1,757)	(1,554)
Revaluation increments to equity (ARR)	3,271	2,376	–	–	–
Impairment loss (recognised in equity)	–	–	–	–	–
<b>Closing balance</b>	<b>345,607</b>	<b>245,938</b>	<b>5,461</b>	<b>32,215</b>	<b>143,477</b>

\$ '000	Library books	Artwork	Tip remediat'n
<b>2019</b>			
<b>Opening balance</b>	617	3,815	3,097
Purchases (GBV)	298	86	3,097
Disposals (WDV)	(3)	–	–
Depreciation and impairment	(275)	–	(261)
Impairment loss (recognised in equity)	–	–	–
<b>Closing balance</b>	<b>637</b>	<b>3,901</b>	<b>5,933</b>
<b>2020</b>			
<b>Opening balance</b>	637	3,901	5,933
Purchases (GBV)	296	94	2,628
Disposals (WDV)	(4)	–	–
Depreciation and impairment	(159)	–	(409)
Impairment loss (recognised in equity)	–	–	–
<b>Closing balance</b>	<b>770</b>	<b>3,995</b>	<b>8,152</b>

\$ '000	Quarry remediat'n	Held for Sale Land	Total
<b>2019</b>			
<b>Opening balance</b>	389	342	<b>1,862,602</b>
Purchases (GBV)	369	–	<b>27,975</b>
Disposals (WDV)	–	–	<b>(7,126)</b>
Depreciation and impairment	(11)	–	<b>(39,604)</b>
Revaluation increments to equity (ARR)	–	–	<b>9,474</b>
Impairment reversal (via equity)	–	–	<b>245</b>

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## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 25. Fair Value Measurement (continued)

\$ '000	Quarry remediat'n	Held for Sale Land	Total
Impairment loss (recognised in equity)	–	–	–
<b>Closing balance</b>	<b>747</b>	<b>342</b>	<b>1,853,566</b>
<b>2020</b>			
<b>Opening balance</b>	<b>747</b>	<b>342</b>	<b>1,853,566</b>
Purchases (GBV)	385	–	<b>43,174</b>
Disposals (WDV)	–	–	<b>(20,541)</b>
Depreciation and impairment	(30)	–	<b>(40,962)</b>
Revaluation increments to equity (ARR)	–	–	<b>5,647</b>
Impairment loss (recognised in equity)	–	–	<b>(712)</b>
<b>Closing balance</b>	<b>1,102</b>	<b>342</b>	<b>1,840,172</b>

**b. The valuation process for level 3 fair value measurements****Land and Buildings (including Swimming Pools and Other Open Space/Recreational Assets)**

The council engages external, independent and qualified valuers to determine the fair value of its land and building assets on a regular basis. An annual assessment is undertaken to determine whether the carrying amount of the assets is materially different from the fair value. If any variation is considered material a revaluation is undertaken either by comprehensive revaluation or by applying an interim revaluation using appropriate indices.

Changes in level 2 and 3 fair values are analysed at the end of each reporting period and discussed between Council's finance team and the valuation team. As part of this process the team presents a report that explains the reasons for the fair value movements.

As at 31 March 2018 a comprehensive revaluation was undertaken for Buildings (including Swimming Pools and Other Open Space/Recreational Assets) subject to revaluation by APV Valuers and Asset Management.

As at 31 March 2017 a comprehensive revaluation was undertaken Operational Land subject to revaluation by APV Valuers and Asset Management, and for Community Land the Valuer General 1/7/19 values have been used which is supplied to councils to use in setting rates from 1/7/20. Councils receive new land values from the Valuer General for rating purposes every three years.

The main level 3 inputs used are derived and evaluated as follows:

- Cost for land restricted in use (non-saleable) – estimate cost to replace the existing land if council had to acquire it on the open market in competition with other market participants. Due to the restricted nature and unique characteristics of this land there was insufficient market evidence of directly comparable sales. Reference was made to sales of land with a limited level of comparability at distant locations and adjusted by the valuer using professional judgement to take account of the differing characteristics. These were evaluated for reasonableness against the price per area for other restricted in use land held by the council that had been valued as level 2.
- Relationship between asset consumption rating scale and the level of consumed service potential – Under the cost approach the estimated cost to replace the asset is calculated and then adjusted to take account of an accumulated depreciation. In order to achieve this, the valuer determines an asset consumption rating scale for each asset type based on the interrelationship between a range of factors. These factors and their relationship to the fair value require professional judgment and include asset condition, legal and commercial obsolescence and the determination of key depreciation related assumptions such as useful life and pattern of consumption of the future economic benefit.
- The consumption rating scales were based initially on the past experience of the valuation firm and industry guides and were then updated to take into account the experience and understanding of council's own engineers, asset management and finance staff. The results of the valuation were further evaluated by confirmation against council's own understanding of the assets and the level of remaining service potential.



## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 25. Fair Value Measurement (continued)

##### **Other Structures (including Swimming Pools and Other Open Space/Recreational Assets)**

The council engages external, independent and qualified valuers to determine the fair value of its other structures, swimming pools and other open space/recreational assets on a regular basis. An annual assessment is undertaken to determine whether the carrying amount of the assets is materially different from the fair value. If any variation is considered material a revaluation is undertaken either by comprehensive revaluation or by applying an interim revaluation using appropriate indices.

Changes in level 2 and 3 fair values are analysed at the end of each reporting period and discussed between Council's finance team and the valuation team. As part of this process the team presents a report that explains the reasons for the fair value movements.

As at 31 March 2018 a comprehensive revaluation was undertaken for the other structures, swimming pools and other open space/recreational assets classes subject to revaluation by APV.

The main level 3 inputs used are derived and evaluated as follows:

- Relationship between asset consumption rating scale and the level of consumed service potential – Under the cost approach the estimated cost to replace the asset is calculated and then adjusted to take account of an accumulated depreciation. In order to achieve this, the valuer determines an asset consumption rating scale for each asset type based on the inter-relationship between a range of factors. These factors and their relationship to the fair value require professional judgment and include asset condition, legal and commercial obsolescence and the determination of key depreciation related assumptions such as useful life and pattern of consumption of the future economic benefit.

The consumption rating scales were based initially on the past experience of the valuation firm and industry guides and were then updated to take into account the experience and understanding of council's own engineers, asset management and finance staff. The results of the valuation were further evaluated by confirmation against council's own understanding of the assets and the level of remaining service potential.

##### **Road (including Bridges, Footpaths, Bulk Earthworks), and Stormwater**

The council engages external, independent and qualified valuers to determine the fair value of its infrastructure on a regular basis. An annual assessment is undertaken to determine whether the carrying amount of the assets is materially different from the fair value. If any variation is considered material a revaluation is undertaken either by comprehensive revaluation or by applying an interim revaluation using appropriate indices.

Changes in level 2 and 3 fair values are analysed at the end of each reporting period and discussed between Council's finance team and the valuation team. As part of this process the team presents a report that explains the reasons for the fair value movements.

As at 31 March 2018, a comprehensive revaluation was undertaken for Road (including Bridges, Footpaths, Bulk Earthworks), and Stormwater assets, subject to revaluation by APV Valuers and Asset Management.

The main level 3 inputs used are derived and evaluated as follows:

- Asset Condition – The nature of road infrastructure is that there are a very large number of assets which comprise the network and as a result it is not physically possible to inspect every asset for the purposes of completing a valuation. As a consequence reliance is placed on the accuracy of data held in the asset management system and its associated internal controls. This includes regular planned inspections and updates to the system following maintenance activities and renewal treatments.

For assets valued using the cost approach (except for lateral assets) all were physically inspected. This included validation of physical dimensions and characteristics.

A sampling approach was used for lateral assets (such as roads, footpaths, pipes, etc.). For assets not inspected reliance on condition for the valuers was placed on information provided by council staff and reliance was placed on the GIS and other asset management systems in relation to key attributes.

Where such data was not readily available the valuers developed a range of assumptions based on the expected physical condition and attributes given the age of the asset and typical design characteristics. These assumptions were reviewed and confirmed as reasonable by council staff.

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 25. Fair Value Measurement (continued)

While the sampling approach, combined with internal controls associated with the asset management system, provides a high level of comfort over the condition data held in the asset management system it does not provide a guarantee that all the data is correct and the condition as recorded is valid as at the date of valuation.

- Relationship between asset consumption rating scale and the level of consumed service potential – Under the cost approach the estimated cost to replace the asset is calculated and then adjusted to take account of an accumulated depreciation. In order to achieve this, the valuer determines an asset consumption rating scale for each asset type based on the inter-relationship between a range of factors. These factors and their relationship to the fair value require professional judgment and include asset condition, legal and commercial obsolescence and the determination of key depreciation related assumptions such as useful life and pattern of consumption of the future economic benefit.

The consumption rating scales were based initially on the past experience of the valuation firm and industry guides and were then updated to take into account the experience and understanding of council's own engineers, asset management and finance staff. The results of the valuation were further evaluated by confirmation against council's own understanding of the assets and the level of remaining service potential.

#### Water Supply and Sewerage Network Infrastructure

The council engages external, independent and qualified valuers to determine the fair value of its infrastructure on a regular basis. An annual assessment is undertaken to determine whether the carrying amount of the assets is materially different from the fair value. If any variation is considered material a revaluation is undertaken either by comprehensive revaluation or by applying an interim revaluation using appropriate indices.

Changes in level 2 and 3 fair values are analysed at the end of each reporting period and discussed between Council's finance team and the valuation team. As part of this process the team presents a report that explains the reasons for the fair value movements.

As at 1 July 2016, a comprehensive revaluation was undertaken for Water Supply and Sewerage Network Infrastructure assets, subject to revaluation by APV Valuers and Asset Management. APV also provided a desktop valuation as at 31 March 2018 for Water Supply and Sewerage Network Infrastructure.

The main level 3 inputs used are derived and evaluated as follows:

- Asset Condition – The nature of water supply and sewerage network infrastructure is that there are a very large number of assets which comprise the network and as a result it is not physically possible to inspect every asset for the purposes of completing a valuation. As a consequence reliance is placed on the accuracy of data held in the asset management system and its associated internal controls. This includes regular planned inspections and updates to the system following maintenance activities and renewal treatments.

To provide assurance over the accuracy of this information and taking into account the cost benefit of undertaking physical inspections the comprehensive valuation relies upon a sampling approach (i.e. 25% of Councils Sewer Pump Stations and 50% of Water Pump Stations) where the data held in the system is verified by a physical inspection. While the sampling approach, combined with internal controls associated with the asset management system, provides a high level of comfort over the condition data held in the asset management system it does not provide a guarantee that all the data is correct and the condition as recorded is valid as at the date of valuation.

- Relationship between asset consumption rating scale and the level of consumed service potential – Under the cost approach the estimated cost to replace the asset is calculated and then adjusted to take account of an accumulated depreciation. In order to achieve this, the valuer determines an asset consumption rating scale for each asset type based on the inter-relationship between a range of factors. These factors and their relationship to the fair value require professional judgment and include asset condition, legal and commercial obsolescence and the determination of key depreciation related assumptions such as useful life and pattern of consumption of the future economic benefit.

The consumption rating scales were based initially on the past experience of the valuation firm and industry guides and were then updated to take into account the experience and understanding of council's own engineers, asset management and finance staff. The results of the valuation were further evaluated by confirmation against council's own understanding of the assets and the level of remaining service potential.

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 25. Fair Value Measurement (continued)

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##### **Artwork**

The council engages external, independent and qualified valuers to determine the fair value of its artwork. The last valuation was undertaken as at 17 March 2018 and was performed by Dwyer Fine Art.

An annual assessment is undertaken to determine whether the carrying amount of the assets is materially different from the fair value. If any variation is considered material a revaluation is undertaken either by comprehensive revaluation or by applying an interim revaluation using appropriate indices.

##### **(5) Highest and best use**

All of Council's non-financial assets are considered as being utilised for their highest and best use.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 26. Related party disclosures

## (a) Key management personnel

Key management personnel (KMP) of the council are those persons having the authority and responsibility for planning, directing and controlling the activities of the council, directly or indirectly.

The aggregate amount of KMP compensation included in the Income Statement is:

\$ '000	2020	2019
<b>Compensation:</b>		
Short-term benefits	1,073	1,048
Post-employment benefits	82	82
Other long-term benefits	27	39
Termination benefits	61	–
<b>Total</b>	<b>1,243</b>	<b>1,169</b>

## (b) Other transactions with KMP and their related parties

Council has determined that transactions at arm's length between KMP and Council as part of Council delivering a public service objective (e.g. access to library or Council swimming pool by KMP) will not be disclosed.

Nature of the transaction	Ref	Value of transactions during year	Outstanding balance (incl. loans and commitments)	Terms and conditions	Provisions for impairment of receivables outstanding	Expense recognised for impairment of receivables
\$ '000						
<b>2020</b>						
Earthmoving services and plant hire	1	1,517,664	265,299	14 days	–	–
Holiday Park mangement fees	2	356,016	–	14 days	–	–
<b>2019</b>						
Earthmoving services and plant hire	1	56	1	14 days	–	–
Holiday Park mangement fees	2	331	–	14 days	–	–

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 26. Related party disclosures (continued)

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- 1 Council purchased earthmoving services and plant hire during the year from a company which has a close family member of Council's KMP as a major shareholder. Amounts were billed based on normal rates for such supplies and were due and payable under normal payment terms following the Council's procurement processes.
- 2 Council has a contract for Holiday Park Management with a company which has a member of Council's KMP as a director. The original contract was awarded through a competitive tender process based on market rates for these services. Amounts are payable on a monthly basis for the duration of the contract.

#### Note 27. Events occurring after the reporting date

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Council is aware of the following 'non-adjusting events' that merit disclosure:

The Coronavirus (COVID-19) Pandemic continues to impact both communities and business throughout the world including Australia and the community where Council operates. This Pandemic has had a financial impact for Council in the financial year ended 30 June 2020, which was reported to Council, and is expected to further impact the following financial year.

The scale, timing and duration of the potential impacts on Council is unknown, however, it is expected that there will be a decrease in projected revenue.

In the period after balance sheet date to signing of this report, there have not been any additional significant adverse operational or financial impacts as a result of COVID-19 Pandemic or other circumstances and any known impacts to date have been reflected in the 30 June 2020 financial statements.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 28. Statement of developer contributions

Under the *Environmental Planning and Assessment Act 1979*, Council has significant obligations to provide Section 7.11 (contributions towards provision or improvement of amenities or services) infrastructure in new release areas.

It is possible that the funds contributed may be less than the cost of this infrastructure, requiring Council to borrow or use general revenue to fund the difference.

## Summary of contributions and levies

	as at 30/06/19			as at 30/06/20				
	Opening Balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
\$ '000		Cash	Non-cash					
Drainage	556	–	–	12	(64)	–	504	–
Roads	2,949	273	–	67	(230)	–	3,059	–
Open space	292	279	–	–	(838)	–	(267)	–
Community facilities	1,582	268	–	39	(19)	–	1,870	–
Other	196	19	–	5	(1)	–	219	–
<b>S7.11 contributions – under a plan</b>	<b>5,575</b>	<b>839</b>	<b>–</b>	<b>123</b>	<b>(1,152)</b>	<b>–</b>	<b>5,385</b>	<b>–</b>
<b>S7.12 levies – under a plan</b>	<b>3,431</b>	<b>139</b>	<b>–</b>	<b>70</b>	<b>(869)</b>	<b>–</b>	<b>2,771</b>	<b>–</b>
<b>Total S7.11 and S7.12 revenue under plans</b>	<b>9,006</b>	<b>978</b>	<b>–</b>	<b>193</b>	<b>(2,021)</b>	<b>–</b>	<b>8,156</b>	<b>–</b>
S7.11 not under plans	202	–	–	5	–	–	207	–
S7.4 planning agreements	116	113	–	4	–	–	233	–
S64 contributions	10,275	4,030	–	280	–	–	14,585	–
<b>Total contributions</b>	<b>19,599</b>	<b>5,121</b>	<b>–</b>	<b>482</b>	<b>(2,021)</b>	<b>–</b>	<b>23,181</b>	<b>–</b>

## S7.11 Contributions – under a plan

## CONTRIBUTION PLAN - Clarence Valley Contributions Plan 2011

Open space	292	279	–	–	(838)	–	(267)	–
Community facilities	1,582	268	–	39	(19)	–	1,870	–
<b>Total</b>	<b>1,874</b>	<b>547</b>	<b>–</b>	<b>39</b>	<b>(857)</b>	<b>–</b>	<b>1,603</b>	<b>–</b>

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## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 28. Statement of developer contributions (continued)

\$ '000	as at 30/06/19						as at 30/06/20	
	Opening Balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
<b>CONTRIBUTION PLAN - Access Roads &amp; Bridges (Copmanhurst)</b>								
Roads	836	94	–	20	(19)	–	931	–
<b>Total</b>	<b>836</b>	<b>94</b>	<b>–</b>	<b>20</b>	<b>(19)</b>	<b>–</b>	<b>931</b>	<b>–</b>
<b>CONTRIBUTION PLAN - Roads (Grafton)</b>								
Roads	140	–	–	3	–	–	143	–
<b>Total</b>	<b>140</b>	<b>–</b>	<b>–</b>	<b>3</b>	<b>–</b>	<b>–</b>	<b>143</b>	<b>–</b>
<b>CONTRIBUTION PLAN - Drainage (Gulmarrad)</b>								
Drainage	556	–	–	12	(64)	–	504	–
<b>Total</b>	<b>556</b>	<b>–</b>	<b>–</b>	<b>12</b>	<b>(64)</b>	<b>–</b>	<b>504</b>	<b>–</b>
<b>CONTRIBUTION PLAN - Roads (Maclean)</b>								
Roads	(50)	102	–	–	–	–	52	–
<b>Total</b>	<b>(50)</b>	<b>102</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>52</b>	<b>–</b>
<b>CONTRIBUTION PLAN - Kerb &amp; Gutter (Maclean)</b>								
Roads	38	–	–	1	–	–	39	–
<b>Total</b>	<b>38</b>	<b>–</b>	<b>–</b>	<b>1</b>	<b>–</b>	<b>–</b>	<b>39</b>	<b>–</b>
<b>CONTRIBUTION PLAN - Tree Planting (Maclean)</b>								
Other	36	1	–	1	(1)	–	37	–
<b>Total</b>	<b>36</b>	<b>1</b>	<b>–</b>	<b>1</b>	<b>(1)</b>	<b>–</b>	<b>37</b>	<b>–</b>
<b>CONTRIBUTION PLAN - Extractive Industries (Copmanhurst, Maclean and Pristine Waters)</b>								
Other	155	18	–	4	–	–	177	–
<b>Total</b>	<b>155</b>	<b>18</b>	<b>–</b>	<b>4</b>	<b>–</b>	<b>–</b>	<b>177</b>	<b>–</b>
<b>CONTRIBUTION PLAN - Tree Planting (Pristine Waters)</b>								
Other	5	–	–	–	–	–	5	–
<b>Total</b>	<b>5</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>5</b>	<b>–</b>



## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 28. Statement of developer contributions (continued)

\$ '000	as at 30/06/19						as at 30/06/20	
	Opening Balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
<b>CONTRIBUTION PLAN - Coutts Crossing (Pristine Waters)</b>								
Roads	230	-	-	5	-	-	235	-
<b>Total</b>	<b>230</b>	<b>-</b>	<b>-</b>	<b>5</b>	<b>-</b>	<b>-</b>	<b>235</b>	<b>-</b>
<b>CONTRIBUTION PLAN - Southampton (Superseded) (Pristine Waters)</b>								
Roads	53	-	-	1	-	-	54	-
<b>Total</b>	<b>53</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>54</b>	<b>-</b>
<b>CONTRIBUTION PLAN - Nymboida (Superseded) (Pristine Waters)</b>								
Roads	12	-	-	-	-	-	12	-
<b>Total</b>	<b>12</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>12</b>	<b>-</b>
<b>CONTRIBUTION PLAN - Tyringham (Superseded) (Pristine Waters)</b>								
Roads	135	-	-	3	-	-	138	-
<b>Total</b>	<b>135</b>	<b>-</b>	<b>-</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>138</b>	<b>-</b>
<b>CONTRIBUTION PLAN - Kangaroo Creek (Superseded) (Pristine Waters)</b>								
Roads	39	10	-	1	-	-	50	-
<b>Total</b>	<b>39</b>	<b>10</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>50</b>	<b>-</b>
<b>CONTRIBUTION PLAN - Ramornie/Jackadgery (Superseded) (Pristine Waters)</b>								
Roads	18	-	-	-	-	-	18	-
<b>Total</b>	<b>18</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>18</b>	<b>-</b>
<b>CONTRIBUTION PLAN - Old Glenn Innes Rd District (Superseded) (Pristine Waters)</b>								
Roads	20	23	-	1	-	-	44	-
<b>Total</b>	<b>20</b>	<b>23</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>44</b>	<b>-</b>
<b>CONTRIBUTION PLAN - Ulmarra (Pristine Waters)</b>								
Roads	1,478	44	-	32	(211)	-	1,343	-
<b>Total</b>	<b>1,478</b>	<b>44</b>	<b>-</b>	<b>32</b>	<b>(211)</b>	<b>-</b>	<b>1,343</b>	<b>-</b>

continued on next page ...

Clarence Valley Council

Notes to the Financial Statements  
for the year ended 30 June 2020

Note 28. Statement of developer contributions (continued)

\$ '000	as at 30/06/19						as at 30/06/20		
	Opening Balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)	
		Cash	Non-cash						
<b>S7.12 Levies – under a plan</b>									
<b>CONTRIBUTION PLAN - Non Residential (Clarence Valley)</b>									
Other	3,431	139	–	70	(869)	–	2,771	–	
<b>Total</b>	<b>3,431</b>	<b>139</b>	<b>–</b>	<b>70</b>	<b>(869)</b>	<b>–</b>	<b>2,771</b>	<b>–</b>	
<b>S7.11 Contributions – not under a plan</b>									
<b>Clarence Valley</b>									
Drainage	69	–	–	2	–	–	71	–	
Parking	1	–	–	–	–	–	1	–	
Other	68	–	–	2	–	–	70	–	
<b>Total</b>	<b>138</b>	<b>–</b>	<b>–</b>	<b>4</b>	<b>–</b>	<b>–</b>	<b>142</b>	<b>–</b>	
<b>Nymboida (Pristine Waters)</b>									
Roads	36	–	–	1	–	–	37	–	
<b>Total</b>	<b>36</b>	<b>–</b>	<b>–</b>	<b>1</b>	<b>–</b>	<b>–</b>	<b>37</b>	<b>–</b>	
<b>Maclean</b>									
Roads	28	–	–	–	–	–	28	–	
<b>Total</b>	<b>28</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>28</b>	<b>–</b>	

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 29. Result by fund

\$ '000	General <sup>1</sup> 2020	Water 2020	Sewer 2020
<b>Income Statement by fund</b>			
<b>Income from continuing operations</b>			
Rates and annual charges	43,037	2,527	17,813
User charges and fees	20,585	16,171	3,312
Interest and investment revenue	1,967	1,001	376
Other revenues	7,682	298	22
Grants and contributions provided for operating purposes	31,593	831	186
Grants and contributions provided for capital purposes	20,267	3,845	628
Rental income	826	–	–
<b>Total income from continuing operations</b>	<b>125,957</b>	<b>24,673</b>	<b>22,337</b>
<b>Expenses from continuing operations</b>			
Employee benefits and on-costs	32,691	1,535	1,836
Borrowing costs	1,658	1,650	4,347
Materials and contracts	35,196	3,929	3,150
Depreciation and amortisation	29,007	6,071	8,955
Other expenses	12,771	3,351	4,083
Net losses from the disposal of assets	12,517	1,497	1,213
Share of interests in joint ventures and associates using the equity method	34	–	–
<b>Total expenses from continuing operations</b>	<b>123,874</b>	<b>18,033</b>	<b>23,584</b>
<b>Operating result from continuing operations</b>	<b>2,083</b>	<b>6,640</b>	<b>(1,247)</b>
<b>Discontinued operations</b>			
Net profit/(loss) from discontinued operations	52	–	–
<b>Net operating result for the year</b>	<b>2,135</b>	<b>6,640</b>	<b>(1,247)</b>
<b>Net operating result attributable to each council fund</b>	<b>2,135</b>	<b>6,640</b>	<b>(1,247)</b>
<b>Net operating result for the year before grants and contributions provided for capital purposes</b>	<b>(18,132)</b>	<b>2,795</b>	<b>(1,875)</b>

NB. All amounts disclosed above are gross – that is, they include internal charges and recoveries made between the funds.

(1) General fund refers to all of Council's activities except for its water and sewer activities which are listed separately.

## Clarence Valley Council

Notes to the Financial Statements  
for the year ended 30 June 2020

## Note 29. Result by fund (continued)

\$ '000	General <sup>1</sup> 2020	Water 2020	Sewer 2020
<b>Statement of Financial Position by fund</b>			
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and cash equivalents	20,221	665	1,234
Investments	44,155	16,306	7,539
Receivables	24,738	4,429	1,417
Inventories	1,348	–	–
Contract assets	4,991	–	–
Other	172	–	–
Non-current assets classified as 'held for sale'	1,147	–	–
<b>Total current assets</b>	<b>96,772</b>	<b>21,400</b>	<b>10,190</b>
<b>Non-current assets</b>			
Investments	2,127	27,507	5,976
Receivables	970	53	340
Inventories	156	–	–
Infrastructure, property, plant and equipment	1,346,295	358,954	259,844
Investments accounted for using the equity method	42	–	–
Intangible assets	913	1	36
Right of use assets	368	–	–
<b>Total non-current assets</b>	<b>1,350,871</b>	<b>386,515</b>	<b>266,196</b>
<b>TOTAL ASSETS</b>	<b>1,447,643</b>	<b>407,915</b>	<b>276,386</b>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	19,770	1,262	808
Contract liabilities	4,509	–	–
Lease liabilities	282	–	–
Borrowings	2,594	1,087	4,514
Provisions	12,648	–	–
<b>Total current liabilities</b>	<b>39,803</b>	<b>2,349</b>	<b>5,322</b>
<b>Non-current liabilities</b>			
Lease liabilities	93	–	–
Borrowings	15,352	20,350	60,238
Provisions	15,034	–	–
<b>Total non-current liabilities</b>	<b>30,479</b>	<b>20,350</b>	<b>60,238</b>
<b>TOTAL LIABILITIES</b>	<b>70,282</b>	<b>22,699</b>	<b>65,560</b>
<b>Net assets</b>	<b>1,377,361</b>	<b>385,216</b>	<b>210,826</b>
<b>EQUITY</b>			
Accumulated surplus	503,901	214,972	117,269
Revaluation reserves	873,460	170,244	93,557
<b>Council equity interest</b>	<b>1,377,361</b>	<b>385,216</b>	<b>210,826</b>
<b>Total equity</b>	<b>1,377,361</b>	<b>385,216</b>	<b>210,826</b>

NB. All amounts disclosed above are gross – that is, they include internal charges and recoveries made between the funds. Assets and liabilities shown in the water and sewer columns are restricted for use for these activities.

(1) General fund refers to all of Council's activities except for its water and sewer activities which are listed separately.

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 30(a). Statement of performance measures – consolidated results

\$ '000	Amounts 2020	Indicator 2020	Prior period 2019	Benchmark
<b>1. Operating performance ratio</b>				
Total continuing operating revenue excluding capital grants and contributions less operating expenses <sup>1,2</sup>	<b>(2,016)</b>	<b>(1.43)%</b>	(1.78)%	>0.00%
Total continuing operating revenue excluding capital grants and contributions <sup>1</sup>	<b>141,273</b>			
<b>2. Own source operating revenue ratio</b>				
Total continuing operating revenue excluding all grants and contributions <sup>1</sup>	<b>108,663</b>	<b>65.45%</b>	75.69%	>60.00%
Total continuing operating revenue <sup>1</sup>	<b>166,013</b>			
<b>3. Unrestricted current ratio</b>				
Current assets less all external restrictions	<b>58,426</b>	<b>3.23x</b>	4.42x	>1.50x
Current liabilities less specific purpose liabilities	<b>18,075</b>			
<b>4. Debt service cover ratio</b>				
Operating result before capital excluding interest and depreciation/impairment/amortisation <sup>1</sup>	<b>49,672</b>	<b>3.33x</b>	3.31x	>2.00x
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)	<b>14,916</b>			
<b>5. Rates, annual charges, interest and extra charges outstanding percentage</b>				
Rates, annual and extra charges outstanding	<b>4,934</b>	<b>7.32%</b>	6.52%	<10.00%
Rates, annual and extra charges collectible	<b>67,363</b>			
<b>6. Cash expense cover ratio</b>				
Current year's cash and cash equivalents plus all term deposits	<b>119,120</b>	<b>13.98 mths</b>	13.90 mths	>3.00 mths
Monthly payments from cash flow of operating and financing activities	<b>8,524</b>			

(1) Excludes fair value increments on investment properties, reversal of revaluation decrements, reversal of impairment losses on receivables, net gain on sale of assets and net share of interests in joint ventures and associates using the equity method and includes pensioner rate subsidies

(2) Excludes impairment/revaluation decrements of IPPE, fair value decrements on investment properties, net loss on disposal of assets and net loss on share of interests in joint ventures and associates using the equity method

## Clarence Valley Council

## Notes to the Financial Statements

for the year ended 30 June 2020

## Note 30(b). Statement of performance measures – by fund

\$ '000	General Indicators <sup>3</sup>		Water Indicators		Sewer Indicators		Benchmark
	2020	2019	2020	2019	2020	2019	
<b>1. Operating performance ratio</b>							
Total continuing operating revenue excluding capital grants and contributions less operating expenses <sup>1,2</sup>	<b>(5.72)%</b>	(9.35)%	<b>20.61%</b>	20.30%	<b>(3.04)%</b>	8.66%	>0.00%
Total continuing operating revenue excluding capital grants and contributions <sup>1</sup>							
<b>2. Own source operating revenue ratio</b>							
Total continuing operating revenue excluding capital grants and contributions <sup>1</sup>	<b>56.42%</b>	67.88%	<b>81.05%</b>	92.01%	<b>96.36%</b>	94.86%	>60.00%
Total continuing operating revenue <sup>1</sup>							
<b>3. Unrestricted current ratio</b>							
Current assets less all external restrictions	<b>3.23x</b>	5.55x	<b>9.11x</b>	5.57x	<b>1.91x</b>	2.02x	>1.50x
Current liabilities less specific purpose liabilities							
<b>4. Debt service cover ratio</b>							
Operating result before capital excluding interest and depreciation/impairment/amortisation <sup>1</sup>	<b>5.90x</b>	5.77x	<b>4.41x</b>	4.40x	<b>1.52x</b>	1.67x	>2.00x
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)							
<b>5. Rates, annual charges, interest and extra charges outstanding percentage</b>							
Rates, annual and extra charges outstanding	<b>7.58%</b>	6.63%	<b>9.55%</b>	9.17%	<b>6.37%</b>	5.87%	<10.00%
Rates, annual and extra charges collectible							
<b>6. Cash expense cover ratio</b>							
Current year's cash and cash equivalents plus all term deposits	<b>9.73</b>	11.27	<b>46.51</b>	38.26	<b>10.46</b>	10.65	>3.00
Payments from cash flow of operating and financing activities	<b>mths</b>	mths	<b>mths</b>	mths	<b>mths</b>	mths	mths

(1) - (2) Refer to Notes at Note 26a above.

(3) General fund refers to all of Council's activities except for its water and sewer activities which are listed separately.

## Clarence Valley Council

### Notes to the Financial Statements

for the year ended 30 June 2020

#### Note 31. Council information and contact details

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**Principal place of business:**

2 Prince Street  
GRAFTON NSW 2460

**Contact details**

**Mailing Address:**

Locked Bag 23  
GRAFTON NSW 2460

**Telephone:** 02 6643 0200

**Facsimile:** 02 6642 7647

**Opening hours:**

Monday to Friday (excl. Public Holidays)  
8:30am to 4:30pm

**Internet:** [www.clarence.nsw.gov.au](http://www.clarence.nsw.gov.au)

**Email:** [council@clarence.nsw.gov.au](mailto:council@clarence.nsw.gov.au)

**Officers**

**General Manager**

Ashley Lindsay

**Responsible Accounting Officer**

Kate Maginnity

**Public Officer**

Laura Black

**Auditors**

Audit Office of New South Wales  
Level 15, 1 Margaret Street  
SYDNEY NSW 2000

Telephone 02 9275 7100

**Elected members**

**Mayor**

Jim Simmons

**Councillors**

Andrew Baker  
Greg Clancy  
Peter Ellem  
Jason Kingsley  
Arthur Lysaught  
Debrah Novak  
Karen Toms  
Richie Williamson

**Other information**

**ABN:** 85 864 095 684





**INDEPENDENT AUDITOR'S REPORT**  
**Report on the general purpose financial statements**  
**Clarence Valley Council**

To the Councillors of Clarence Valley Council

### Opinion

I have audited the accompanying financial statements of Clarence Valley Council (the Council), which comprise the Statement by Councillors and Management, the Income Statement and Statement of Comprehensive Income for the year ended 30 June 2020, the Statement of Financial Position as at 30 June 2020, the Statement of Changes in Equity and Statement of Cash Flows for the year then ended and notes comprising a summary of significant accounting policies and other explanatory information.

In my opinion:

- the Council's accounting records have been kept in accordance with the requirements of the *Local Government Act 1993*, Chapter 13, Part 3, Division 2 (the Division)
- the financial statements:
  - have been prepared, in all material respects, in accordance with the requirements of this Division
  - are consistent with the Council's accounting records
  - present fairly, in all material respects, the financial position of the Council as at 30 June 2020, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards
- all information relevant to the conduct of the audit has been obtained
- no material deficiencies in the accounting records or financial statements have come to light during the audit.

My opinion should be read in conjunction with the rest of this report.

## Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Financial Statements' section of my report.

I am independent of the Council in accordance with the requirements of the:

- Australian Auditing Standards
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants (including Independence Standards)' (APES 110).

I have fulfilled my other ethical responsibilities in accordance with APES 110.

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of councils
- precluding the Auditor-General from providing non-audit services.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

## Other Information

The Council's annual report for the year ended 30 June 2020 includes other information in addition to the financial statements and my Independent Auditor's Report thereon. The Councillors are responsible for the other information. At the date of this Independent Auditor's Report, the other information I have received comprise the special purpose financial statements and Special Schedules (the Schedules).

My opinion on the financial statements does not cover the other information. Accordingly, I do not express any form of assurance conclusion on the other information. However, as required by the *Local Government Act 1993*, I have separately expressed an opinion on the special purpose financial statements and Special Schedule - Permissible income for general rates.

In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude there is a material misstatement of the other information, I must report that fact.

I have nothing to report in this regard.

## The Councillors' Responsibilities for the Financial Statements

The Councillors are responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards and the *Local Government Act 1993*, and for such internal control as the Councillors determine is necessary to enable the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Councillors are responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting.

## **Auditor's Responsibilities for the Audit of the Financial Statements**

My objectives are to:

- obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial statements.

A description of my responsibilities for the audit of the financial statements is located at the Auditing and Assurance Standards Board website at: [www.auasb.gov.au/auditors\\_responsibilities/ar4.pdf](http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf). The description forms part of my auditor's report.

The scope of my audit does not include, nor provide assurance:

- that the Council carried out its activities effectively, efficiently and economically
- on the Original Budget information included in the Income Statement, Statement of Cash Flows, and Note 23 Material budget variations
- on the Special Schedules. A separate opinion has been provided on Special Schedule - Permissible income for general rates
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented
- about any other information which may have been hyperlinked to/from the financial statements.



Gearoid Fitzgerald  
Delegate of the Auditor-General for New South Wales

26 November 2020  
SYDNEY



Cr Jim Simmons  
 Mayor  
 Clarence Valley Council  
 Locked Bag 23  
 GRAFTON NSW 2460

Contact: Gearoid Fitzgerald  
 Phone no: 02 9275 7395  
 Our ref: D2027899/1713

26 November 2020

Dear Mayor

## Report on the Conduct of the Audit for the year ended 30 June 2020 Clarence Valley Council

I have audited the general purpose financial statements (GPFS) of the Clarence Valley Council (the Council) for the year ended 30 June 2020 as required by section 415 of the *Local Government Act 1993* (the Act).

I expressed an unmodified opinion on the Council's GPFS.

This Report on the Conduct of the Audit (the Report) for the Council for the year ended 30 June 2020 is issued in accordance with section 417 of the Act. This Report should be read in conjunction with my audit opinion on the GPFS issued under section 417(2) of the Act.

### INCOME STATEMENT

#### Operating result

	2020	2019*	Variance
	\$m	\$m	%
Rates and annual charges revenue	62.8	59.4	↑ 5.7
Grants and contributions revenue	57.4	33.6	↑ 70.8
Operating result from continuing operations	7.5	3.7	↑ 102.7
Net operating result before capital grants and contributions	(17.2)	(8.4)	↓ 104.8

- The 2019 have been restated to reflect the reclassification revenue and expenditure items of Clarence Care and Support in line with its disposal per AASB 5.

The Council's operating result from continuing operations (including depreciation and amortisation expense of \$44.0 million) was \$3.8 million higher than the 2018–19 result. The higher result was primarily due to increased rates (\$2.6 million) arising from the 8% approved Special Rate Variation and user charges revenue increases (\$1.2 million).

On 30<sup>th</sup> June 2020, Council transferred the existing services provided by Clarence Care and Support (CCS) to Wesley Community Services Ltd. The net operating result for the year after the discontinued CCS operations was \$7.5 million.

The net operating result before capital grants and contributions (deficit of \$17.2 million) was \$8.8 million lower than the 2018–19 result. The lower result was primarily due to assets written off and expenses associated with flood and fire damage restoration works.

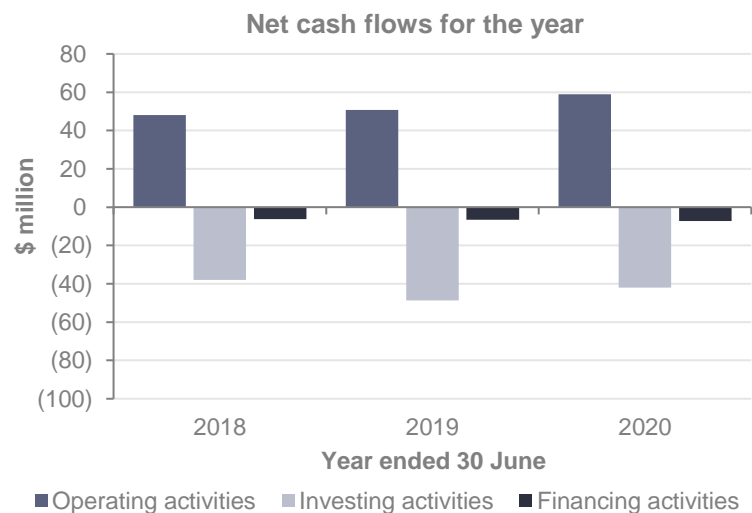
Grants and contributions revenue (\$57.4 million) increased by \$23.8 million (70.8 per cent) in 2019–20 primarily due to:

- \$6.5 million of developer and other contributions received during the year
- \$7.08 million of grants received in natural disaster funding in relation to bushfire / floods
- \$4.7 million of increased grants received from NSW rural fire services

## STATEMENT OF CASH FLOWS

There was a net cash inflow due to:

- Increase in operating cashflows from increased rates/charges and grants related to flood/fire damage.
- Cash outflows for investing activities reduced due to lower re-investment in current year.



## FINANCIAL POSITION

### Cash and investments

Cash and investments	2020	2019	Commentary
	\$m	\$m	
External restrictions	81.8	68.8	• Externally restricted cash and investments have increased mainly due to water supplies (\$9.3m) and developer contributions to water (\$3.7m).
Internal restrictions	43.3	51.1	
Unrestricted	0.6	1.0	• Overall, internally restricted and unrestricted cash and investments have reduced across all areas in-line with increased expenditure across those areas.
<b>Cash and investments</b>	<b>125.7</b>	<b>120.9</b>	

## PERFORMANCE

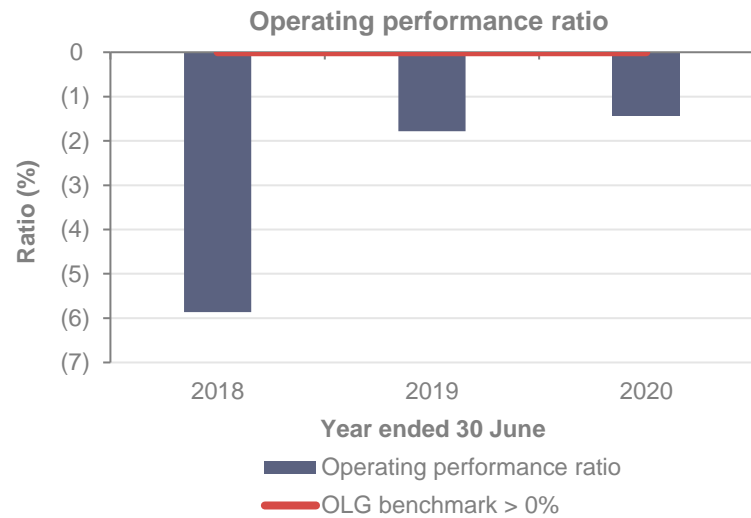
### Performance measures

The following section provides an overview of the Council's performance against the performance measures and performance benchmarks set by the Office of Local Government (OLG) within the Department of Planning, Industry and Environment.

#### Operating performance ratio

The 'operating performance ratio' measures how well council contained operating expenditure within operating revenue (excluding capital grants and contributions, fair value adjustments, and reversal of revaluation decrements). The benchmark set by OLG is greater than zero per cent.

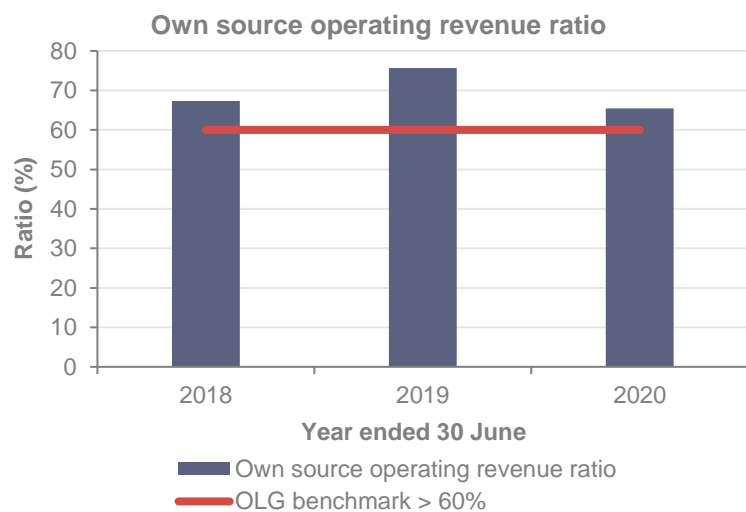
The Council had increased repairs and maintenance expenses largely due to natural disasters during the current year and did not meet the OLG benchmark for the current reporting period.



#### Own source operating revenue ratio

The 'own source operating revenue ratio' measures council's fiscal flexibility and the degree to which it relies on external funding sources such as operating grants and contributions. The benchmark set by OLG is greater than 60 per cent.

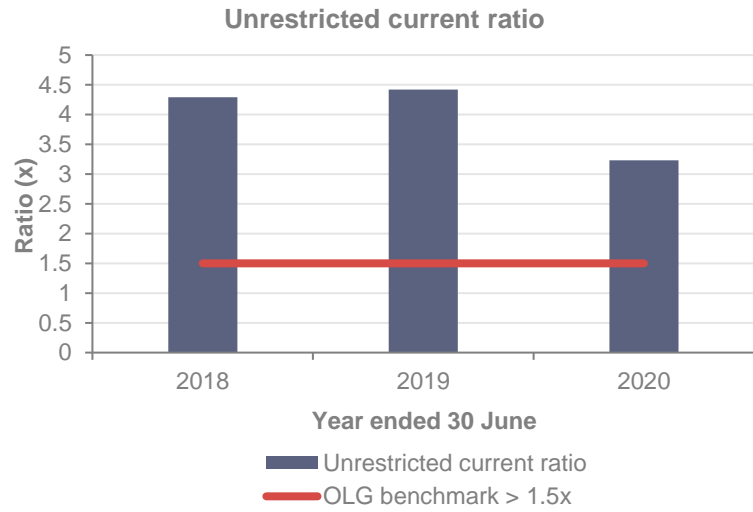
The Council met the OLG benchmark for the current reporting period.



### Unrestricted current ratio

The 'unrestricted current ratio' is specific to local government and represents council's ability to meet its short-term obligations as they fall due. The benchmark set by OLG is greater than 1.5 times.

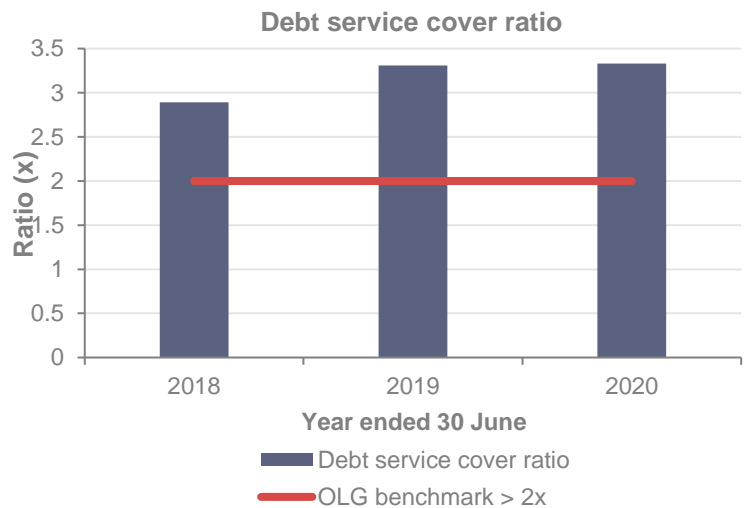
The Council met the OLG benchmark for the current reporting period.



### Debt service cover ratio

The 'debt service cover ratio' measures the operating cash to service debt including interest, principal and lease payments. The benchmark set by OLG is greater than two times.

The Council exceeded the OLG benchmark for the current reporting period.

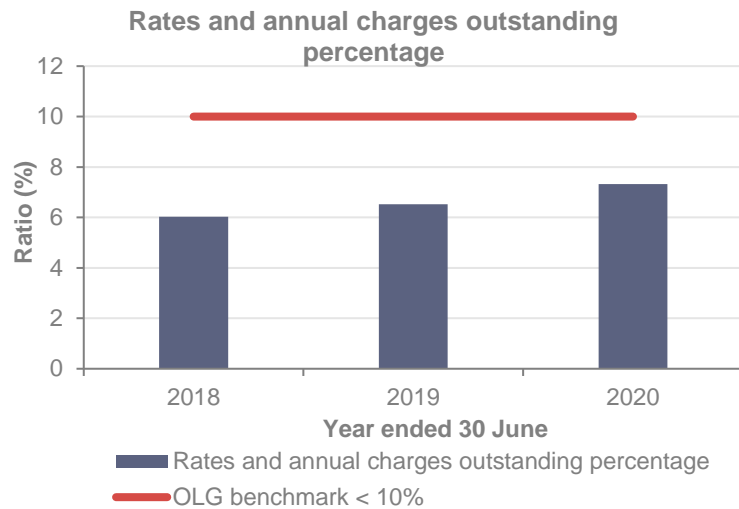




### Rates and annual charges outstanding per centage

The 'rates and annual charges outstanding per centage' assesses the impact of uncollected rates and annual charges on council's liquidity and the adequacy of debt recovery efforts. The benchmark set by OLG is less than 10 per cent for regional and rural councils.

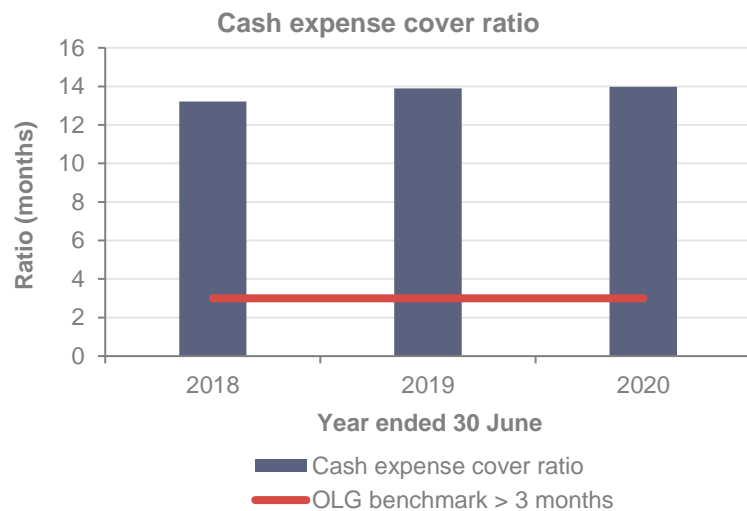
The Council met the OLG benchmark for the current reporting period.



### Cash expense cover ratio

This liquidity ratio indicates the number of months the council can continue paying for its immediate expenses without additional cash inflow. The benchmark set by OLG is greater than three months.

The Council exceeded the OLG benchmark for the current reporting period.



### Infrastructure, property, plant and equipment renewals

Council's primary asset renewals in the current financial year compared with the prior year:

- Infrastructure renewal 2019–20 year was \$12.7m as compared to prior year that was \$8.0m and primarily comprised of road renewals \$6.5m (2019 - \$1.9m).

Council's infrastructure asset renewal compared to depreciation expense:

- Total infrastructure asset renewals during the year (\$12.7 million) remains significantly lower than total depreciation expense (\$40.3m).

## OTHER MATTERS

### Impact of new accounting standards

#### AASB 15 'Revenue from Contracts with Customers' and AASB 1058 'Income for Not-for-Profit Entities'

The Council adopted the new accounting standards AASB 15 'Contracts with Customers' and AASB 1058 'Income of Not-for-Profit Entities' (collectively referred to as the Revenue Standards) for the first time in their 2019–20 financial statements.

AASB 15 introduces a new approach to recognising revenue based on the principle that revenue is recognised when control of a good or service transfers to a customer. AASB 15 impacts the timing and amount of revenue recorded in a councils' financial statements, particularly for grant revenue. AASB 15 also increases the amount of disclosures required.

AASB 1058 prescribes how not-for-profit entities account for transactions conducted on non-commercial terms and the receipt of volunteer services. AASB 1058 significantly impacts the timing and amount of income recorded in a councils' financial statements, particularly for grant income and rates which are paid before the commencement of the rating period.

The Council recognised a \$2.9 million adjustment to opening accumulated surplus at 1 July 2019 on adoption of the new Revenue Standards.

The Council disclosed the impact of adopting the new Revenue Standards in Note 17.

#### AASB 16 'Leases'

The Council adopted the new accounting standard AASB 16 'Leases' for the first time in their 2019–20 financial statements.

AASB 16 changes the way lessees treat operating leases for financial reporting. With a few exceptions, operating leases will now be recorded in the Statement of Financial Position as a right-of-use asset, with a corresponding lease liability.

AASB 16 results in lessees recording more assets and liabilities in the Statement of Financial Position and changes the timing and pattern of expenses recorded in the Income Statement.

The Council recognised right-of-use assets of \$0.6 million and lease liabilities of \$0.6 million at 1 July 2019 on adoption of AASB 16.

The Council disclosed the impact of adopting AASB 16 in Note 17.

### Legislative compliance

My audit procedures did not identify any instances of material non-compliance with legislative requirements or a material deficiency in the Council's accounting records or financial statements. The Council's:

- accounting records were maintained in a manner and form to allow the GPFS to be prepared and effectively audited
- staff provided all accounting records and information relevant to the audit.



Gearoid Fitzgerald  
Delegate of the Auditor-General for New South Wales

cc: Ashley Lindsay, General Manager  
Ross Bryant, Chair of Audit Committee  
Jim Betts, Secretary of the Department of Planning, Industry and Environment

# Clarence Valley Council

## SPECIAL PURPOSE FINANCIAL STATEMENTS

for the year ended 30 June 2020

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## Clarence Valley Council

### Special Purpose Financial Statements

for the year ended 30 June 2020

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#### Background

- i. These Special Purpose Financial Statements have been prepared for the use by both Council and the Office of Local Government in fulfilling their requirements under National Competition Policy.
- ii. The principle of competitive neutrality is based on the concept of a 'level playing field' between persons/entities competing in a market place, particularly between private and public sector competitors.

Essentially, the principle is that government businesses, whether Commonwealth, state or local, should operate without net competitive advantages over other businesses as a result of their public ownership.

- iii. For Council, the principle of competitive neutrality and public reporting applies only to declared business activities.

These include **(a)** those activities classified by the Australian Bureau of Statistics as business activities being water supply, sewerage services, abattoirs, gas production and reticulation, and **(b)** those activities with a turnover of more than \$2 million that Council has formally declared as a business activity (defined as Category 1 activities).

- iv. In preparing these financial statements for Council's self-classified Category 1 businesses and ABS-defined activities, councils must **(a)** adopt a corporatisation model and **(b)** apply full cost attribution including tax-equivalent regime payments and debt guarantee fees (where the business benefits from Council's borrowing position by comparison with commercial rates).

## Clarence Valley Council

### Special Purpose Financial Statements

for the year ended 30 June 2020

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#### Statement by Councillors and Management made pursuant to the Local Government Code of Accounting Practice and Financial Reporting

The attached Special Purpose Financial Statements have been prepared in accordance with:

- the NSW Government Policy Statement '*Application of National Competition Policy to Local Government*',
- the Division of Local Government Guidelines '*Pricing and Costing for Council Businesses – A Guide to Competitive Neutrality*',
- the Local Government Code of Accounting Practice and Financial Reporting,
- the NSW Office of Water Best-Practice Management of Water and Sewerage Guidelines.

To the best of our knowledge and belief, these statements:

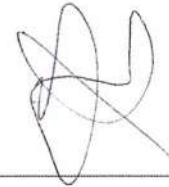
- present fairly the operating result and financial position for each of Council's declared business activities for the year, and
- accord with Council's accounting and other records.
- present overhead reallocation charges to the water and sewerage businesses as fair and reasonable.

We are not aware of any matter that would render these statements false or misleading in any way.

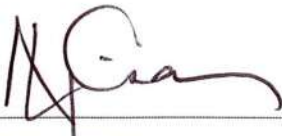
Signed in accordance with a resolution of Council made on 27 October 2020.



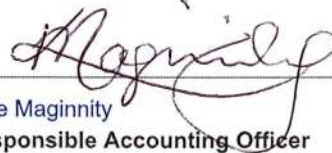
Jim Simmons  
Mayor  
27 October 2020



Jason Kingsley  
Councillor  
27 October 2020



Ashley Lindsay  
General Manager  
27 October 2020



Kate Maginnity  
Responsible Accounting Officer  
27 October 2020

## Clarence Valley Council

Income Statement – Water Supply Business Activity  
for the year ended 30 June 2020

\$ '000	2020	2019
<b>Income from continuing operations</b>		
Access charges	2,527	2,453
User charges	14,309	13,520
Fees	1,862	1,099
Interest	1,001	1,012
Grants and contributions provided for non-capital purposes	831	750
Other income	298	280
<b>Total income from continuing operations</b>	<b>20,828</b>	<b>19,114</b>
<b>Expenses from continuing operations</b>		
Employee benefits and on-costs	1,535	1,775
Borrowing costs	1,650	1,711
Materials and contracts	3,929	2,552
Depreciation, amortisation and impairment	6,071	6,360
Loss on sale of assets	1,497	4,127
Calculated taxation equivalents	68	67
Debt guarantee fee (if applicable)	214	224
Other expenses	3,351	2,835
<b>Total expenses from continuing operations</b>	<b>18,315</b>	<b>19,651</b>
<b>Surplus (deficit) from continuing operations before capital amounts</b>	<b>2,513</b>	<b>(537)</b>
Grants and contributions provided for capital purposes	3,845	845
<b>Surplus (deficit) from continuing operations after capital amounts</b>	<b>6,358</b>	<b>308</b>
<b>Surplus (deficit) from all operations before tax</b>	<b>6,358</b>	<b>308</b>
Less: corporate taxation equivalent (27.5%) [based on result before capital]	(691)	–
<b>SURPLUS (DEFICIT) AFTER TAX</b>	<b>5,667</b>	<b>308</b>
<b>Plus accumulated surplus</b>	<b>375,373</b>	<b>369,384</b>
<b>Plus/less: increase in asset revaluation reserve</b>	<b>3,271</b>	<b>5,457</b>
<b>Plus adjustments for amounts unpaid:</b>		
– Debt guarantee fees	214	224
– Corporate taxation equivalent	691	–
<b>Closing accumulated surplus</b>	<b>385,216</b>	<b>375,373</b>
<b>Return on capital %</b>	<b>1.2%</b>	<b>0.3%</b>
<b>Subsidy from Council</b>	<b>576</b>	<b>3,601</b>
<b>Calculation of dividend payable:</b>		
Surplus (deficit) after tax	5,667	308
Less: capital grants and contributions (excluding developer contributions)	(3,845)	(231)
<b>Surplus for dividend calculation purposes</b>	<b>1,822</b>	<b>77</b>
<b>Potential dividend calculated from surplus</b>	<b>911</b>	<b>39</b>

## Clarence Valley Council

Income Statement – Sewerage Business Activity  
for the year ended 30 June 2020

\$ '000	2020	2019
<b>Income from continuing operations</b>		
Access charges	17,813	17,352
User charges	2,021	2,176
Liquid trade waste charges	3	2
Fees	1,288	805
Interest	376	370
Grants and contributions provided for non-capital purposes	186	181
Profit from the sale of assets	–	229
Other income	22	21
<b>Total income from continuing operations</b>	<b>21,709</b>	<b>21,136</b>
<b>Expenses from continuing operations</b>		
Employee benefits and on-costs	1,836	1,790
Borrowing costs	4,347	4,507
Materials and contracts	3,150	2,488
Depreciation, amortisation and impairment	8,955	7,404
Loss on sale of assets	1,213	–
Calculated taxation equivalents	73	48
Debt guarantee fee (if applicable)	648	683
Other expenses	4,083	2,886
<b>Total expenses from continuing operations</b>	<b>24,305</b>	<b>19,806</b>
<b>Surplus (deficit) from continuing operations before capital amounts</b>	<b>(2,596)</b>	<b>1,330</b>
Grants and contributions provided for capital purposes	628	954
<b>Surplus (deficit) from continuing operations after capital amounts</b>	<b>(1,968)</b>	<b>2,284</b>
<b>Surplus (deficit) from all operations before tax</b>	<b>(1,968)</b>	<b>2,284</b>
Less: corporate taxation equivalent (27.5%) [based on result before capital]	–	(366)
<b>SURPLUS (DEFICIT) AFTER TAX</b>	<b>(1,968)</b>	<b>1,918</b>
<b>Plus accumulated surplus</b>	<b>216,191</b>	<b>209,207</b>
<b>Plus/less: increase in asset revaluation reserve</b>	<b>(4,045)</b>	<b>4,017</b>
<b>Plus adjustments for amounts unpaid:</b>		
– Debt guarantee fees	648	683
– Corporate taxation equivalent	–	366
<b>Closing accumulated surplus</b>	<b>210,826</b>	<b>216,191</b>
<b>Return on capital %</b>	<b>0.7%</b>	<b>2.2%</b>
<b>Subsidy from Council</b>	<b>536</b>	<b>–</b>
<b>Calculation of dividend payable:</b>		
Surplus (deficit) after tax	(1,968)	1,918
Less: capital grants and contributions (excluding developer contributions)	(628)	(115)
<b>Surplus for dividend calculation purposes</b>	<b>–</b>	<b>1,803</b>
<b>Potential dividend calculated from surplus</b>	<b>–</b>	<b>902</b>



## Clarence Valley Council

## Income Statement – Holiday Parks

for the year ended 30 June 2020

\$ '000	2020 Category 1	2019 Category 1
<b>Income from continuing operations</b>		
User charges	5,547	6,348
Interest	83	63
Grants and contributions provided for non-capital purposes	36	47
Profit from the sale of assets	6	–
Other income	292	292
<b>Total income from continuing operations</b>	<b>5,964</b>	<b>6,750</b>
<b>Expenses from continuing operations</b>		
Employee benefits and on-costs	119	201
Materials and contracts	2,273	2,771
Depreciation, amortisation and impairment	470	663
Loss on sale of assets	–	37
Other expenses	2,677	2,993
<b>Total expenses from continuing operations</b>	<b>5,539</b>	<b>6,665</b>
<b>Surplus (deficit) from continuing operations before capital amounts</b>	<b>425</b>	<b>85</b>
Grants and contributions provided for capital purposes	165	1,370
<b>Surplus (deficit) from continuing operations after capital amounts</b>	<b>590</b>	<b>1,455</b>
<b>Surplus (deficit) from all operations before tax</b>	<b>590</b>	<b>1,455</b>
Less: corporate taxation equivalent (27.5%) [based on result before capital]	(117)	(23)
<b>SURPLUS (DEFICIT) AFTER TAX</b>	<b>473</b>	<b>1,432</b>
<b>Plus accumulated surplus</b>	<b>32,882</b>	<b>31,427</b>
<b>Plus/less: increase in asset revaluation reserve</b>	<b>(686)</b>	<b>–</b>
<b>Plus/less: Transfer of assets to General Fund</b>	<b>(9,885)</b>	<b>–</b>
<b>Plus adjustments for amounts unpaid:</b>		
– Corporate taxation equivalent	117	23
<b>Closing accumulated surplus</b>	<b>22,901</b>	<b>32,882</b>
<b>Return on capital %</b>	<b>2.0%</b>	<b>0.3%</b>
<b>Subsidy from Council</b>	<b>–</b>	<b>301</b>

## Clarence Valley Council

### Income Statement – Clarence Care & Support for the year ended 30 June 2020

\$ '000	2020 <sup>1</sup> Category 1	2019 Category 1
<b>Income from continuing operations</b>		
User charges	554	499
Interest	–	102
Grants and contributions provided for non-capital purposes	7,132	6,657
Profit from the sale of assets	285	–
Other income	2,701	3,171
<b>Total income from continuing operations</b>	<b>10,672</b>	<b>10,429</b>
<b>Expenses from continuing operations</b>		
Employee benefits and on-costs	5,128	4,191
Borrowing costs	2	–
Materials and contracts	2,650	2,174
Depreciation, amortisation and impairment	78	27
Other expenses	3,746	4,314
<b>Total expenses from continuing operations</b>	<b>11,604</b>	<b>10,706</b>
<b>Surplus (deficit) from continuing operations before capital amounts</b>	<b>(932)</b>	<b>(277)</b>
<b>Surplus (deficit) from continuing operations after capital amounts</b>	<b>(932)</b>	<b>(277)</b>
<b>Surplus (deficit) from all operations before tax</b>	<b>(932)</b>	<b>(277)</b>
<b>SURPLUS (DEFICIT) AFTER TAX</b>	<b>(932)</b>	<b>(277)</b>
<b>Plus accumulated surplus</b>	5,056	5,333
<b>Plus/less: increase in asset revaluation reserve</b>	(64)	–
<b>Plus/less: Transfer of net assets to General Fund</b>	(4,060)	–
<b>Closing accumulated surplus</b>	–	5,056
<b>Return on capital %</b>	0.0%	(60.1)%
<b>Subsidy from Council</b>	930	283

(1) Discontinued Operation as at 30/06/2020. Refer to Note 1 - Declared Business Activities

## Clarence Valley Council

## Statement of Financial Position – Water Supply Business Activity

as at 30 June 2020

\$ '000	2020	2019
<b>ASSETS</b>		
<b>Current assets</b>		
Cash and cash equivalents	665	206
Investments	16,306	3,889
Receivables	4,429	5,197
Other	–	2
<b>Total current assets</b>	<b>21,400</b>	<b>9,294</b>
<b>Non-current assets</b>		
Investments	27,507	27,399
Receivables	53	34
Infrastructure, property, plant and equipment	358,954	361,749
Intangible assets	1	2
<b>Total non-current assets</b>	<b>386,515</b>	<b>389,184</b>
<b>TOTAL ASSETS</b>	<b>407,915</b>	<b>398,478</b>
<b>LIABILITIES</b>		
<b>Current liabilities</b>		
Payables	1,262	659
Borrowings	1,087	1,010
<b>Total current liabilities</b>	<b>2,349</b>	<b>1,669</b>
<b>Non-current liabilities</b>		
Borrowings	20,350	21,436
<b>Total non-current liabilities</b>	<b>20,350</b>	<b>21,436</b>
<b>TOTAL LIABILITIES</b>	<b>22,699</b>	<b>23,105</b>
<b>NET ASSETS</b>	<b>385,216</b>	<b>375,373</b>
<b>EQUITY</b>		
Accumulated surplus	214,972	208,400
Revaluation reserves	170,244	166,973
<b>TOTAL EQUITY</b>	<b>385,216</b>	<b>375,373</b>

## Clarence Valley Council

## Statement of Financial Position – Sewerage Business Activity

as at 30 June 2020

\$ '000	2020	2019
<b>ASSETS</b>		
<b>Current assets</b>		
Cash and cash equivalents	1,234	381
Investments	7,539	5,798
Receivables	1,417	1,912
Other	–	2
<b>Total current assets</b>	<b>10,190</b>	<b>8,093</b>
<b>Non-current assets</b>		
Investments	5,976	7,122
Receivables	340	217
Infrastructure, property, plant and equipment	259,844	269,462
Intangible assets	36	49
<b>Total non-current assets</b>	<b>266,196</b>	<b>276,850</b>
<b>TOTAL ASSETS</b>	<b>276,386</b>	<b>284,943</b>
<b>LIABILITIES</b>		
<b>Current liabilities</b>		
Payables	808	500
Borrowings	4,514	3,500
<b>Total current liabilities</b>	<b>5,322</b>	<b>4,000</b>
<b>Non-current liabilities</b>		
Borrowings	60,238	64,752
<b>Total non-current liabilities</b>	<b>60,238</b>	<b>64,752</b>
<b>TOTAL LIABILITIES</b>	<b>65,560</b>	<b>68,752</b>
<b>NET ASSETS</b>	<b>210,826</b>	<b>216,191</b>
<b>EQUITY</b>		
Accumulated surplus	117,269	118,589
Revaluation reserves	93,557	97,602
<b>TOTAL EQUITY</b>	<b>210,826</b>	<b>216,191</b>

## Clarence Valley Council

### Statement of Financial Position – Holiday Parks

as at 30 June 2020

\$ '000	2020 Category 1	2019 Category 1
<b>ASSETS</b>		
<b>Current assets</b>		
Cash and cash equivalents	26	48
Investments	2,236	2,660
Receivables	41	1,639
<b>Total current assets</b>	<b>2,303</b>	<b>4,347</b>
<b>Non-current assets</b>		
Infrastructure, property, plant and equipment	21,348	29,216
<b>Total non-current assets</b>	<b>21,348</b>	<b>29,216</b>
<b>TOTAL ASSETS</b>	<b>23,651</b>	<b>33,563</b>
<b>LIABILITIES</b>		
<b>Current liabilities</b>		
Payables	750	681
<b>Total current liabilities</b>	<b>750</b>	<b>681</b>
<b>TOTAL LIABILITIES</b>	<b>750</b>	<b>681</b>
<b>NET ASSETS</b>	<b>22,901</b>	<b>32,882</b>
<b>EQUITY</b>		
Accumulated surplus	14,511	23,806
Revaluation reserves	8,390	9,076
<b>TOTAL EQUITY</b>	<b>22,901</b>	<b>32,882</b>

## Clarence Valley Council

### Statement of Financial Position – Clarence Care & Support

as at 30 June 2020

\$ '000	2020 <sup>1</sup> Category 1	2019 Category 1
<b>ASSETS</b>		
<b>Current assets</b>		
Cash and cash equivalents	–	1
Investments	–	5,635
Receivables	–	541
<b>Total current assets</b>	<b>–</b>	<b>6,177</b>
<b>Non-current assets</b>		
Infrastructure, property, plant and equipment	–	461
Intangible assets	–	30
<b>Total non-current assets</b>	<b>–</b>	<b>491</b>
<b>TOTAL ASSETS</b>	<b>–</b>	<b>6,668</b>
<b>LIABILITIES</b>		
<b>Current liabilities</b>		
Payables	–	1,612
<b>Total current liabilities</b>	<b>–</b>	<b>1,612</b>
<b>TOTAL LIABILITIES</b>	<b>–</b>	<b>1,612</b>
<b>NET ASSETS</b>	<b>–</b>	<b>5,056</b>
<b>EQUITY</b>		
Accumulated surplus	–	4,992
Revaluation reserves	–	64
<b>TOTAL EQUITY</b>	<b>–</b>	<b>5,056</b>

(1) Discontinued Operation as at 30/06/2020. Refer to Note 1 - Declared Business Activities

## Clarence Valley Council

# Notes to the Special Purpose Financial Statements

for the year ended 30 June 2020

## Note 1. Significant Accounting Policies

A statement summarising the supplemental accounting policies adopted in the preparation of the Special Purpose Financial Statements (SPFS) for National Competition Policy (NCP) reporting purposes follows.

These financial statements are SPFS prepared for use by Council and the Office of Local Government. For the purposes of these statements, the Council is a non-reporting not-for-profit entity.

The figures presented in these Special Purpose Financial Statements have been prepared in accordance with the recognition and measurement criteria of relevant Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards Board (AASB) and Australian Accounting Interpretations.

The disclosures in these Special Purpose Financial Statements have been prepared in accordance with the Local Government Act 2093 (NSW), the *Local Government (General) Regulation 2005*, and the Local Government Code of Accounting Practice and Financial Reporting.

The statements are prepared on an accruals basis. They are based on historic costs and do not take into account changing money values or, except where specifically stated, current values of non-current assets. Certain taxes and other costs, appropriately described, have been imputed for the purposes of the National Competition Policy.

The Statement of Financial Position includes notional assets/liabilities receivable from/payable to Council's general fund. These balances reflect a notional intra-entity funding arrangement with the declared business activities.

### National Competition Policy

Council has adopted the principle of 'competitive neutrality' in its business activities as part of the National Competition Policy which is being applied throughout Australia at all levels of government.

The framework for its application is set out in the June 1996 NSW government policy statement titled 'Application of National Competition Policy to Local Government'.

The *Pricing and Costing for Council Businesses, A Guide to Competitive Neutrality* issued by the Office of Local Government in July 1997 has also been adopted.

The pricing and costing guidelines outline the process for identifying and allocating costs to activities and provide a standard for disclosure requirements.

These disclosures are reflected in Council's pricing and/or financial reporting systems and include taxation equivalents, Council subsidies, return on investments (rate of return), and dividends paid.

### Declared business activities

In accordance with Pricing and Costing for Council Businesses – A Guide to Competitive Neutrality, Council has declared that the following are to be considered as business activities:

#### Category 1

(where gross operating turnover is over \$2 million)

##### a. Clarence Valley Council Water Supply Fund

Provision of Water Supply Services

##### b. Clarence Valley Council Sewerage Services

Provision of Sewerage Augmentation, Reticulation & Treatment

##### c. Holiday Parks

Camping & Caravan Park Accommodation

##### d. Clarence Care + Support

Clarence Care + Support services provided by Council, includes the:

- Home Care Services
- Community Business
- National Disability Insurance Scheme (NDIS)
- Green Room



## Clarence Valley Council

### Notes to the Special Purpose Financial Statements

for the year ended 30 June 2020

#### Note 1. Significant Accounting Policies (continued)

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- Short Term Resorative Care (STRC)

On 30 June 2020 Clarence Valley Council transferred the existing services provided by Clarence Care + Support to Wesley Community Services Limited trading as Wesley Mission. Council's intention is that at 30 June 2020, Clarence Care + Support no longer exists as a Category 1 business.

#### Category 2

(where gross operating turnover is less than \$2 million)

Council has no business activities in this category.

#### Monetary amounts

Amounts shown in the financial statements are in Australian dollars and rounded to the nearest one thousand dollars.

#### (i) Taxation equivalent charges

Council is liable to pay various taxes and financial duties. Where this is the case, they are disclosed as a cost of operations just like all other costs.

However, where Council does not pay some taxes which are generally paid by private sector businesses, such as income tax, these equivalent tax payments have been applied to all Council-nominated business activities and are reflected in Special Purpose Financial Statements.

For the purposes of disclosing comparative information relevant to the private sector equivalent, the following taxation equivalents have been applied to all Council-nominated business activities (this does not include Council's non-business activities):

#### Notional rate applied (%)

Corporate income tax rate – 27.5%

Land tax – the first \$734,000 of combined land values attracts 0%. For the combined land values in excess of \$734,001 up to \$4,488,000 the rate is 1.6% + \$100. For the remaining combined land value that exceeds \$4,488,000 a premium marginal rate of 2.0% applies.

Payroll tax – 5.45% on the value of taxable salaries and wages in excess of \$900,000.

In accordance with the Best Practice Management of Water Supply and Sewer Guidelines, a payment for the amount calculated as the annual tax equivalent charges (excluding income tax) must be paid from water supply and sewerage business activities.

The payment of taxation equivalent charges, referred to in the Best Practice Management of Water Supply and Sewer Guidelines as a 'dividend for taxation equivalent', may be applied for any purpose allowed under the *Local Government Act, 1993*.

Achievement of substantial compliance to the DoI – Water guidelines is not a prerequisite for the payment of the tax equivalent charges, however the payment must not exceed \$3 per assessment.

#### Income tax

An income tax equivalent has been applied on the profits of the business activities.

Whilst income tax is not a specific cost for the purpose of pricing a good or service, it needs to be taken into account in terms of assessing the rate of return required on capital invested.

Accordingly, the return on capital invested is set at a pre-tax level - gain/(loss) from ordinary activities before capital amounts, as would be applied by a private sector competitor. That is, it should include a provision equivalent to the corporate income tax rate, currently 27.5%.

Income tax is only applied where a gain/ (loss) from ordinary activities before capital amounts has been achieved.

## Clarence Valley Council

### Notes to the Special Purpose Financial Statements

for the year ended 30 June 2020

#### Note 1. Significant Accounting Policies (continued)

Since the taxation equivalent is notional – that is, it is payable to Council as the ‘owner’ of business operations - it represents an internal payment and has no effect on the operations of the Council. Accordingly, there is no need for disclosure of internal charges in the SPFS.

The rate applied of 27.5% is the equivalent company tax rate prevalent at reporting date. No adjustments have been made for variations that have occurred during the year.

##### Local government rates and charges

A calculation of the equivalent rates and charges payable on all category 1 businesses has been applied to all land assets owned or exclusively used by the business activity.

##### Loan and debt guarantee fees

The debt guarantee fee is designed to ensure that council business activities face ‘true’ commercial borrowing costs in line with private sector competitors.

In order to calculate a debt guarantee fee, Council has determined what the differential borrowing rate would have been between the commercial rate and Council’s borrowing rate for its business activities.

##### (ii) Subsidies

Government policy requires that subsidies provided to customers, and the funding of those subsidies, must be explicitly disclosed.

Subsidies occur when Council provides services on a less-than-cost-recovery basis. This option is exercised on a range of services in order for Council to meet its community service obligations.

Accordingly, ‘subsidies disclosed’ (in relation to National Competition Policy) represents the difference between revenue generated from ‘rate of return’ pricing and revenue generated from prices set by Council in any given financial year.

The overall effect of subsidies is contained within the Income Statement of each reported business activity.

##### (iii) Return on investments (rate of return)

The NCP policy statement requires that councils with Category 1 businesses ‘would be expected to generate a return on capital funds employed that is comparable to rates of return for private businesses operating in a similar field’.

Such funds are subsequently available for meeting commitments or financing future investment strategies.

The actual rate of return achieved by each business activity is disclosed at the foot of each respective Income Statement.

The rate of return is calculated as follows:

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#### Operating result before capital income + interest expense

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#### Written down value of I,PP&E as at 30 June

As a minimum, business activities should generate a return equal to the Commonwealth 10 year bond rate which is 0.88% at 30/6/20.

##### (iv) Dividends

Council is not required to pay dividends to either itself (as owner of a range of businesses) or to any external entities.

Local government water supply and sewerage businesses are permitted to pay an annual dividend from its water supply or sewerage business surplus.

Each dividend must be calculated and approved in accordance with the Best Practice Management of Water Supply and Sewer Guidelines and must not exceed:

- 50% of this surplus in any one year, or

continued on next page ...

## Clarence Valley Council

### Notes to the Special Purpose Financial Statements for the year ended 30 June 2020

#### Note 1. Significant Accounting Policies (continued)

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- the number of water supply or sewerage assessments at 30 June 2020 multiplied by \$30 (less the payment for tax equivalent charges, not exceeding \$3 per assessment).

In accordance with the Department of Industry – Water guidelines a Dividend Payment form, Statement of Compliance, Unqualified Independent Financial Audit Report and Compliance Audit Report are required to be submitted to the Department of Industry – Water.



**INDEPENDENT AUDITOR'S REPORT**  
**Report on the special purpose financial statements**  
**Clarence Valley Council**

To the Councillors of Clarence Valley Council

### **Opinion**

I have audited the accompanying special purpose financial statements (the financial statements) of Clarence Valley Council's (the Council) Declared Business Activities, which comprise the Statement by Councillors and Management, the Income Statement of each Declared Business Activity for the year ended 30 June 2020, the Statement of Financial Position of each Declared Business Activity as at 30 June 2020 and Note 1 Significant accounting policies for the Business Activities declared by Council.

The Declared Business Activities of the Council are:

- Water Supply Services
- Sewerage Services
- Holiday Parks
- Clarence Care and Support Services.

In my opinion, the financial statements present fairly, in all material respects, the financial position of the Council's declared Business Activities as at 30 June 2020, and their financial performance for the year then ended, in accordance with the Australian Accounting Standards described in Note 1 and the Local Government Code of Accounting Practice and Financial Reporting – update number 28 (LG Code).

My opinion should be read in conjunction with the rest of this report.

### **Basis for Opinion**

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Financial Statements' section of my report.

I am independent of the Council in accordance with the requirements of the:

- Australian Auditing Standards
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants (including Independence Standards)' (APES 110).

I have fulfilled my other ethical responsibilities in accordance with APES 110.

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as the auditor of councils
- precluding the Auditor-General from providing non-audit services.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

### **Emphasis of Matter - Basis of Accounting**

Without modifying my opinion, I draw attention to Note 1 to the financial statements which describes the basis of accounting. The financial statements have been prepared for the purpose of fulfilling the Council's financial reporting responsibilities under the LG Code. As a result, the financial statements may not be suitable for another purpose.

### **Other Information**

The Council's annual report for the year ended 30 June 2020 includes other information in addition to the financial statements and my Independent Auditor's Report thereon. The Councillors are responsible for the other information. At the date of this Independent Auditor's Report, the other information I have received comprise the general purpose financial statements and Special Schedules (the Schedules).

My opinion on the financial statements does not cover the other information. Accordingly, I do not express any form of assurance conclusion on the other information. However, as required by the *Local Government Act 1993*, I have separately expressed an opinion on the general purpose financial statements and Special Schedule 'Permissible income for general rates'.

In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude there is a material misstatement of the other information, I must report that fact.

I have nothing to report in this regard.

### **The Councillors' Responsibilities for the Financial Statements**

The Councillors are responsible for the preparation and fair presentation of the financial statements and for determining that the accounting policies, described in Note 1 to the financial statements, are appropriate to meet the requirements in the LG Code. The Councillors' responsibility also includes such internal control as the Councillors determine is necessary to enable the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Councillors are responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting.

## **Auditor's Responsibilities for the Audit of the Financial Statements**

My objectives are to:

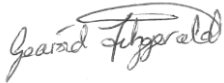
- obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial statements.

A description of my responsibilities for the audit of the financial statements is located at the Auditing and Assurance Standards Board website at: [www.auasb.gov.au/auditors\\_responsibilities/ar4.pdf](http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf). The description forms part of my auditor's report.

The scope of my audit does not include, nor provide assurance:

- that the Council carried out its activities effectively, efficiently and economically
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented
- about any other information which may have been hyperlinked to/from the financial statements.



Gearoid Fitzgerald  
Delegate of the Auditor-General for New South Wales

26 November 2020  
SYDNEY

# Clarence Valley Council

SPECIAL SCHEDULES  
for the year ended 30 June 2020

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# Clarence Valley Council

## Special Schedules

for the year ended 30 June 2020

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## Clarence Valley Council

## Permissible income for general rates

\$ '000	Notes	Calculation 2020/21	Calculation 2019/20
<b>Notional general income calculation <sup>1</sup></b>			
Last year notional general income yield	a	33,583	31,015
Plus or minus adjustments <sup>2</sup>	b	275	84
<b>Notional general income</b>	c = a + b	<b>33,858</b>	<b>31,099</b>
<b>Permissible income calculation</b>			
Special variation percentage <sup>3</sup>	d	8.00%	8.00%
Plus special variation amount	h = d x (c + g)	2,709	2,488
<b>Sub-total</b>	k = (c + g + h + i + j)	<b>36,567</b>	<b>33,587</b>
Plus (or minus) last year's carry forward total	l	5	3
<b>Sub-total</b>	n = (l + m)	<b>5</b>	<b>3</b>
<b>Total permissible income</b>	o = k + n	<b>36,572</b>	<b>33,590</b>
Less notional general income yield	p	36,566	33,583
<b>Catch-up or (excess) result</b>	q = o - p	<b>6</b>	<b>6</b>
Less unused catch-up <sup>4</sup>	s	(1)	(1)
<b>Carry forward to next year <sup>5</sup></b>	t = q + r + s	<b>5</b>	<b>5</b>

**Notes**

- (1) The notional general income will not reconcile with rate income in the financial statements in the corresponding year. The statements are reported on an accrual accounting basis which include amounts that relate to prior years' rates income.
- (2) Adjustments account for changes in the number of assessments and any increase or decrease in land value occurring during the year. The adjustments are called 'supplementary valuations' as defined in the Valuation of Land Act 1916.
- (3) The 'special variation percentage' is inclusive of the rate peg percentage and where applicable Crown land adjustment.
- (4) Unused catch-up amounts will be deducted if they are not caught up within 2 years. Usually councils will have a nominal carry forward figure. These amounts can be adjusted for in setting the rates in a future year.
- (5) Carry forward amounts which are in excess (an amount that exceeds the permissible income) require ministerial approval by order published in the NSW Government Gazette in accordance with section 512 of the Local Government Act 1993. The OLG will extract these amounts from Council's Permissible income for general rates Statement in the financial data return (FDR) to administer this process.



**INDEPENDENT AUDITOR'S REPORT**  
**Special Schedule - Permissible income for general rates**  
**Clarence Valley Council**

To the Councillors of Clarence Valley Council

### **Opinion**

I have audited the accompanying Special Schedule – Permissible income for general rates (the Schedule) of Clarence Valley Council (the Council) for the year ending 30 June 2021.

In my opinion, the Schedule is prepared, in all material respects in accordance with the requirements of the Local Government Code of Accounting Practice and Financial Reporting – update number 28 (LG Code), and is in accordance with the books and records of the Council.

My opinion should be read in conjunction with the rest of this report.

### **Basis for Opinion**

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Schedule' section of my report.

I am independent of the Council in accordance with the requirements of the:

- Australian Auditing Standards
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants (including Independence Standards)' (APES 110).

I have fulfilled my other ethical responsibilities in accordance with APES 110.

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of councils
- precluding the Auditor-General from providing non-audit services.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

## **Emphasis of Matter - Basis of Accounting**

Without modifying my opinion, I draw attention to the special purpose framework used to prepare the Schedule. The Schedule has been prepared for the purpose of fulfilling the Council's reporting obligations under the LG Code. As a result, the Schedule may not be suitable for another purpose.

## **Other Information**

The Council's annual report for the year ended 30 June 2020 includes other information in addition to the Schedule and my Independent Auditor's Report thereon. The Councillors are responsible for the other information. At the date of this Independent Auditor's Report, the other information I have received comprise the general purpose financial statements, special purpose financial statements and Special Schedule 'Report on infrastructure assets as at 30 June 2020.

My opinion on the Schedule does not cover the other information. Accordingly, I do not express any form of assurance conclusion on the other information. However, as required by the *Local Government Act 1993*, I have separately expressed an opinion on the general purpose financial statements and the special purpose financial statements.

In connection with my audit of the Schedule, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the Schedule or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude there is a material misstatement of the other information, I must report that fact.

I have nothing to report in this regard.

## **The Councillors' Responsibilities for the Schedule**

The Councillors are responsible for the preparation of the Schedule in accordance with the LG Code. The Councillors' responsibility also includes such internal control as the Councillors determine is necessary to enable the preparation of the Schedule that is free from material misstatement, whether due to fraud or error.

In preparing the Schedule, the Councillors are responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting.

## **Auditor's Responsibilities for the Audit of the Schedule**

My objectives are to:

- obtain reasonable assurance whether the Schedule as a whole is free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the Schedule.

A description of my responsibilities for the audit of the Schedule is located at the Auditing and Assurance Standards Board website at: [www.auasb.gov.au/auditors\\_responsibilities/ar8.pdf](http://www.auasb.gov.au/auditors_responsibilities/ar8.pdf). The description forms part of my auditor's report.

The scope of my audit does not include, nor provide assurance:

- that the Council carried out its activities effectively, efficiently and economically
- about the security and controls over the electronic publication of the audited Schedule on any website where it may be presented
- about any other information which may have been hyperlinked to/from the Schedule.



Gearoid Fitzgerald  
Delegate of the Auditor-General for New South Wales

26 November 2020  
SYDNEY

## Clarence Valley Council

## Report on Infrastructure Assets

as at 30 June 2020

Asset Class	Asset Category	Estimated cost		2019/20 Required maintenance <sup>a</sup>	2019/20 Actual maintenance	Net carrying amount	Gross replacement cost (GRC)	Assets in condition as a percentage of gross replacement cost				
		Estimated cost to bring assets to satisfactory standard	to bring to the agreed level of service set by Council					1	2	3	4	5
		\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000					
<b>(a) Report on Infrastructure Values as at 30 June 2020</b>												
<b>Buildings</b>	Other	–	–	9	46	1,748	2,354	48.6%	45.5%	5.9%	0.0%	(0.0%)
	Council Offices /Administration Centres	–	–	110	192	8,656	14,932	0.0%	53.5%	37.7%	0.0%	8.8%
	Council Works Depot	169	169	47	250	10,621	12,395	77.4%	11.0%	10.2%	1.4%	0.0%
	Council Public Halls	–	–	110	118	12,325	19,758	34.2%	47.5%	18.3%	0.0%	0.0%
	Libraries	–	–	67	141	8,625	9,800	86.0%	12.4%	1.6%	0.0%	0.0%
	Council Houses	223	223	50	57	4,877	8,690	19.2%	61.2%	18.4%	1.2%	0.0%
	Museums	–	–	33	32	1,889	3,319	7.2%	72.7%	20.1%	0.0%	0.0%
	Childcare / Community Health	–	–	79	74	1,436	2,109	19.3%	73.8%	7.0%	0.0%	0.0%
	Art Gallery	–	–	40	40	2,219	3,315	30.6%	47.0%	22.4%	0.0%	0.0%
	Public Toilets	155	155	42	43	4,165	6,055	37.4%	42.2%	17.8%	2.6%	0.0%
	Parks & Reserves Buildings	–	–	80	4	824	1,366	13.0%	75.3%	11.7%	0.0%	0.0%
	Sports Buildings	918	918	141	443	24,102	33,817	51.8%	35.1%	11.4%	1.8%	0.0%
	Swimming Pool Buildings	95	95	61	33	3,895	6,046	33.3%	56.4%	8.7%	1.6%	0.0%
	Holiday Parks Buildings	1,787	1,787	193	120	6,184	12,029	15.0%	52.7%	17.5%	14.9%	0.0%
	Saleyards Buildings	–	–	3	3	253	370	18.2%	57.2%	24.6%	0.0%	0.0%
	Waste Facilities	–	–	6	13	7,922	9,663	58.0%	41.1%	1.0%	0.0%	0.0%
	Water & Sewer Buildings	544	544	10	28	6,565	8,071	75.8%	11.9%	5.6%	6.7%	0.0%
	Emergency Services	323	323	26	85	9,891	13,801	42.9%	41.9%	12.9%	2.3%	0.0%
	<b>Sub-total</b>	<b>4,214</b>	<b>4,214</b>	<b>1,107</b>	<b>1,722</b>	<b>116,197</b>	<b>167,890</b>	<b>42.1%</b>	<b>40.5%</b>	<b>14.3%</b>	<b>2.3%</b>	<b>0.8%</b>
<b>Other structures</b>	Other structures	55	55	5	101	10,096	11,861	89.4%	4.1%	5.6%	0.9%	0.0%
	Airports	390	390	132	143	3,949	5,461	91.5%	1.3%	0.0%	7.1%	0.0%
	Saleyards	–	–	9	69	2,000	3,520	47.8%	37.0%	15.2%	0.0%	0.0%
	Cemeteries	32	32	185	–	847	1,766	3.7%	37.1%	57.5%	1.8%	0.0%
	Tips	–	–	3	7	4,088	6,946	54.8%	30.5%	14.7%	0.0%	0.0%
	<b>Sub-total</b>	<b>477</b>	<b>477</b>	<b>334</b>	<b>320</b>	<b>20,980</b>	<b>29,554</b>	<b>71.6%</b>	<b>15.7%</b>	<b>11.0%</b>	<b>1.8%</b>	<b>0.0%</b>

## Clarence Valley Council

## Report on Infrastructure Assets (continued)

as at 30 June 2020

Asset Class	Asset Category	Estimated cost		2019/20 Required maintenance <sup>a</sup>	2019/20 Actual maintenance	Net carrying amount	Gross replacement cost (GRC)	Assets in condition as a percentage of gross replacement cost				
		Estimated cost to bring assets to satisfactory standard	to bring to the agreed level of service set by Council					1	2	3	4	5
		\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000					
<b>Roads</b>	Sealed roads	32,686	32,686	4,743	4,158	531,029	665,722	41.8%	34.1%	19.2%	4.5%	0.5%
	Unsealed roads	–	–	2,952	3,003	77,511	135,978	36.3%	15.0%	48.7%	0.0%	0.0%
	Bridges	827	827	777	794	109,898	152,862	13.5%	18.5%	67.5%	0.5%	0.0%
	Footpaths & Cycleways	1,765	1,765	296	230	19,901	30,513	27.3%	29.1%	37.9%	2.1%	3.7%
	Road Furniture	39	39	173	640	17,643	22,520	38.7%	56.1%	5.0%	0.2%	0.0%
	Water Transport Facilities	178	178	88	85	5,931	7,562	53.7%	28.8%	15.1%	2.4%	0.0%
	Carparks	–	–	14	59	4,299	4,643	81.8%	17.3%	0.9%	0.0%	0.0%
	Bus Shelters	–	–	17	25	780	1,165	29.0%	59.4%	11.6%	0.0%	0.0%
	<b>Sub-total</b>	<b>35,495</b>	<b>35,495</b>	<b>9,060</b>	<b>8,994</b>	<b>766,992</b>	<b>1,020,965</b>	<b>36.5%</b>	<b>29.5%</b>	<b>30.5%</b>	<b>3.1%</b>	<b>0.4%</b>
<b>Water supply network</b>	Dams / Weirs	286	286	274	238	74,388	89,793	99.7%	0.0%	0.0%	0.3%	0.0%
	Mains	8,242	8,242	1,909	1,926	235,540	341,779	26.7%	66.9%	3.6%	0.0%	2.8%
	Reservoirs & Treatment	4,905	4,905	281	351	31,710	45,868	14.1%	40.2%	28.3%	0.0%	17.4%
	Pumping Station/s	370	370	49	73	3,969	8,886	59.4%	20.4%	16.0%	0.0%	4.2%
		<b>Sub-total</b>	<b>13,803</b>	<b>13,803</b>	<b>2,513</b>	<b>2,588</b>	<b>345,607</b>	<b>486,326</b>	<b>39.6%</b>	<b>51.1%</b>	<b>5.5%</b>	<b>0.1%</b>
<b>Sewerage network</b>	Mains	279	279	502	812	133,622	178,133	41.9%	47.3%	10.7%	0.2%	0.0%
	Pumping Station/s	2,799	2,799	529	683	30,619	58,743	55.7%	31.1%	8.5%	4.8%	0.0%
	Treatment	727	727	704	1,057	84,697	128,579	73.8%	4.9%	17.3%	3.9%	0.0%
		<b>Sub-total</b>	<b>3,805</b>	<b>3,805</b>	<b>1,735</b>	<b>2,552</b>	<b>245,938</b>	<b>365,455</b>	<b>55.4%</b>	<b>29.8%</b>	<b>12.7%</b>	<b>2.2%</b>
<b>Stormwater drainage</b>	Stormwater drainage	14,299	14,299	1,167	902	149,737	219,408	25.6%	54.4%	19.8%	0.2%	0.0%
		<b>Sub-total</b>	<b>14,299</b>	<b>14,299</b>	<b>1,167</b>	<b>902</b>	<b>149,737</b>	<b>219,408</b>	<b>25.6%</b>	<b>54.4%</b>	<b>19.8%</b>	<b>0.2%</b>
<b>Open space / recreational assets</b>	Swimming pools	222	222	152	182	6,602	10,422	18.9%	29.4%	49.7%	0.4%	1.8%
	Holiday Parks	31	31	152	181	4,308	6,920	56.3%	39.2%	4.1%	0.0%	0.5%
	Parks	221	221	1,600	1,220	8,529	13,255	46.9%	37.8%	13.7%	1.6%	0.1%
	Reserves	48	48	425	516	5,763	8,345	60.3%	28.4%	10.7%	0.6%	0.0%
	Sports Facilities	1,030	1,030	804	907	12,474	23,508	34.7%	43.4%	17.6%	4.4%	0.0%
		<b>Sub-total</b>	<b>1,552</b>	<b>1,552</b>	<b>3,133</b>	<b>3,006</b>	<b>37,676</b>	<b>62,450</b>	<b>40.4%</b>	<b>37.4%</b>	<b>19.7%</b>	<b>2.1%</b>



## Clarence Valley Council

### Report on Infrastructure Assets (continued)

as at 30 June 2020

Asset Class	Asset Category	Estimated cost		2019/20 Required maintenance <sup>a</sup>	2019/20 Actual maintenance	Net carrying amount	Gross replacement cost (GRC)	Assets in condition as a percentage of gross replacement cost				
		Estimated cost to bring assets to satisfactory standard \$ '000	to bring to the agreed level of service set by Council \$ '000					1	2	3	4	5
Other infrastructure assets	Floodplain	191	191	603	633	143,477	184,164	3.2%	65.4%	31.3%	0.1%	0.0%
	<b>Sub-total</b>	<b>191</b>	<b>191</b>	<b>603</b>	<b>633</b>	<b>143,477</b>	<b>184,164</b>	<b>3.2%</b>	<b>65.4%</b>	<b>31.3%</b>	<b>0.1%</b>	<b>0.0%</b>
<b>TOTAL - ALL ASSETS</b>		<b>73,836</b>	<b>73,836</b>	<b>19,652</b>	<b>20,717</b>	<b>1,826,604</b>	<b>2,536,212</b>	<b>37.4%</b>	<b>39.2%</b>	<b>20.7%</b>	<b>1.8%</b>	<b>0.9%</b>

(a) Required maintenance is the amount identified in Council's asset management plans.

#### Infrastructure asset condition assessment 'key'

1	<b>Excellent/very good</b>	No work required (normal maintenance)
2	<b>Good</b>	Only minor maintenance work required
3	<b>Satisfactory</b>	Maintenance work required
4	<b>Poor</b>	Renewal required
5	<b>Very poor</b>	Urgent renewal/upgrading required

## Clarence Valley Council

## Report on Infrastructure Assets (continued)

as at 30 June 2020

\$ '000	Amounts 2020	Indicator 2020	Prior period 2019	Benchmark
<b>Infrastructure asset performance indicators (consolidated) *</b>				
<b>Buildings and infrastructure renewals ratio <sup>1</sup></b>				
Asset renewals <sup>2</sup>	<b>12,678</b>	<b>30.87%</b>	31.73%	>=100.00%
Depreciation, amortisation and impairment	<b>41,073</b>			
<b>Infrastructure backlog ratio <sup>1</sup></b>				
Estimated cost to bring assets to a satisfactory standard	<b>73,836</b>	<b>4.04%</b>	4.29%	<2.00%
Net carrying amount of infrastructure assets	<b>1,826,604</b>			
<b>Asset maintenance ratio</b>				
Actual asset maintenance	<b>20,717</b>	<b>105.42%</b>	95.94%	>100.00%
Required asset maintenance	<b>19,652</b>			
<b>Cost to bring assets to agreed service level</b>				
Estimated cost to bring assets to an agreed service level set by Council	<b>73,836</b>	<b>2.91%</b>	3.14%	
Gross replacement cost	<b>2,536,212</b>			

(\*) All asset performance indicators are calculated using classes identified in the previous table.

(1) Excludes Work In Progress (WIP)

(2) Asset renewals represent the replacement and/or refurbishment of existing assets to an equivalent capacity/performance as opposed to the acquisition of new assets (or the refurbishment of old assets) that increases capacity/performance.

## Clarence Valley Council

## Report on Infrastructure Assets (continued)

as at 30 June 2020

\$ '000	General fund		Water fund		Sewer fund		Benchmark
	2020	2019	2020	2019	2020	2019	
<b>Infrastructure asset performance indicators (by fund)</b>							
<b>Buildings and infrastructure renewals ratio <sup>1</sup></b>							
Asset renewals <sup>2</sup>							
Depreciation, amortisation and impairment	<b>39.50%</b>	43.04%	<b>13.67%</b>	14.18%	<b>16.17%</b>	6.59%	>=100.00%
<b>Infrastructure backlog ratio <sup>1</sup></b>							
Estimated cost to bring assets to a satisfactory standard							
Net carrying amount of infrastructure assets	<b>4.58%</b>	4.83%	<b>3.97%</b>	4.53%	<b>1.51%</b>	1.43%	<2.00%
<b>Asset maintenance ratio</b>							
Actual asset maintenance							
Required asset maintenance	<b>101.12%</b>	94.65%	<b>102.98%</b>	97.33%	<b>147.09%</b>	105.42%	>100.00%
<b>Cost to bring assets to agreed service level</b>							
Estimated cost to bring assets to an agreed service level set by Council							
Gross replacement cost	<b>3.36%</b>	3.58%	<b>2.82%</b>	3.26%	<b>1.02%</b>	1.00%	

(1) Excludes Work In Progress (WIP)

(2) Asset renewals represent the replacement and/or refurbishment of existing assets to an equivalent capacity/performance as opposed to the acquisition of new assets (or the refurbishment of old assets) that increases capacity/performance.

# Grafton Jacaranda Festival Inc.

Jacaranda City, Grafton NSW Australia



Monique Ryan  
Governance Officer  
Clarence Valley Council  
Locked Bag 23  
GRAFTON NSW 2460

6 July 2020

Dear Monique

## **RE: Grafton Jacaranda Thursday – Part Day Public Holiday – 2021/2022**

Please accept this as a letter of support for the Jacaranda Thursday part day holidays proposed for the following dates:

Thursday 4 November 2021

Thursday 3 November 2022

The Grafton Jacaranda Festival will be celebrating its 87<sup>th</sup> year in 2021 and 88<sup>th</sup> year in 2022. The festival is Australia's longest running floral festival, steeped in tradition, community participation and celebration. Established in 1934, the festival coincides with the flowering of Grafton's iconic jacaranda trees.

The Festival program of events takes place from the last weekend in October to the first weekend in November. The Festival attracts over 35,000 intra and interstate, national and international visitors to Grafton each year, injecting over \$2 million in economic benefit to the Clarence Valley.

Jacaranda Thursday has been part of this tradition for many years. This event is the major part of the 10 day festival and is celebrated from 6am in the morning with a free community breakfast. Road closures are put in place to allow for entertainment all day on the main streets of Grafton's CBD and in the public park, Market Square. The first half of the day, local business dress up and perform skits to the crowds of people on the streets enjoying over 150 market stalls and the entertainment.

The part day public holiday on Jacaranda Thursday is very important to allow business owners and employees to take the time to join in the festivities of the festival with their families and friends.

Kind regards,

Nicholas Buckler  
President

Mark Blackadder  
Festival Manager

info@jacarandafestival.com  
[jacarandafestival.com](http://jacarandafestival.com)

0429 167 732  
PO Box 400 Grafton NSW 2460  
COUNCIL MEETING - 15 DECEMBER 2020

11 August 2020

## **JULY RACING CARNIVAL - HALF DAY HOLIDAYS**

Mr A Moar  
Clarence Valley Council  
Locked Bag 23  
GRAFTON NSW 2460

Dear Mr Moar

Thank you for the opportunity to provide information in support of the application to have council gazette half day public holidays for the two main days of the July Racing Carnival.

I can confirm the dates for the 2021 July Carnival as Ramornie Handicap Day, Wednesday 7 July 2021, and Grafton Cup Day, Thursday 8 July 2021.

As Council is no doubt aware the July Racing Carnival is the "biggest event" that happens in the Clarence Valley each year not only in its direct economic stimulus to Grafton and the Valley but also in its ability to showcase Grafton not only nationally but with the advent of worldwide betting interest internationally to a large audience that view the event on pay television networks and internet providers.

The carnival will only remain popular with visitors to the Valley whilst ever it remains a sporting event with "Atmosphere" this can only be achieved whilst ever there is participation from the local community and the reality is this can only occur if the half day holidays remain in place.

Whilst the economic stimulus is obvious to business like Accommodation Houses, Restaurants, Petrol Stations, Supermarkets etc., there is a much greater influence on the valley by way of additional wages paid to part time employees at the race meetings in July. Over the two main days alone there are in the vicinity of 500 casual staff who are employed at the races. The great majority of these casual staff live permanently in the Clarence Valley and the direct benefit to them and its clear flow on are of great importance. For this reason alone it is imperative that we retain the two half day holidays into the future.

Prior to 2013 for other business there was a major issue with the cost of wages at penalty rates because of the full Half Day Public Holiday(s) extending into the night time hours which was especially felt by the Pubs, Clubs & Restaurants. This issue however is now of much lesser impact on business in the valley due to the shorter holiday rate hours (1pm-5pm). In fact the single employer with the largest number of staff receiving penalty rates on the half day holidays is most likely the CRJC. In the

short term we would be the biggest benefactor if the half day holidays were removed but the long term negative impact on the Carnival overall would be immeasurable.

These changes have ensured that race day support industries are now given an opportunity to provide entertainment and visitor facilities, which no doubt has improved the complete Carnival experience for both Clarence Valley residents and visitors alike.

Clearly it has now become much more viable for the local business mentioned above to operate, this has made it more attractive for people to remain in the valley after the races rather than drift away to neighbouring towns such as Coffs Harbour.

I am sure the current half day public holiday time limit 1pm-5pm has had a significant positive impact for the other business in the valley especially those providing food and beverage facilities after the races and I feel a continuation of those restrictions will continue to benefit the valleys business and ensure the long term viability and popularity of the July Racing Carnival.

I would be happy to discuss this matter further and provide any other information if required.

Yours faithfully



Michael Beattie  
Chief Executive Officer  
Clarence River Jockey Club

**Daina Wratten**

---

**From:** Daina Wratten  
**Sent:** Thursday, 10 December 2020 10:21 AM  
**To:** Daina Wratten  
**Subject:** FW: Part Day Public Holiday Submission for 2021 and 2022 - Maclean Show Society

Daina Wratten  
People & Culture Assistant  
**Clarence Valley Council**  
Locked Bag 23 GRAFTON NSW 2460  
P: (02) 6643 0817  
[www.clarence.nsw.gov.au](http://www.clarence.nsw.gov.au)

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**From:** [alex.moar@clarence.nsw.gov.au](mailto:alex.moar@clarence.nsw.gov.au) <[alex.moar@clarence.nsw.gov.au](mailto:alex.moar@clarence.nsw.gov.au)>  
**Sent:** Wednesday, November 25, 2020 6:31:29 AM  
**To:** [info@macleanshow.org.au](mailto:info@macleanshow.org.au) <[info@macleanshow.org.au](mailto:info@macleanshow.org.au)>  
**Cc:** Brian Ferrie <[blferrie@bigpond.com](mailto:blferrie@bigpond.com)>  
**Subject:** Re: Part Day Public Holiday Submission for 2021 and 2022 - Maclean Show Society

Hi Pru,  
Fantastic, thanks.

Alex

---

**From:** [info@macleanshow.org.au](mailto:info@macleanshow.org.au) <[info@macleanshow.org.au](mailto:info@macleanshow.org.au)>  
**Sent:** Tuesday, November 24, 2020 8:32:59 PM  
**To:** 'Alex Moar' <[Alex.Moar@clarence.nsw.gov.au](mailto:Alex.Moar@clarence.nsw.gov.au)>  
**Cc:** Brian Ferrie <[blferrie@bigpond.com](mailto:blferrie@bigpond.com)>  
**Subject:** RE: Part Day Public Holiday Submission for 2021 and 2022 - Maclean Show Society

Hi Alex,

We have had our meeting tonight and now can confirm that the 2021 + 2022 show dates are as follows:  
20<sup>th</sup> and 21<sup>st</sup> April 2021  
3<sup>rd</sup> and 4<sup>th</sup> May 2022.

Yes we will be needing the half day public holiday for the Wednesday of both years.

Kind regards  
Pru

*Pru Ensby*  
Secretary



Maclean Show Society  
0429 106 988

---

**From:** Alex Moar <[Alex.Moar@clarence.nsw.gov.au](mailto:Alex.Moar@clarence.nsw.gov.au)>  
**Sent:** Tuesday, 24 November 2020 12:10 PM  
**To:** [info@macleanshow.org.au](mailto:info@macleanshow.org.au)  
**Subject:** FW: Part Day Public Holiday Submission for 2021 and 2022 - Maclean Show Society  
**Importance:** High

Hi Maclean Show Society,

Please note that CVC has not received any correspondence back from you regarding the Maclean Show Day for 2021 and 2022.

Monique has since left and I am following up.

We urgently need to confirm this if you are requesting local public holidays for 2021 and 2022.

Please feel free to contact me on the numbers below.

Regards,

Alex Moar

Alex Moar  
Manager Organisational Development  
**Clarence Valley Council**  
Locked Bag 23 GRAFTON NSW 2460  
P: (02) 6643 0832  
M: 0436 919 930  
[www.clarence.nsw.gov.au](http://www.clarence.nsw.gov.au)



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**From:** Monique Ryan **On Behalf Of** Council Email  
**Sent:** Monday, 18 May 2020 9:22 AM  
**To:** [info@macleanshow.org.au](mailto:info@macleanshow.org.au)  
**Cc:** Alex Moar  
**Subject:** Part Day Public Holiday Submission for 2021 and 2022 - Maclean Show Society

Good Morning

I am the Governance Officer at Clarence Valley Council and will be collating the Council submission to NSW Treasury for the part day public holiday proposal for 2021 and 2022, which includes dates for Maclean Show, Jacaranda Day and Grafton/Ramornie Race Days.

In order to request part day public holidays for the Maclean Show Day for 2021 and 2022, I will require a statement from the Maclean Show Society president supporting the part day holiday. Can you please provide the Maclean Show dates and supporting statement to Council for the gazettal submission of the part day holidays by 30 June 2020.

Kind regards

Monique Ryan

Council Email

**Clarence Valley Council**

Locked Bag 23 GRAFTON NSW 2460

P: (02) 6643 0200

[www.clarence.nsw.gov.au](http://www.clarence.nsw.gov.au)

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## Daina Wratten

---

**From:** Alex Moar  
**Sent:** Thursday, 10 December 2020 9:55 AM  
**To:** Daina Wratten  
**Subject:** FW: Public Holiday Feedback - Grafton Chamber

Alex Moar  
Manager Organisational Development  
**Clarence Valley Council**  
Locked Bag 23 GRAFTON NSW 2460  
P: (02) 6643 0832  
M: 0436 919 930  
[www.clarence.nsw.gov.au](http://www.clarence.nsw.gov.au)

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**From:** David Newberry <[David.Newberry@clarence.nsw.gov.au](mailto:David.Newberry@clarence.nsw.gov.au)>  
**Sent:** Wednesday, 2 December 2020 8:54 AM  
**To:** Elizabeth Fairweather <[Elizabeth.Fairweather@clarence.nsw.gov.au](mailto:Elizabeth.Fairweather@clarence.nsw.gov.au)>  
**Subject:** Public Holiday Feedback - Grafton Chamber

Thankyou for the opportunity to provide feedback.

While the PH dates can be difficult for employers, the overall benefit to the business community provided by the PH during these events are certainly very beneficial.

Kind Regards

Carol

--  
Carol Pachos | President  
Grafton Chamber of Commerce

[president@graftonchamberofcommerce.org.au](mailto:president@graftonchamberofcommerce.org.au)



## LOCAL TRAFFIC COMMITTEE

**MINUTES** of a meeting of the **LOCAL TRAFFIC COMMITTEE** held in the Nymboida Meeting Room, Rushforth Road Depot, Tyson Street, South Grafton on Wednesday 4 November 2020 commencing at 9:40am.

**PRESENT:** Cr Arthur Lysaught (Chairman), Janet Gould (MP Rep), Alex Dalrymple (Council), Linda Makejev (TfNSW), Scott English (Police)

**APOLOGIES:** Jarrod French (Police), Malcolm Britt (Busways), Rod Gould (MP Rep)

**DECLARATION OF INTERESTS:** Nil

**PRESENTATIONS AND DEPUTATIONS:** Nil

**BUSINESS ARISING FROM PREVIOUS MEETING:** Attached overleaf

**INSPECTIONS TO BE UNDERTAKEN:** Nil

### OFFICERS' REPORTS

ITEM: 030/20 NO STOPPING – SKINNER STREET, SOUTH GRAFTON  
ITEM: 031/20 WATTS LANE INTERSECTION SIGNAGE  
ITEM: 032/20 REQUEST FOR AMBULANCE PARKING – CHARLES STREET, ILUKA  
ITEM: 033/20 GRAFTON CYCLE CLUB 2021/2022 MANAGEMENT PLAN AND RACING PROGRAM

### ITEMS FOR DISCUSSION

- Dinjerra Road, Glenugie – Hooning and Burnouts
- Item 027/20 – Driveway Warning Signage Yamba Road
- Gumnut Road
- Riverview Street, Iluka – One Way

### ADDITIONAL MATTERS:

For discussion Western end of North Street, New development – Materials over road from machinery

<b>WESTLAWN PUBLIC SCHOOL – SCHOOL CROSSING REQUEST</b>	
Item 017/17 16.5.17	That Council undertake further investigation into the proposed part time Children’s Crossings at the requested locations and report back to Committee.
20.6.17	<i>Submitted to Council Meeting 20.6.17. Comments from Malcolm Britt, Busways - our drivers suggest that it be positioned in Cranworth Street between North and Hoof.</i>
18.7.17	<i>Letter sent to applicant advising report will be submitted to September meeting of Traffic.</i>
15.8.17	<i>As above</i>
19.9.17	<i>Investigations continuing.</i>
17.10.17	<i>Due to staff issues no further action has been taken.</i>
21.11.17	<i>Traffic and pedestrian counts to be completed in December to allow assessment of crossing warrants.</i>
16.1.18	<i>Assessment of one potential crossing point completed. Additional crossing point to be assessed. Report to February 2018 meeting with assessments.</i>
20.2.18	<i>Report this meeting (Item 009/18)</i>
	<i>Submitted to Council Meeting 20 March 2018 Resolution - Council Item 009/18 20 March 2018</i>
20.3.18	<ol style="list-style-type: none"> <li><i>1. A school crossing not be considered for Cranworth St between Hoof and North St as the warrant for a school crossing has not been met.</i></li> <li><i>2. A school crossing be approved for North St, Grafton west of Cassie Street subject to the provision of required infrastructure (pending Traffic Committee advice to facilitate approval) and Westlawn Public School providing an undertaking to arrange the display of the “Children’s Crossing” flags or signs during and only during the specified period of operation 8am-9:30am and 2.30pm-4pm and when necessary at other times such as school excursions and school sport days.</i></li> <li><i>3. Council liaise with the Westlawn Public School to discuss if there are other (non-regulatory) options to improve safety for children travelling to and from the school where designated school crossings are not able to be provided within the warrant.</i></li> </ol>
17.4.18	<i>Design works associated with point 2 being programmed. Letter sent to school re point 2.</i>
15.5.18	<i>Design works yet to commence. No response received from school re point 3. Council to meet with the School on Friday 18 May 2018.</i>
19.6.18	<i>Meeting held with school on 18/5/2018. School requested possibility of extension of footpath in Hoof Street and whether assessment of crossing in Hoof Street was possible as OOSH had opened up opposite the school. Footpath to be assessed against PAMP and if appropriate placed on future works list. Pedestrian and traffic counts taken but yet to be assessed.</i>
17.7.18	<i>Survey and design of proposal has been added to Council’s work program.</i>
21.8.18	<i>No further action to date.</i>
18.9.18	<i>Council and RMS met on 13/9/18 to discuss other options to improve traffic flow and pedestrian movement around the school. Council to examine further footpath extension options suitable for grant funding and possible delineation of ‘kiss and drop’ areas. Traffic and</i>

	<i>pedestrian counts to be completed for Hoof Street to allow assessment of crossing warrants.</i>
16.10.18	<i>Report to October 2018 Traffic Committee meeting</i>
20.11.18	<i>Survey works programmed for November 2018 to include North Street and Hoof Street. Concept design to be completed by end December 2018 to include road blisters, pedestrian refuge and footpath extension.</i>
3.9.19	<i>Cost estimate for North Street crossing being developed for submission to RMS for funding. To be completed and submitted in September 2019.</i>
5.11.19	<i>A meeting is scheduled between RMS and Council for Tuesday of November to discuss this issue.</i>
5.2.20	<i>Meeting held and works prioritised and on the design program. Discussions have been held with Deputy Principal who will now discuss with the P&amp;C Association to verify location of school zone.</i>
1.4.20	<i>The design for the school crossing on North Street, Grafton is attached. An estimate has been forwarded to Transport for NSW to access funding which should it be available for the next financial year 2020/2021. Feedback from members – Malcolm Britt (Busways) Has there been provision made for a dedicated bus zone in Hoof St? Rod Gould (Local State Member of Parliament Representative) From my untrained eye, the plans look good, but I will be relying on Linda if small changes need to be made. Are we talking to TfNSW about funding on this one? TfNSW - Detailed design required to confirm distances between signs and width of crossing.</i>
3.6.20	<i>Revised design is being produced and a bus zone is being investigated including Hoof Street, Grafton.</i>
5.8.20	<i>Plans for North Street are attached for endorsement. The plans for Hoof Street are being re-drafted to reflect a time based bus / parking arrangement and removal of the Kiss and Drop Zone. This project has received a budget allocation for construction in the 20/21 FY.</i>
2.9.20	<i>Latest plans to be tabled at September meeting.</i>
4.11.20	<i>A School Crossing is being incorporated into the design.</i>
Item 023/19 2.7.19	<p><b>SCHOOL CROSSING REQUEST – VICTORIA STREET, GRAFTON</b></p> <p>That:</p> <ol style="list-style-type: none"> <li>1. A children’s crossing be approved approximately mid-block on Victoria Street, Grafton between Duke Street and Villiers Street, subject to the Clarence Valley Anglican School confirming that they will arrange the display of the “Children’s Crossing” flags or signs during and only during the specified period of operation 8.00am – 9.30am and 2.30pm – 4.00pm and when necessary at other times such as school excursions and school sport days;</li> <li>2. A detailed design of the crossing point be completed; and</li> <li>3. Council seek funding for the crossing (50%) from Roads and Maritime Service, noting that Council will need to contribute 50% at the time of construction.</li> </ol>
3.9.19	<i>Draft design completed for discussion at Committee meeting.</i>

5.11.19	<i>A meeting is scheduled between RMS and Council for Tuesday 5 of November to discuss this issue. Advised that RMS have already reviewed, are OK with it and funding has already been committed. Chantelle will advise at meeting and answer the question "Why 12m no stopping?"</i>
5.2.20	<i>Meeting held and works prioritised and on the design program.</i>
1.4.20	<i>Combined with item 028/19. Waiting for feedback from Active Transport Grants.</i>
3.6.20	<i>No further action to date.</i>
5.8.20	<i>Still waiting for feedback on active transport grants.</i>
2.9.20	<i>No further action to date</i>
4.11.20	<i>No further action to date</i>
Item: 007/20	<b>ARTHUR STREET, GRAFTON – HEAVY VEHICLES</b>
3.6.20	<i>That Council undertake vehicle counts and report back to the Committee with the results and any further recommendations.</i>
2.9.20	<i>No further update</i>
4.11.20	<i>No further update</i>
Item 009/20	<b>CLARENCE AND HARBOUR STREET, YAMBA – BLIND CORNER</b>
3.6.20	That: <ul style="list-style-type: none"> <li>1. Concept designs for a one-way treatment be developed that includes Harbour Street as Eastbound only and Clarence Street as Southbound only.</li> <li>2. That community consultation on the concept design be undertaken, and; <ul style="list-style-type: none"> <li>1. A further report be provided to the Traffic Committee on the outcome of points 1 and 2.</li> </ul> </li> </ul>
2.9.20	<i>No further update</i>
4.11.20	<i>No further update</i>
Item 018/20	<b>YAMBA ROAD/SOUTH BANK ROAD INTERSECTION STOP SIGN REQUEST</b>
5.8.20	That Council staff check sight distance to see if it meets the warrants of the installation of a Stop sign. If warrants are not met for the installation of a stop sign, Council consider other intersection warning signage at this location
2.9.20	<i>Sight distance has been inspected and reported that it does not meet the warrant for a 'Stop' sign. Intersection is being submitted for road safety grant.</i>
4.11.20	<i>A grant submission was drafted but needed further development as VCR to low.</i>
Item 022/20	<b>GRAFTON HOTEL NOSE IN PARKING</b>
5.8.20	1. To be held off at the present moment, to give Council staff greater time to provide an assessment of all of the Grafton CBD car parking and pedestrian areas. A number of safety issues have been raised relating to parking issues and recommend assessing other options to address the



	concerns raised.
2.9.20	<i>Safety issues are addressed in report submitted in September meeting.</i>
4.11.20	<i>Please refer to Item 025/20.</i>
	<b>GRAFTON HOTEL NOSE IN PARKING</b>
Item 024/20	That:
2.9.20	<ol style="list-style-type: none"> <li>1. Council formalise the existing reverse in parking arrangement with line markings that align with the columns of the building.</li> <li>2. A further report be provided should Council wish to proceed with a trial once the Grafton parking study commence.</li> </ol>
4.11.20	<i>Works have been scheduled</i>
	<b>SPEED ZONE REVIEW YAMBA ROAD MACLEAN TO HARWOOD BRIDGE</b>
Item 025/20	That:
2.9.20	<ol style="list-style-type: none"> <li>1. The request for a speed zone review for extending the 50km/hr zone to the east from Maclean not be forwarded to Transport for NSW, and;</li> <li>2. That the committee support an application for a proactive safety grant to implement a rural threshold treatment in this location.</li> </ol>
4.11.20	<i>A Safer Roads grant has been submitted.</i>
	<b>MODIFICATION TO TIMED BUS ZONES</b>
	That the following timed bus zones be updated to untimed bus zones.
Item 026/20	Prince Street Market Square
2.9.20	Fitzroy Street (St George Bank)
	Coldstream Street Ulmarra
	Craig Street (Motel)
4.11.20	<i>Modifications are complete</i>
	<b>DRIVEWAY WARNING SIGNAGE YAMBA ROAD</b>
Item 027/20	That approval for a concealed driveway sign not be provided and that relocation of the driveway by the applicant be considered.
5.8.20	
4.11.20	<i>Needs further investigation and new report</i>
	<b>MARANDOWIE DRIVE, ILUKA – SPEED ZONE EXTENSION</b>
Item 028/20	That:
2.9.20	<ol style="list-style-type: none"> <li>1. The request for speed zone extension not be forwarded to TfNSW.</li> <li>2. Council collect updated traffic count and speed data, and if warranted report back to a future meeting, and</li> <li>3. That an update to the pedestrian access and mobility plan (PAMP) for Iluka be considered by Council.</li> </ol>
4.11.20	<i>No further update</i>
	<b>COVID-19 TESTING LOCATION</b>
Item 029/20	That in principle support be given for the provision of a drive-thru Covid-19 testing facility, pending a suitable Special Event Application being submitted.
2.9.20	
4.11.20	<i>No further update</i>

<b>ITEM</b>	<b>030/20</b>	<b>NO STOPPING - SKINNER STREET, SOUTH GRAFTON</b>
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<b>Meeting</b>	Local Traffic Committee	4 November 2020
<b>Directorate</b>	Works & Civil	
<b>Reviewed by</b>	Manager - Civil Services (Alex Dalrymple)	
<b>Attachment</b>	Nil	

### SUMMARY

Council has received a request to install a 'no stopping' zone on Skinner Street, South Grafton to prevent vehicles from parking opposite Cowan Lane which blocks the right in and right out movements from Cowan Lane.

### OFFICER RECOMMENDATION

That a 'No Stopping' zone be implemented in Skinner Street, South Grafton to prevent vehicles parking in the centre island adjacent to Cowan Lane.

### LOCAL TRAFFIC COMMITTEE RECOMMENDATION

That a 'No Stopping' zone be implemented in Skinner Street, South Grafton to prevent vehicles parking in the centre island adjacent to Cowan Lane.

<b>Voting:</b>	<b>Council</b>	<b>Y</b>
	<b>Local State Member of Parliament Representative</b>	<b>Y</b>
	<b>TfNSW</b>	<b>Y</b>
	<b>Police</b>	<b>Y</b>

### LINKAGE TO OUR COMMUNITY PLAN

Theme 2 Infrastructure

Objective 1.4 We will have access and equity of services

Strategy 2.1.5 Provide safe and effective vehicular and pedestrian networks that balance asset conditions with available resources

### BACKGROUND

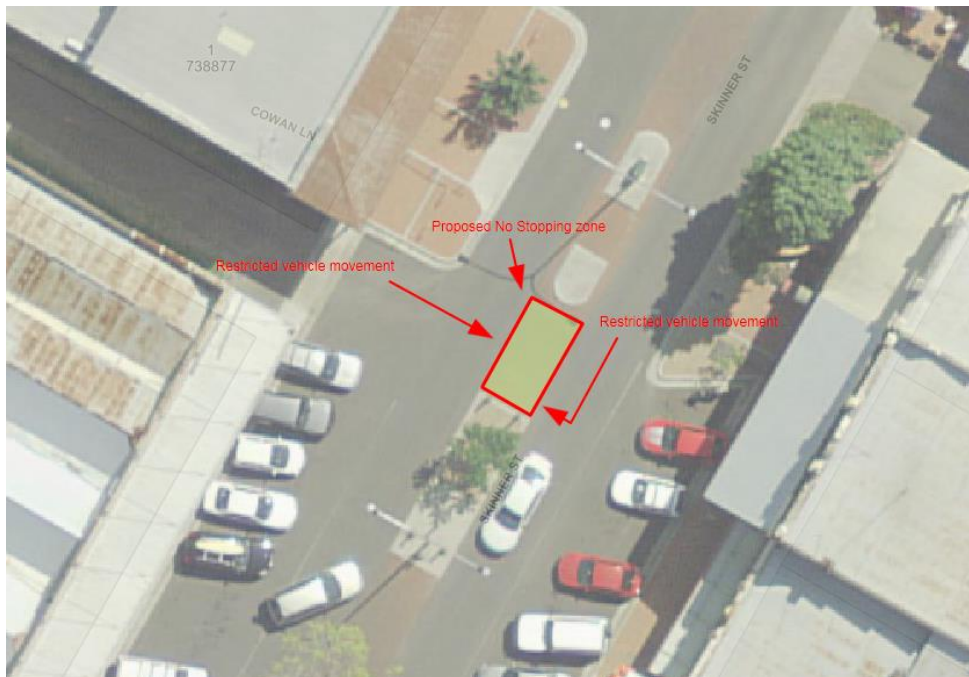
Council has received a request to install a 'no stopping' zone on Skinner Street, South Grafton to prevent vehicles from parking opposite Cowan Lane which blocks the right in and right out movements from Cowan Lane. Figure one illustrates this issue.

Figure 1 - Vehicle Blocking Access to Cowan Lane



In order to prevent this issues it is proposed to install a 'no stopping' zone to the median lane directly adjacent to Cowan Lane. This treatment area is illustrated in Figure 2.

Figure 2 - Proposed Treatment



## KEY ISSUES

Access to Cowan Lane is restricted when vehicles park in the median lane.

## COUNCIL IMPLICATIONS

### Budget/Financial

Install 2 posts and 'No Stopping' signs in the centre of the Skinner Street, South Grafton adjacent to Cowan Lane at a cost of approximately \$300. This can be funded from existing operational budgets.

### Asset Management

The new signs and posts would become Council assets.

### Policy or Regulation

AS 1742.11

**Consultation**

N/A

**Legal and Risk Management**

N/A

**Climate Change**

N/A

Prepared by	Phil Daniels
Attachment	Nil
To be tabled	Nil
Confidential	Nil

<b>ITEM</b>	<b>031/20</b>	<b>WATTS LANE INTERSECTION SIGNAGE</b>
<b>Meeting</b>	Local Traffic Committee	4 November 2020
<b>Directorate</b>	Works & Civil	
<b>Reviewed by</b>	Manager - Civil Services (Alex Dalrymple)	
<b>Attachment</b>	Yes	

### SUMMARY

TfNSW is seeking concurrence to the change from a 'stop' treatment to a 'give way' treatment at the intersection of Watts Lane and the Ulgundahi View, Harwood.

### OFFICER RECOMMENDATION

That the Local Traffic Committee concur with the amendment to signage at Watts Lane and Ulgundahi View.

### LOCAL TRAFFIC COMMITTEE RECOMMENDATION

That the Local Traffic Committee concur with the amendment to signage at Watts Lane and Ulgundahi View.

<b>Voting:</b>	<b>Council</b>	<b>Y</b>
	<b>Local State Member of Parliament Representative</b>	<b>Y</b>
	<b>TfNSW</b>	<b>Y</b>
	<b>Police</b>	<b>Y</b>

### LINKAGE TO OUR COMMUNITY PLAN

Theme 2 Infrastructure

Objective 2.1 We will have communities that are well serviced with appropriate infrastructure

Strategy 2.1.5 Provide safe and effective vehicular and pedestrian networks that balance asset conditions with available resources

### BACKGROUND

Prior to the Pacific Highway upgrade, the intersection of Watts Lane and the Pacific Highway was signposted with a Stop sign. There appears to be sufficient sight distance at this intersection, so it is assumed that this was done in response to traffic accidents and the crash history at this intersection. It is understood that there are eight serious injury crashes recorded at this intersection.

With the construction of the new Pacific Highway, the road environment at this location has changed significantly, with the elimination of highway traffic and the change from a crossroad to a T intersection. These two changes are considered to have significantly reduced the risk at this intersection.

### KEY ISSUES

The intersection of Watts Lane and Big River way does not meet the warrant for a 'stop' treatment and therefore the intersection should be converted to a 'give way'.

### COUNCIL IMPLICATIONS

#### Budget/Financial

Nil

#### Asset Management

Any modifications or installation of new signs will be added to Council's asset management systems upon completion

#### Policy or Regulation

AS1742.2

**Consultation**

Advice from TfNSW

**Legal and Risk Management**

N/A

**Climate Change**

N/A

Prepared by	Tony Smith
Attachment	A: Correspondence from TfNSW
To be tabled	Nil
Confidential	Nil

<b>ITEM</b>	<b>032/20</b>	<b>REQUEST FOR AMBULANCE PARKING – CHARLES STREET, ILUKA</b>
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<b>Meeting</b>	Local Traffic Committee	4 November 2020
<b>Directorate</b>	Works & Civil	
<b>Reviewed by</b>	Manager - Civil Services (Alex Dalrymple)	
<b>Attachment</b>	Nil	

### SUMMARY

A request has been received by Council to implement a dedicated ambulance parking bay outside the Doctor surgery at 51 Charles Street, Iluka. A similar parking bay arrangement is in place in Coldstream Street, Yamba.

### OFFICER RECOMMENDATION

That a dedicated ambulance parking bay be installed outside 51 Charles Street, Iluka at the existing driveway layback.

### TRAFFIC COMMITTEE RECOMMENDATION

That a dedicated ambulance parking bay be installed outside 51 Charles Street, Iluka at the existing driveway layback.

<b>Voting:</b>	<b>Council</b>	<b>Y</b>
	<b>Local State Member of Parliament Representative</b>	<b>Y</b>
	<b>TfNSW</b>	<b>Y</b>
	<b>Police</b>	<b>Y</b>

### LINKAGE TO OUR COMMUNITY PLAN

Theme 2 Infrastructure

Objective 1.4 We will have access and equity of services

Strategy 2.1.5 Provide safe and effective vehicular and pedestrian networks that balance asset conditions with available resources

### BACKGROUND

A request has been received by Council to implement a dedicated ambulance parking bay outside the Doctor surgery at 51 Charles Street, Iluka. This request has been submitted in response to a recent medical emergency with a small child who was choking.

### KEY ISSUES

When an ambulance arrives at the Doctor's surgery, there is no space to park. It has been noted that this has occurred on several occasions, an ambulance has been unable to find a parking space near the surgery for a patient requiring emergency treatment.

### COUNCIL IMPLICATIONS

#### Budget/Financial

Estimated cost is approximately \$500. This can be funded from existing operational budgets.

#### Asset Management

The signs and posts would become Council assets.

#### Policy or Regulation

NSW ROAD USERS Handbook – Vehicles must not park in a No Stopping zone.

#### Consultation

Letter from the ratepayers association of Iluka (attached).



**Legal and Risk Management**

N/A

**Climate Change**

N/A



Aerial view of proposed ambulance parking bay.



Vehicle parked at the proposed location of the ambulance parking bay





Existing layback at proposed ambulance parking bay



Existing Ambulance parking arrangement in Coldstream Street Yamba



Proposed sign which exists in Coldstream Street, Yamba

Prepared by	Phil Daniels
Attachment	Attachment 1 - Letter from Ratepayers Association of Iluka
To be tabled	Nil or list as A, B, C etc. NB: Large attachments (over 50 pages) should be tabled.
Confidential	Nil or list as A, B, C etc. NB: Large attachments (over 50 pages) should be tabled.

Attachment 1

## **RATEPAYERS ASSOCIATION OF ILUKA**

Inc. Reg No Y2779631

**P. O. BOX 1, ILUKA NSW 2466**

18<sup>th</sup> August 2020

Clarence Valley Council  
Mayor Jim Simmons  
Councillors.

Dear Jim and Councillors,

A recent medical emergency with a small child who was choking, has brought to our attention that there is no designated Ambulance parking slot in Charles Street Iluka..

When the ambulance eventually arrived (from Evans Head) they drove up and down the street unable to locate the Doctor's surgery and when they did, there was no space to park the ambulance.

Doctor Richards said this is not the first time an ambulance has been unable to find a parking space near his surgery for a patient requiring emergency treatment.

The Ratepayers Association asks that one of the parking spaces near the surgery be designated Ambulance Only and marked accordingly. This time the little one recovered, but it might not be so next time an ambulance is required.

Even when our own Ambulance Station is operating there will be occasions when the ambulance needs to park in Charles Street to retrieve a patient.

Hoping for a positive response,  
Yours,  
Pat Shepherd  
Secretary.

**PRESIDENT:** Garry Freeman 6646 5594

**SECRETARY:** Pat Shepherd 6646 6704

<b>ITEM</b>	<b>033/20</b>	<b>GRAFTON CYCLE CLUB – 2021/2022 MANAGEMENT PLAN AND RACING PROGRAM</b>
<b>Meeting</b>	Local Traffic Committee	4 November 2020
<b>Directorate</b>	Works & Civil	
<b>Reviewed by</b>	Manager - Civil Services (Alex Dalrymple)	
<b>Attachment</b>	Yes	

## SUMMARY

The Grafton Cycle Club has submitted their Management Plan and Racing Program May 2021 to May 2022 and has requested approval through the Local Traffic Committee.

## OFFICER RECOMMENDATION

That Council approve the Management Plan for the Grafton Cycle Club May 2021 to May 2022 Racing Program, subject to the following conditions.

1. Valid public liability insurance being held by the event organiser (minimum \$20,000,000 where event uses a Roads and Maritime asset such as a bridge, Motorway or viaduct)
2. NSW Police approval is obtained.
3. TfNSW approval is obtained by way of a Road Occupancy License where event is on a state road or where the event may impact the state road network.
4. National Heavy Vehicle Regulator approval is obtained as required where road closures of approved Restricted Access Vehicles routes require identification of new routes for traffic detours.
5. The submission and approval of relevant council event application/s and compliance with any conditions imposed therein
6. Local Traffic Committee advice is sought for the event Traffic Management Plan prior to approval of traffic control devices. This includes a Risk Management Plan and Traffic Control Plan/s. The following traffic control conditions shall also be observed;
  - a. Traffic Control Plans to include a map indicating any alternative routes required for traffic detours.
  - b. Traffic Control Plans to be drawn to scale and indicate the provision of passageways and clearances for pedestrian and emergency access. Plans should be prepared in accordance with TfNSW Guide to Traffic Control at Worksites
  - c. All signage erected for the event should not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event
  - d. Temporary Speed Zone Authorisation is obtained from the roads authority for any reduced speed limit/s required as part of the traffic control for the event. Where local council is the roads authority, notification of any reduced speed limit should be forwarded to TfNSW and NSW Police
  - e. Conformance with approved Traffic Management Plan and associated Traffic Control Plans which shall be implemented and controlled by a TfNSW accredited persons
7. Consultation with emergency services (Fire & Ambulance) and any identified issues addressed in a timely manner
8. Consultation with bus and taxi operators and arrangements made for provision of services during



conduct of the event

9. Community and affected business consultation including adequate response/action to any raised concerns
10. Arrangements made for private property access and egress affected by the event
11. The event organiser notifies local community of the impact of the event/s by advertising in the *local paper/s* a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints
12. That the applicant organise for the events to be listed on council's web page
13. Endorsement of the event by Cycling NSW
14. The event be conducted and signposted in accordance with the NSW Guidelines for Bicycle Road Races' (where applicable this supersedes signposting in accordance with TfNSW Guide to Traffic Control at Worksites)

#### **LOCAL TRAFFIC COMMITTEE RECOMMENDATION**

That Council approve the Management Plan for the Grafton Cycle Club May 2021 to May 2022 Racing Program, subject to the following conditions.

1. Valid public liability insurance being held by the event organiser (minimum \$20,000,000 where event uses a Roads and Maritime asset such as a bridge, Motorway or viaduct)
2. NSW Police approval is obtained.
3. TfNSW approval is obtained by way of a Road Occupancy License where event is on a state road or where the event may impact the state road network.
4. National Heavy Vehicle Regulator approval is obtained as required where road closures of approved Restricted Access Vehicles routes require identification of new routes for traffic detours.
5. The submission and approval of relevant council event application/s and compliance with any conditions imposed therein
6. Local Traffic Committee advice is sought for the event Traffic Management Plan prior to approval of traffic control devices. This includes a Risk Management Plan and Traffic Control Plan/s. The following traffic control conditions shall also be observed;
  - a. Traffic Control Plans to include a map indicating any alternative routes required for traffic detours.
  - b. Traffic Control Plans to be drawn to scale and indicate the provision of passageways and clearances for pedestrian and emergency access. Plans should be prepared in accordance with TfNSW Guide to Traffic Control at Worksites
  - c. All signage erected for the event should not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event
  - d. Temporary Speed Zone Authorisation is obtained from the roads authority for any reduced speed limit/s required as part of the traffic control for the event. Where local council is the roads authority, notification of any reduced speed limit should be forwarded to TfNSW and NSW Police
  - e. Conformance with approved Traffic Management Plan and associated Traffic Control Plans

which shall be implemented and controlled by a TfNSW accredited persons

7. Consultation with emergency services (Fire & Ambulance) and any identified issues addressed in a timely manner
8. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event
9. Community and affected business consultation including adequate response/action to any raised concerns
10. Arrangements made for private property access and egress affected by the event
11. The event organiser notifies local community of the impact of the event/s by advertising in the *local paper/s* a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints
12. That the applicant organise for the events to be listed on council's web page
13. Endorsement of the event by Cycling NSW
14. The event be conducted and signposted in accordance with the NSW Guidelines for Bicycle Road Races' (where applicable this supersedes signposting in accordance with TfNSW Guide to Traffic Control at Worksites)

<b>Voting:</b>	<b>Council</b>	<b>Y</b>
	<b>Local State Member of Parliament Representative</b>	<b>Y</b>
	<b>TfNSW</b>	<b>Y</b>
	<b>Police</b>	<b>Y</b>

## LINKAGE TO OUR COMMUNITY PLAN

Theme 2 Infrastructure

Objective 2.1 We will have communities that are well serviced with appropriate infrastructure

Strategy 2.1.5 Provide safe and effective vehicular and pedestrian networks that balance asset conditions with available resources

## BACKGROUND

The Grafton Cycle Club has submitted their Management Plan and Racing Program May 2021 to May 2022 and has requested approval through the Local Traffic Committee. A copy of the Management Plan is attached.

The Management Plan provides the Requirements, Planning and Implementation details necessary for the safe and successful running of this racing program. The Racing Program details the four local courses as follows:

1. Pringles Way – Lawrence
2. Yamba Industrial estate
3. Clarence Way- Stockyard Creek Road
4. Kangaroo Creek Road
5. Coldstream Road, Tucabia
6. Old Pacific Highway, Glenugie
7. Trenayr Road – Experimental Farm Road
8. Gardiner Road – James Creek Road



**KEY ISSUES**

The Management Plan has been submitted to Council and the NSW Police. No Police approval has been provided to Council at this time.

Council can provide approval for the Racing Program subject to the Grafton Cycle Club obtaining written approval from NSW Police.

**COUNCIL IMPLICATIONS**

N/A

**Budget/Financial**

Nil

**Asset Management**

N/A

**Policy or Regulation**

N/A

**Consultation**

N/A

**Legal and Risk Management**

N/A

**Climate Change**

N/A

Prepared by	Alex Dalrymple
Attachment	Schedule of Road Closures and attached separately Traffic Management Plans
To be tabled	Nil
Confidential	Nil

Local Traffic Committee meeting concluded at 10:47am.

# Memo

<b>To</b>	Ashley Lindsay/Councillors
<b>CC</b>	Laura Black, Des Schroder
<b>From</b>	Jamie Fleeting
<b>Date</b>	4/12/2020
<b>Subject</b>	Workshop - 8 December 2020 <b>Signage at Palmers Channel North Bridge (Item 6c.20.176 November meeting)</b>

Following the November ordinary Council meeting an independent review of the advisory road signage at Palmers Channel North has been conducted. This follows concerns raised by the Council that the signage was deficient in providing the appropriate advance notice for motorists of the concealed driveway located immediately north east of the bridge.

It is important that standard approved signage be implemented in accordance with Transport for NSW (TfNSW) and the Australian Standards requirements as it provides a consistent and clear message to road users across the road network for each type of situation a driver encounters. The consistent application of traffic control devices endeavours to promote the desired driver behaviour and response each time a driver encounters a particular road environment characteristic.

Any adaptation of standard signage must be carefully considered, taking into consideration the possibility of reducing the effectiveness of standard signage at other locations, providing mixed or diluted messages to the road user and/or creating a precedent that leads to further inconsistencies across the road network.

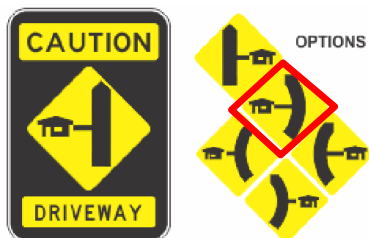
Therefore, the use of standard signage in this case is recommended.

## **Option 1**

*Outcome – To provide advance warning to driveway/side road and curve while maintaining the existing number of signs on eastbound approach to the intersection to minimise sign/message clutter.*

The first existing approach sign has two signs mounted on a single post. This is non-standard as there are two messages at the one location and the lower sign is not installed at the standard height. This sign currently has the W2-4(R) side road sign with a sign underneath stating "Watch For Entering Traffic".

This sign could be replaced with the standard driveway sign (W2-207a\_n) with a single driveway shown on the inside of the left hand curve as noted below.



## *W2-207a\_n - Straight or Curved Symbolic (Driveway)*

The second advance warning signs (duplicated on both sides of the road) are left hand curve warning signs with supplementary advisory speed signs (65km/h). The curve advisory signs could be changed to a W2-9(L)

sign (refer below) which is the left curve advisory with side road on right. (NB. the advance curve warning sign in the opposite direction should also be changed to show the curve with side road)



*W2-9(L) - Curved road side road (left symbolic)*

This option maintains the same number of signs at the same locations and follows the sequence of advance warning of driveway, advance warning of curve with side road and associated advisory speed, and then slippery when wet/reduce speed warning. This follows the same principle as the existing advance warning.

### **Option 2 (future additional signage)**

Outcome – To achieve advance warning requirement as per Option 1 with an additional advance intersection warning signage similar to other side roads on Yamba Road. However, existing signage is increased by one and the sign spacing would require a more detailed review.

This option is the same as Option 1 however includes an additional advance warning sign for the intersection:

The new sign would consist of advance warning being a G1-207 (green background side road sign with road name)



*G1-207 Advance side Street Road Name*

NB. The driveway and advance intersection (green background) signs could be considered for the westbound direction however both the side road and driveway are more visible on approach.

### **Recommendation.**

That Option 1 be endorsed (refer existing/proposed signage plan below) with any consideration for additional signage (Option 2) be considered by the LTC within the context of all signage (including traffic facilities) for regional roads across the entire LGA.



Existing advisory signage arrangement





Proposed advisory signage arrangement



### Maclean High School P&C Association

1 December 2020

**Ashley Lindsay, General Manager Clarence Valley Council**

Dear Ashley

Thank you so much for your attendance at the meeting at Maclean High School yesterday, requested by the P & C Committee. We were appreciative of Jim Simmonds and Dan Griffin also making time to attend.

**I would like to formally request that you make this letter available to all Councillors and that it be tabled at your next meeting.**

As you will be aware from our previous correspondence and discussion, the P & C wishes to raise with you the possibility of the Clarence Valley Council supporting the proposal that joint efforts between the Council, the Department of Education and the P & C be made to secure a multipurpose centre based on the school grounds, with the aim of such a facility being shared between the school and local Lower Clarence community.

In broad terms, our concept is to create a facility which would be utilised by the community and the school, which would have the capacity to host cultural, performance, educational and social events. It is our view that the whole area would benefit from such a centre and that a partnership between Council, school and community would give increased opportunities for participation and engagement.

The Council's plans to rebuild the current Civic Hall at great expense would not create the capacity to host larger events or gatherings and would not benefit the school community. There is a current proposal to make some improvements to the school gymnasium, but this would not give us a centre which could host a stage, provide seating or appropriate facilities for the community; at best it would give the school a slightly better gymnasium.

I hope that you will be kind enough to read the following paragraphs.

#### **Introductory statements**

Maclean High school (MHS) is a large regional high school with a broad catchment area in the Lower Clarence Valley of NSW. The Lower Clarence is a low socio-economic area; the school delivers education to a range of students including local Yaegl and Bundjalung families.

Maclean High School, staff, students and Parents and Citizens Association (P & C) are proudly part of the Clarence Valley community and welcome all opportunities to engage with the wider community. A new and custom-designed multipurpose centre would allow us to create a space which could be shared with the community. The centre could be used by the wider community for many things, from theatre, musicals, dance concerts, arts and crafts, making Maclean High School a larger and integral part of the Lower Clarence Community. There have been proposals as to how the site of the current Maclean Civic Hall and adjacent buildings may be repurposed and rebuilt, however Maclean High School is better placed to

accommodate a new multipurpose centre, with its facility of space and extensive parking. There is existing land on the school grounds which would easily accommodate such a centre.

The P & C is aware that Maclean High School has poor facilities compared to other public schools in our region. We would draw your attention to the facilities available at South Grafton High School, Evans River High School, Casino High School, Grafton High School, Orara High School, Coffs Harbour Senior College, Coffs Harbour High School, Woolgoolga High School and Ballina Coast High School, to name but a few.

In considering how to make this proposal, we have familiarised ourselves with the New South Wales Department of Education School Infrastructure programs (SINSW) and note the recent trend to support Department of Education/ local government partnerships to create investment in schools for our children's futures, with a focus upon facilities being shared by schools and communities. We believe this to be the most appropriate direction for MHS and the Lower Clarence, as we will detail below.

We are aware that some monies were invested to improve the front of the school last year and we know that there are of course limitations on SINSW funding opportunities, however when considering investment in other schools in our area we believe our school has been disadvantaged and that partnerships with Council/ local Government would appear to be indicated.

We are aware that the Clarence Valley Council and New South Wales government has been making considerable investment in our region, with monies directed at improving sporting and community facilities (Yamba sports grounds, Rushforth Park Clubhouse, Grafton PCYC). We are encouraged by these developments, but would direct your attention towards the very good reasons for our local high school and the Lower Clarence community also being deserving of investment for the future.

### **Showcasing the school and its students**

MHS provides quality educational and extracurricular activities for its students, with excellent sporting and arts programs as well as fine educational outcomes. MHS has built a reputation for creating and producing excellent musical and dramatic productions, with a committed staff body and enthusiastic student participation. HSC studies in Music and Drama produce excellent results each year. Indigenous students, elders, staff and community members have produced a number of collaborative projects, including dance and video productions with the Desert Pea production company and the annual River of Learning cultural festival draws attention far and wide.

### **Increasing community/family involvement at school**

The school's buildings are of a typical 1960's construction, with no indoor communal space that can accommodate whole-school gatherings or allow community attendance at special events. Maclean High School does not have a hall that can accommodate all students; the current school 'hall' can only accommodate 200 people, is not air-conditioned and is poorly ventilated.

The school does not have a space to present Music and Drama nights for HSC students, in order for their work to be enjoyed by family and the community. When drama or music productions and other events are planned, students and staff have to manage with currently inadequate stage, rehearsal, lighting and sound facilities. Any such events must naturally be on a small scale and wider community participation is not possible.



We believe that our students and young people are the future of our community. We believe that their place of education and growth should be a place that can welcome in their families, community leaders, elders and the broader community. Engagement of a school within the community enables parents' involvement and sense of ownership. Now, parents can go from Year 7 to Year 12 without having set foot in the High School where they send their children every day, with no adequate gathering space on school grounds.

The only option currently for the school community to showcase its work or to gather for larger events or celebrations is the Maclean Civic Hall, for which the school must pay rent to the Clarence Valley Council. Similarly, the Lower Clarence community is reliant upon this performance space, as will be detailed below.

### **HSC examinations**

Maclean High School does not have a facility which enables Year 12 students to sit their HSC exams on school grounds.

In the past, the Pavilion at the Showground has been used for larger candidature exams (such as English), but the Council has charged fees for this facility, creating a cost to the school of approximately \$7000 per year. The Seventh-day Adventist Church provides their own venue as a goodwill to the school for smaller exams. Neither of these two venues is air-conditioned and the school is required to provide all materials required for students, including chairs, desks, fans et cetera.

The existing school hall (considered by the Department of education to be a performance space, rather than a school hall) is too small, too hot and too noisy to satisfactorily accommodate these exams. The school gymnasium has been used for the past several years, but the following make this an unsatisfactory and inappropriate venue:

- the school gymnasium is situated in the flying fox colony in the summer. The flying foxes roost in the trees over and surrounding the gymnasium; they are noisy and smelly.
- It is very hot as it does not have fans or air conditioning. It does not have linings on the walls higher up and is not insulated. It has a corrugated iron roof and upper section of the walls. It doesn't have flow ventilation, windows, etc. at the ground level. Higher up there are ineffective louvres. During examination periods, portable pedestal fans are situated at various locations throughout the gymnasium to attempt to make conditions for students slightly more comfortable. At times it is not appropriate to leave doors open during exam periods for reasons of smell of the flying fox colony, noise, security, etc.
- This space is a regularly used learning space and if it is to be used otherwise, does produce significant operational changes/disruptions to the normal running of the school.

### **Celebrating student achievements**

Celebrating student achievements is an essential and positive part of the school year, notably the Presentation Night and School Formal. Both of these events have to be held in Yamba in a paid venue. This venue is a licenced venue with public bars and gaming facilities. It is always an organisational issue to ensure students are kept away from these areas of the venue. Access to toilets, etc. needs to be monitored.

All school assemblies are currently held outdoors under the covered hanger, requiring students to sit on the concrete and creating massive challenges for addressing the assembly due to poor sound quality. There is no

indoor and air-conditioned venue where students, families and community members can gather.

### **Shared facilities between the school and the community**

MHS would love to further develop its interaction with the local community. We note the Department of Education's advice on community access to school facilities on their website, where community and local Government partnerships are encouraged. There is precedent in our region for shared funding projects between local Government and the Department of Education. We would like to suggest such a partnership for the Lower Clarence.

The following are examples of ways in which the school community and local community could benefit from sharing a multipurpose centre based at the school:

- cultural and community events for the local Yaegl community
- River of Learning
- theatrical society performances
- musical performances
- youth Theatre rehearsals and performances
- dance Eisteddfod's and concerts
- presentation evenings for students and families
- elective information nights
- parent teacher evenings
- local arts exhibitions
- sporting presentations
- New South Wales government meetings and events
- educational forums and meetings

The P & C Committee of MHS is aware that there are further planned Government grants which may be applicable and appropriate for this proposal. We are a small group of parent volunteers, who see great benefit in collaborating with Council and with the Department of Education to secure something better for our students and for our community. We are encouraged by the very great endorsement for the concept received from Chris Gulaptis, Member for Clarence and do hope that the Councillors will be similarly interested.

We would be only too happy to discuss this with you further. I very much look forward to hearing from you to start to talk about this and ways that it can be achieved for our community.

Warm regards

Sarah Armstrong  
President  
Maclean High School P & C Committee  
0416 162 800



# CLARENCE VALLEY FLOODPLAIN RISK MANAGEMENT COMMITTEE

## UNCONFIRMED MINUTES

Meeting held Friday, 20<sup>th</sup> November 2020 at the Clarence Valley Council Grafton Chambers, 2 Prince Street, Grafton.

### **ITEM 1 INTRODUCTION: WELCOME AND APOLOGIES**

Meeting opened at 09:05. In the absence of Cr Simmons, Ross Farlow elected into the chair.

#### **Attendance:**

Voting: Susan Chapple (SES), Ross Farlow, Des Harvey, Andrew Skinner, Deanna Fernance, Rob Tyler

CVC Officers: In person - Greg Mashiah, Scott Lenton  
Online - Jamie Fleeting, Stephen Timms, Kieran McAndrew

DPIE: Caroline Ortel

Presenter: Online - Barry Rodgers (BMT)

Apologies received from:

<b>Name</b>	<b>Committee Role</b>	<b>Organisation / Role</b>
Cr Jim Simmons	Chairperson	Mayor
Chad Ellis	SES Representative	NSW SES
Paul O'Halloran	Community Representative	Community Representative
Darren Finlay	Community Representative	Community Representative
Nic Denshire	DPIE	Senior Floodplain Officer
Peter Wilson	Council Representative	Clarence Valley Council

**Required Quorum: 6** (currently 11 members - See FPRMC structure in Attachment 1.)

**Total Members at todays CV FPRMC: 6** Quorum reached – Yes / ~~No~~

### **ITEM 2 DECLARATIONS OF INTEREST**

- NIL

### **ITEM 3 CONFIRMATION OF PREVIOUS MINUTES**

**Motion:** That the minutes of the CV FRMC meeting of 24<sup>th</sup> July 2020 be confirmed  
*Moved: Andrew Skinner Secoded: Des Harvey Carried.*

### **ITEM 4 BUSINESS ARISING FROM THE MINUTES**

*Coutts Crossing – BOM letter re automatic gauge*

- (CO) Received a positive response from BOM in relation to a request from the July 2020 meeting re gauge at Coutts Crossing. After years of lobbying, we have achieved a good result.
- BOM – re Flood Gauge letter attached to the minutes

**ITEM 5 CONSULTANT PRESENTATION**

*Barry Rodgers – BMT Commercial (Brisbane) – provided an update on the project titled “Clarence Valley Structural Flood Mitigation Works Review (NSW Government funded project)”*

- (BR) Refresher on Assessment Process - Grouping assets into schemes and development of Assessment Matrix. Examples given around Isolation Risk and Longevity in the relation to potential future climate.
- (BR) Next step - Complete assessments and rank schemes by overall score in the context of flood risk and flood risk benefits.

*Questions and comments from the committee were:*

- (JF) Have you considered future rural land use? *Answer: Identified categories of existing land uses. (JF) We could say that rural land in general has been considered with current use in terms of pastoral access.*
- (SL) Are you assessing flood mitigation works over various time scales or just looking at the present? *Answer: Particularly with rural floodplain, a lot of assets are inundated so to identify the benefits, we'll be using the flood model with a series of different flows and looking at the change in flood level at those flows. We are not making any allowance for these assets to be increased in height. (SF) Given that you're assessing the assets as though they're fixed, I'm thinking of longer-term consequences for adapting to the change and cost implications. Answer: We'll look at different sea water levels*
- (RF) Consideration to livestock on the river. Have they been assessed and captured in this model? Owners may need roads open to move stock. *Answer: They come under the rural land aspect with how people use the floodplain. Indirectly, it may also relate to the isolation risk.*
- Memo from Barry Rodgers (BMT) and presentation from July is attached to the minutes.

**Action:** BMT to restructure the criteria weightings and include evacuating livestock as an additional criterion. Proposed to decrease both Longevity and Flood Risk by 10% and allocate the additional 10% a new criterion in Inundation Risk to capture the evacuation of livestock.

**ITEM 6 GRAFTON AND SOUTH GRAFTON FLOOD PLANNING LEVEL**

- Map in attachment indicates the number of properties in Grafton and South Grafton with a floor level below the flood planning level which applies in the rest of the Clarence Valley (1% flood + 500mm freeboard).
- (RF) Do you see potential difficulties with developers, etc? *Answer: The Floodplain Manual outlines the consultation process which needs to be undertaken and there will be an opportunity for input during the public exhibition process. When the current flood model was adopted in 2014 some properties which were previously above the flood planning level were included while other properties (such as in Iluka) changed to be no longer below the flood planning level.*
- (CO) The recommendation, state-wide, is to comply with flood prone land policy which is 1% plus floorboard, as a standard.
- (DH) It may support our case to raise levee walls in future to protect a greater number of properties.
- Discussion paper regarding Flood Planning Levels for Grafton and South Grafton attached to the minutes

**Motion:** *The Committee recommends to Council that:*

- a) *The Committee supports consistent application of development controls to manage*

- b) The floodplain management provisions in all relevant Clarence Valley Development Control Plans are amended to require that:
- i. all new residential development must have a primary habitable floor level of a minimum of 500mm above the 1% flood height for the site of the development; and
  - ii. flood compatible building materials be used for any part of such premises that are below the level of the minimum primary habitable floor level; and
  - iii. any other necessary amendments to effect these changes are drafted;
- c) That the proposed DCP amendments are publicly exhibited for a period of at least 28 days;
- d) That a report be prepared for Council's consideration as soon as practical after completion of the public exhibition period; and
- e) That advice of Council's resolution on the abovementioned report be referred to the CVC Floodplain Committee for information.

Moved: Des Harvey Seconded: Andrew Skinner Carried.

## **ITEM 7 NSW SES INCIDENT CONTROL CENTRE RELOCATION**

- o (GM) After a meeting with the Mayor, Chris Gulaptis indicated his understanding was that the issues were being adequately looked at.
- o (SC) There will be New Deputy Zone Commander next year.
- Letter to Chris Gulaptis & Letter from Chris Gulaptis attached to the minutes

Topic to be addressed in the next CV FRMC meeting

## **ITEM 8 CVC UPDATE: CAPITAL WORKS & PROJECTS**

- o *Special Rate Variation Floodplain Works* – Works progressing as planned. Mostly swapping out the very old floodgates with new ones.
- o *Penstock Installations Grafton* – One going in near Bunnings as South Grafton never had any. Another designed to go in near South Grafton bowling club but won't be installed until after the flood season.
- o *Wooli Flood Study* – Brief has been prepared and will be sent to consultants next week.
- o *Alice Street Levee Investigation* – The riverbank is oversteep which increases the risk of scouring/slipping in a large flood. Engaged a consultant to prepare a design. Like the Maclean levee project, it will result in a set of drawings for a project that will be costed at a high level.
- o Committee members pleased with the work carried out so far and think money is being well-spent.
- o (AS) Question about why some drain assets on the lower river are maintained by council and some aren't. What's the criteria for drains that council have taken responsibility for? *Answer: Council has continued to maintain assets which the former CRCC maintained as at amalgamation. Following completing of the Clarence Valley Structural Flood Mitigation Works Review it is proposed that Council will assess the assets it currently maintains using the assessment matrix. This may mean that additional assets which are assessed as having public benefit are added to the maintenance schedule, while other assets which are currently maintained but are assessed as having limited public benefit will not be maintained into the future.*

## **ITEM 9 DRAFT VOLUNTARY HOUSE RAISING POLICY**

- (KM) Previously detailed in the July 2020 committee meeting. Our previous policy was revoked a couple of years ago and it was revealed that some other councils have a policy and don't contribute funds.
- (GM) People will now be expected to pay a third of the costs. About 10 owners had previously expressed an interest under the old policy (KM) Will contact all people who have previously expressed an interest. Will then call for an expression of interest from all landowners and we'll create a robust system for prioritisation.
- (CO) It will depend on what you apply for, there will be a 3-year access to money. Normally they will only approve 2 projects at a time and other councils will be trying to access money too.
- Draft VHR Policy & Background Information attached to the minutes

**Motion:** The Committee recommends that the draft Voluntary House Raising policy be placed on public exhibition.

*Moved: Robert Tyler Seconded: Des Harvey Carried.*

## **ITEM 10 GENERAL BUSINESS AND DISCUSSION**

- *Cr Novak Notice of Motion (NoM) –.*
  - (JF) With the Asset Renewal Matrix for prioritization of assets, this project was not deemed to be a high priority. As outlined in the officer's response to the NoM, the project was removed from the list of forward works.
  - (GM) Some assets were historically maintained and in this instance the bridge is a floodplain asset that services one property. Floodplain renewal funds were increased in 2020/21 and as outlined by Kieran earlier are being used for renewal of floodgate assets. A robust assessment matrix enables the limited funding to achieve maximum benefit for the maximum number of ratepayer.
  - (RF) Is a full rebuild at \$200k actually required? Answer: The bridge engineer advised that the bridge's integrity is compromised due to age. It would require a complete replacement. (GM) The owner expressed that they want the bridge usable for vehicle access.
  - (AS) If council don't maintain the bridge, would the landowner be able to bring it to a suitable standard with pipes? Answer: It would be a substantial undertaking.
- Cr Novak's NoM attached to the minutes

The committee noted the assessment matrix discussed earlier in the meeting has been amended to include assessment of livestock.

- *(CO) Next round of Floodplain Grants will probably open February 2021. Discuss the VHR policy with me in January if it is to go ahead. (GM) We have the prioritisation list which will form the basis for applications in the next round.*

## **ITEM 11 NEXT MEETING**

6d 20 011 - Page 9 of 28  
*Date TBC - a Friday at 9am in early 2021 at the Clarence Valley Council  
Maclean Chambers. N.B. Due to renovations of Grafton's Prince Street building  
both 2021 meetings will be held in Maclean.*

**ITEM 12**      **CLOSE OF MEETING**

Meeting closed at 11:15am



**MINUTES  
CLARENCE REGIONAL LIBRARY COMMITTEE 12 November 2020  
VIA MICROSOFT TEAMS**

**PRESENT:** Bellingen Shire Council  
Jill Haynes Bellingen Shire Librarian  
Alison Pattinson – Manager Community Wellbeing  
Cllr Toni Wright-Turner

Clarence Valley Council  
Cllr Karen Toms  
Cllr Peter Ellem (Chair)  
Des Schroder (Executive Officer)  
Kathryn Breward Regional Librarian  
Victoria Keane Team Leader (Regional Resources)  
Christi Brown management Accountant Coordinator  
Erin Brady Senior Library Officer (Digital Engagement)

Meeting opened at 10:00am

**1. Acknowledgement of Traditional Custodians**

Cllr Peter Ellem

**2. APOLOGIES**

Nil

NOTE: Alison Pattinson & Kathryn Breward will be in and out of meeting due to other meeting commitments

**3. Disclosure of Conflict of Interest**

Nil

**4. CONFIRMATION OF MINUTES – 13 August 2020**

Moved: Cllr Karen Toms  
Second: Jill Haynes

Adopted

**5. Business arising from the Minutes – Meeting held 13 August 2020**

**5.1 CLARENCE REGIONAL LIBRARY MARKETING PLAN UPDATE**

Erin Brady was asked to join the meeting for this discussion.

Clarence Regional Library: Bellingen, Dorrigo, Grafton, Iluka, Maclean, Urunga, Yamba and Mobile Library

The discussion revolved around whether the number of target groups for the Marketing Plan needed to increase and whether seniors or families was more appropriate to target at this time.

Recommendation

That CRL Committee

- Confirm the progress of the CRL Marketing Plan 2020 and adopt the recommended four target markets to be included in the Marketing Plan 2020.
- Review after 12 months with the possibility of including families

Moved: Cllr Karen Toms

Second: Cllr Toni Wright-Turner

Adopted

ITEM 8.5 was moved up the agenda to accommodate Alison Pattinson's attendance at another meeting.

### **8.5 QUARTERLY INCOME AND EXPENDITURE SHEETS**

Questions on notice from Alison Pattinson were addressed in the discussion of this report.

Christi Brown left the meeting after this item was Adopted.

Recommendation

That:

- The Report on the 1st Quarter Income and Expenditure Sheet for 2020/21 is noted by the Committee.
- The Final 4<sup>th</sup> quarter 2019/20 Report on the 2019/20 budget noted.
- Undertake a review for the next meeting to consider whether the adopted expenditures for the CRL Reserve remain viable and to consider any changes that need to be made.

Moved: Cllr Karen Toms

Second: Alison Pattinson

Adopted

Clarence Regional Library: Bellingen, Dorrigo, Grafton, Iluka, Maclean, Urunga, Yamba and Mobile Library

## 5.2 REPLACEMENT OF RFID SECURITY GATES FOR GRAFTON LIBRARY

### Recommendation

The Committee note the progress of the replacement of the RFID (Radio Frequency identification) security gates in the Sir Earle Page Library and Education Centre.

Moved: Cllr Karen Toms  
Second: Cllr Toni Wright-Turner

Adopted

## 5.3 POLICY REVIEW UPDATE – CRL COLLECTION DEVELOPMENT POLICY

### Recommendation

That the Clarence Regional Library Committee:

- Note the Clarence Regional Library Collection Development Policy, was adopted by Clarence Valley Council.

Moved: Cllr Karen Toms  
Second: Cllr Toni Wright-Turner

Adopted

## 5.4 REGIONAL LIBRARY REVIEW

### Recommendation

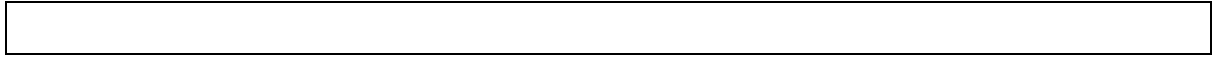
That the Committee

1. Defer undertaking a review of library services.

Moved: Cllr Peter Ellem  
Second: Alison Pattinson

Adopted

Clarence Regional Library: Bellingen, Dorrigo, Grafton, Iluka, Maclean, Urunga, Yamba and Mobile Library



## 6. Correspondence

In-coming: Nil

Out-going: Nil

Media Releases:

CRL – 201022 Online author talks live in your living room

CRL – 200911 Let's talk about the library survey

CRL – 200902 Library offline but open

CVC – 201014 Launch of scooter and skateboard racks at Grafton library

CVC – 230920 Iluka Library changes open days

CVC – 200916 Libraries return to normal hours

Alison Pattinson and Kathryn Breward Left the meeting at 11:07

## 7. Executive Officer's Reports – Nil

## 8. Regional Library Reports -

### 8.1 CRL STRATEGIC PLAN REVIEW

#### Recommendation

That the

1. Report of achievement of the Clarence Regional Library Strategic Plan 2012 – 2022 be endorsed, and reported to the Executive.
2. CRLC congratulates and thanks the librarians and all staff on these achievements.

Moved: Cllr Peter Ellem

Second: Cllr Toni Wright-Turner

Adopted

### 8.2 DIGITAL ENGAGEMENT POSITION

Clarence Regional Library: Bellingen, Dorrigo, Grafton, Iluka, Maclean, Urunga, Yamba and Mobile Library

Recommendation

That the Committee:

1. Continue to monitor the role and defer decision until June 2021.

Moved: Cllr Karen Toms  
Second: Cllr Toni Wright-Turner

Adopted

**8.3 CRL WORKPLAN**Recommendation

That the Draft Clarence Regional Library Committee Work Plan 2021-2024 be adopted by the Clarence Regional Library Committee to guide its operations over the next 12 months until the new Committee is formed after council elections in 2021.

Moved: Cllr Karen Toms  
Second: Cllr Toni Wright-Turner

Adopted

**8.4 REVIEW OF CRL LOCAL STUDIES COLLECTION DEVELOPMENT POLICY**Recommendation

That the:

- Committee endorse the draft Local Studies Collection Development Policy and its implementation across the Regional Library Service.

Moved: Cllr Peter Ellem  
Second: Cllr Toni Wright-Turner

Adopted

**9. Items for Information**

Clarence Regional Library: Bellingen, Dorrigo, Grafton, Iluka, Maclean, Urunga, Yamba and Mobile Library

### 9.1 NSWPLA SWITCH Public Library Conference 24-27 November 2020 – Albury - Cancelled

- due to Covid situation in Victoria as the Conference was being held in Albury NSW

## 10. Additional Matters

### 10.1 Clarence Regional Library scheduled Committee Meetings for 2021:

February - 11/2/2021

May – 13/5/2021

August - 12/8/2021

November - 4/11/2021 (Tentative depending on new committee)

**10.2** That a copy of the revised CRL Reserve management figures be made available asap, not wait until the February meeting as there may be budget implications for Council's if the subsidies were not to remain within Council budget for FY 21/22

## 11. Items for next meeting

11.1 Marketing Plan

11.2 Implementation of Local Studies Strategic Plan

11.3 Aboriginal Resources

11.4 Revised CRL Reserve forecast – to be provided to the Committee prior to February 2021

Meeting Closed: 11:25 am

Next meeting: 11 February 2021

Clarence Regional Library: Bellingen, Dorrigo, Grafton, Iluka, Maclean, Urunga, Yamba and Mobile Library

**Clarence Valley Council  
Grafton Regional Gallery Advisory Committee  
MEETING**

5:00pm Monday 20 July 2020 Electronic meeting

**MINUTES**

1	<b>Welcome Niomi</b>	
2	<b>Acknowledgement of Country - Niomi</b>	
3	<b>Attendance</b>	Lesley Apps, Heather Brown, Geoff Crispin, Jane Kreis, Rhonda Tetley, Clr Peter Ellem and Niomi Sands (Galley Director).
3.1	<b>Apologies</b>	Pam Fysh, Jane Kreis, Steve McKimm, Des Schroder (CVC), Bree Hiatt
4	<b>Declarations of Interest</b>	No
5	<b>Minutes of previous meeting on 30 March 2020 - Adopted</b>	
6	<b>Business Arising from the Minutes - Littlewood Donation</b> The Littlewood donation was discussed, and the decision was made not to accept the donation. Niomi to contact the donor and advise of decision.	



	<p><b>Business for this meeting</b></p> <ul style="list-style-type: none"> <li>- <b>Impact on Advisory Committee re postponement of Council Election to 2021</b> Niomi provided an updated on the one-year extension of committee's serving term in line with the revised Council, election in 2021</li> <li>- <b>Naming Rights</b> Niomi provide an overview on the updated policy that will go to council. The new policy is the Gifting &amp; Donor Wall policy. The new policy provides flexible approach to sustainable philanthropy. Niomi also briefly discussed the naming of rooms on the site. The committee was supportive of this change.</li> <li>- <b>Proposed sculpture from gallery site mango wood</b> Niomi presented the idea of John Van Der Kolk creating a sculpture out of the remaining mango wood for the sculpture garden. The committee was supportive of this idea, Niomi to follow up with John on this idea.</li> <li>- <b>Proposed acquisition discussion, a work by Kylie Caldwell</b> Niomi posed the acquisition of a number of works by Kylie Caldwell. The committee was supportive, a list was circulated, and selection was made and works purchased.</li> <li>- <b>Proposed donation by Curt Edwards</b> The Curt Edwards donation was discussed, and the decision was made not to accept the donation. Niomi to contact the donor and advise of decision.</li> <li>- <b>Gallery Building Public Art</b> Niomi provide an update on the public Art with the new development and the selection process.</li> <li>- <b>Building Update</b> Niomi provide an update on the building progress, The building work is going well. This week they poured the stairs, and roof of the lift and the roof of the loading dock will be poured later this week. They have started putting up the stud walls in the amenities and they continue to work on the artist accommodation.</li> <li>- <b>JADA update</b> The extension of the JADA deadline, boosted entries and we are looking at over 650 entries. The team is processing the weekend entries at the moment. JADA has been the focus for this month, with judge selected, essay &amp; Catalogue in the process of development and working through ideas for the opening.</li> <li>- <b>COVID update</b> Niomi provide an update on the impact of COVID and how it is affecting Gallery operations.</li> <li>- <b>General update and performance</b> Niomi provided an update - The Grafton Base hospital project was installed this week as part of the collection outreach. Correctly we have collection works on display at the Country University, Council buildings and libraries, Grafton Base Hospital, and we are working on exhibition for Ferry Park. Niomi went through performance KPI's and general numbers.</li> </ul>	
8	<b>Items for next meeting</b>	
9	<b>Time, date and venue of next meeting</b>	Time: 5.00pm Date: 5 October 2020 Electronic meeting
10	<b>Meeting close</b>	6:10pm

**Clarence Valley Council  
Grafton Regional Gallery Advisory Committee  
MEETING**

5:00pm Monday 16 November 2020 Electronic meeting  
**Minutes**

1	<b>Welcome</b> by Niomi Sands	
2	<b>Acknowledgement of Country</b> – Niomi Sands We acknowledge the Bundjalung peoples Traditional Custodian of these lands on which this meeting is taking place and pay tribute and respect to the Elders both past and present of the Bundjalung, Gumbaynggirr and Yaegl nations which lie within the Council boundary.	
3	<b>Attendance</b>	Bree Hiatt, Lesley Apps, Heather Brown, Geoff Crispin, Steve McKimm, Clr Peter Ellem (CVC), Des Schroder (CVC) and Niomi Sands, Gallery Director
3.1	<b>Apologies</b>	Rhonda Tetley, Jane Kreis, Pam Fysh
4	<b>Declarations of Interest</b>	nil
5	<b>Adoption of previous meeting Minutes (20 July 2020)</b> - Confirmed and adopted by Lesley Apps and Clr Peter Ellem, with one change noted; Attendance of Lesley Apps at the meeting.	
6	<b>Business Arising from the Minutes</b> - Niomi has not been in touch with John van der Kolk re creating a timber sculpture out of the remaining mango wood for the sculpture garden and will follow up.	
7	<p><b>Business for this meeting</b></p> <ul style="list-style-type: none"> <li>- Building Update</li> </ul> <p>Construction is on track and the budget is sitting within the contingency buffer. Refer to images on the agenda which were taken 11 November 2020.</p> <ul style="list-style-type: none"> <li>- Staffing Overview</li> </ul> <p>Caity Reynolds, Exhibitions and Collection officer was appointed and started 3 weeks ago. Four extra casuals have been appointed for install, due to natural attrition that has taken place over time. New casuals are: Kade Valja, Danny Lloyd, Angela Lagos Jay and Juan Cosgoine.</p> <ul style="list-style-type: none"> <li>- JADA update</li> </ul> <p>Have been overwhelmed with the positive response and excitement generated by the exhibition, which had brought in many visitors. The virtual tour on the Gallery website has been very popular. The JADA has been a highlight of the year exhibition wise. During the JADA exhibition the gallery shop has been achieving projected weekly budget.</p> <p>Niomi acknowledged the support from the FOGG, noting that the 2020 JADA has been a testament to that support and the number of entries (659) displays the nationwide reach of marketing of this project.</p> <p>Heather Brown, FOGG President noted that the FOGG have had a fabulous response from the community in terms of 2020/21 membership to support the JADA and the gallery, with several business houses pledging ongoing corporate membership.</p> <p>Heather congratulated Niomi and her team on the work achieved this year under incredible circumstances.</p> <ul style="list-style-type: none"> <li>- Grant &amp; Yulgilbar update</li> </ul> <p>There was a sector wide shock in not receiving program funding from Create NSW. A campaign was launched by Regional &amp; Public Galleries to question what had happened. The crux was that the advertised process had another process added that wasn't fair or equitable.</p>	

This application was highly detailed and checked by an independent professional before submission. The Gallery ranked 17, which was a good spot to be in.

Niomi has requested feedback from both Ken Crouch and Peter Woods and had feedback from two Create NSW staff members who each gave conflicting feedback.

The gallery has applied for two grants, one through Create NSW for the opening of the new gallery project and the other through Regional Arts to employ artists to travel to local schools affected by bushfires to create story poles which will be installed outdoors. Clay is the medium to be used, due to its tactile nature.

The Yulgilbar Foundation (TYF) have pledged support of \$100,000 per year commencing March 2021 for three years. This funding is not to fill gaps that have been created by lack of Create NSW funding. This funding is for new programs and allows for experimentation to expand audiences to enable the gallery to reach its full potential.

Nine Creative has just completed and presented an Audience Development Project with the outcomes being used to inform marketing, promotions, and programs.

Galleries 2 and 3 will be known as The Yulgilbar Galleries and an acknowledgement to Mr and Mrs Myer will be placed on the Studio for their passion in supporting the arts and the Gallery. Niomi is looking at acknowledging the Cullen Family in the Library to honour their donation of the Lindt photos, and Ken Done will be acknowledged on a Sponsor's board to be located in Prentice House alongside Information about FOGG and the Gallery Foundation and a history of the Gallery. Niomi will talk to each respective group.

At some point Niomi will develop a fundraising plan.

A glass donor wall prototype was shown to the committee, trials are being run on placing text onto the glass and this wall will be located adjacent to the stairwell of the new gallery.

- Opening program update

Preparations for opening exhibitions are well underway, five well known Sydney based, and three local artists spent five days in the valley doing preliminary works responding to the landscape and presenting new perspectives on the Clarence. This exhibition is titled "River to the Sea", which was documented through photography and film and will feature a catalogue.

"Our Place" has been advertised to local artists of all ages who will be given an A4 sized canvas board to create artworks that also respond to the Clarence Valley and will be installed like a giant mural.

"Unwrapping" – a giant inflatable which will be constructed from sheets of plastics, the result of plastics collected from the community, and a partnership between GAS, the gallery, and local artists.

A ribbon cutting ceremony will be held on 12 February, numbers may be specific due to Covid regulations and a weekend of celebrations/activities is planned for all the Clarence community to enjoy. Dates are to be confirmed.

- Café

Niomi is working with a business broker in Coffs Harbour who will try to target the right business for the café, which is a different approach to that of the past. There is confidence that the proposition of a new space will be an attractive and positive proposition for a potential lessee.

- Shop

Niomi has engaged a retail consultant to work with the gallery on the layout and product content of the revamped Gallery Store. This process has been very helpful and essential to ensure that the Store is a success in the way the gallery wishes it to be.

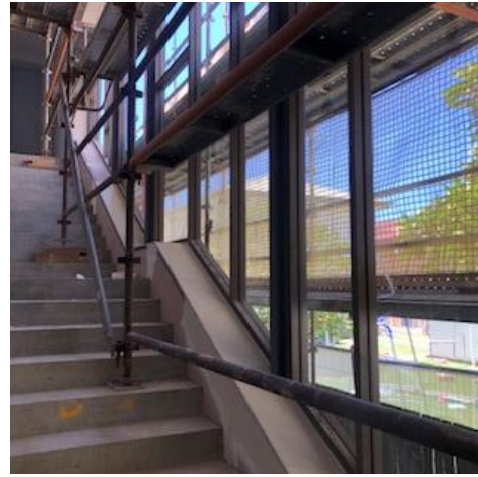
- Overview of performance

Visitor numbers have been limited due to Covid and space availability during construction as it is difficult to see that the gallery is open and providing cultural services to the community. The JADA has proved very popular with daily visitation of 30 – 60 during Jacaranda

Have outreach exhibitions at the Libraries, Old Kirk, CVC buildings and launched a partnership with the hospital for collection works in the new wing as well as the SCU study

	<p>centre and Dougherty Villa aged care facility which display collection works as well.</p> <p>There have been limited public programs although the uptake of online programs has been encouraging with engagement in a series of online workshops was held, facilitated by GAS for local art lovers to contribute works which GAS will include in a sculpture to be included in Sculpture by the Sea in 2021.</p> <p>The Gallery has achieved many of the projects we wanted to do, and people have appreciated the community involvement.</p> <p>Steve noted the importance of getting accurate information on the history board and suggested that she talk to Pam Fysh and Geoff Crispin.</p>	
8	<p><b>Items for next meeting</b></p> <p>Niomi to organise a tour of the new gallery, committee members to advise her of best dates to get some commonality.</p> <p>Niomi will do another virtual tour walk within the next couple of weeks.</p> <p>Next meeting to be a combination of zoom and onsite with a walk through.</p>	
9	<p><b>Time, date and venue of next meeting</b></p>	<p>Time: 4:30pm</p> <p>Date: 18 January 2021</p> <p>Electronic and onsite meeting</p>
10	<p><b>Meeting close</b></p>	<p>5:30pm</p>





DATA COLLECTION (GRG)	Q1- Benchmarks		
	July	August	September
<b>NUMBER OF PROGRAMS</b>			
Number of exhibitions (GRG)	2	2	2
Number of incoming exhibitions touring	-	-	-
Number of Outreach exhibitions	4	6	6
Number of Public Program/Education & events	-	4	6
<b>TOTAL</b>	<b>6</b>	<b>12</b>	<b>14</b>
<b>GENERAL ATTENDANCE</b>			
General attendance	416	221	156
Public Program - events attendance	-	23	69
Education Attendance	-	-	-
Outreach Program Attendance	629	1092	738
Tour Outreach Exhibition Attendance (JADA)	N/A	N/A	N/A
Venue Hire Attendance	-	-	-
TGF & FoGG events	-	-	-
Onsite Meetings			
<b>TOTAL ATTENDANCE</b>	<b>1,045</b>	<b>1,336</b>	<b>963</b>
Outward Loans (Collection)			
Website Unique users	9,525	5,244	4,163
Website Sessions	2,746	1,134	875
Instagram & Facebook Followers	3,463	3,458	3,688
Volunteers (number)	-	-	-
Volunteer hours	-	-	-
Number of days open to public	23	21	23

Re: Advisory committee minutes for approval



Bree Hiatt <bree.hiatt@bigpond.com>  
To: Avron Thompson

[↩ Reply](#) [↩ Reply All](#) [→ Forward](#) [⋮](#)

Wed 2/12/2020 10:45 PM

[i](#) Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Dear Avron,

*The minutes are confirmed via email response, with no change requested.*

Thanks,

Bree.

ECM ref: 2176383



## Nymboida Hall Management Committee

Minutes of the Meeting held Thursday 26 October 2020 at Nymboida Hall.

**Meeting opened:** 6:10pm with appropriate physical distancing.

**Committee present:** Kwame Tsey (presiding), Leonie Valuntas-Achilles, Sarah Liptrott, Annie Wolff.

**Apologies:** Sue Stevens

**Public present:** Steve Conway (Conway Construction)

**Correspondence in:**

18.09.20 Email from Dan Gibson RFS advising contractor selection will happen soon.

01.10.20 Email from Glen McPhillips CVC advising toilet cleaning invoices will now to \$160 per month.

13.10.20 Email from Dan Gibson RFS advising he will try to get funds and action for filling the new water tanks, RFS's and Hall's.

**Correspondence out:**

07.09.20 Email to Glen McPhillips CVC attaching Minutes from 28 Oct 2019 which include motion to increase toilet cleaning rate and separate provision of supplies.

**Treasurer's report:**

Report read and tabled by Treasurer. Closing balance is \$7,701.93.

MOTION: that the Treasurer's Report be accepted. Leonie Valuntas-Achilles / Kwame Tsey. Carried.

**Minutes of the previous meeting:**

Minutes from the meeting held 20 August 2020 were read.

MOTION: that the Minutes of the previous meeting be accepted as read. Annie Wolff / Leonie Valuntas-Achilles. Carried.

**Business arising:**

1. **Disability access ramp:**

This is within the RFS's Scope of Works, the location to be agreed later.

2. **Steps to verandah:**

Builder is to confirm if this item is within the Scope of Works.

3. **Light over kitchen deck:** ongoing

4. **Under-hall rubbish:**

Clean out is within the Scope of Works. Committee to advise user groups to claim any equipment or materials very soon.

5. **NSW RFS proposal for Bushfire Resilience Enhancements for Nymboida Hall as a Neighbourhood Safer Place:**

Conway Construction has the contract and will liaise with this Committee to avoid working during Hall usage.

6. **Toilet cleaning costs and payment procedure:**  
CVC has issued us a new Purchase Order Number, and Treasurer is invoicing them \$160 / month.  
The cleaner is to be notified if there are any upcoming bookings when the toilets might need checking before and after the event.
7. **Water tank to be sold by tender:**  
Done. Successful tender was \$201.00.
8. **Landscaping timbers to be sold by tender:**  
Done. Successful tender was \$150.00 for 13 pieces.

**General business:**

1. **Email account:**  
MOTION: that the Treasurer will create an official gmail.com account with shared calendar. Leonie Valuntas-Achilles / Annie Wolff

**Next meeting:** to be advised

**Meeting closed at:** 7:30pm

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**Treasurers Report 26/10/2020****Nymboida Hall Management Committee****Nymboida Hall Management Committee Bank account #112310230****Opening Balance: \$7189.63**

Account Transactions			
Details	Income	Expenditures	Balance
Opening Balance			\$7,189.63
Hall Hire-Mosaic W/Shops 1 & 2 Aug	\$75.00		
Payment Nymboida Village Water Rates (go halves with RFS)		\$150	
Toilet Cleaning-Aug.		\$160	
Hall Hire-Playgroup-Aug	\$20.00		
Timber Credit	\$150.00		
Payment ELGAS -Service Fee		\$66.00	
Tank Credit	\$201.00		
Toilet Cleaning-Sept.		\$160	
Direct Credit from CVC for toilet cleaning July, Aug & Sept.	\$502.30		
Hall Hire-Mosaic W/Shops 16/9 & 14/10	\$100.00		
Totals	\$1048.30	\$536.00	\$7,701.93

**Closing Balance: \$7,701.93****Petty Cash Opening Balance: \$304.90**

Account Transactions			
Details	Income	Expenditure	Balance
Opening Balance			\$304.90
Petty Cash	\$0.00		
Toilet paper		\$24.00	
Hand towels		\$0.00	
Stationary		\$0.00	
Totals	\$0.00	\$24.00	\$280.90

**Petty cash closing balance: \$280.90****Market float: \$100**

## OYSTER COVE FORESHORE RESERVE MANAGEMENT COMMITTEE (OCFRMC)

**MINUTES of Meeting held at on 23 November 2020 at 32 Orion Drive, Yamba NSW 2464**

<b>Attended:</b> N Drummond, P Bowes, D Priest, M Maher, N Moran.	<b>Apologies:</b>
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	ITEM	DISCUSSION	RESPONSIBLE PERSON & DEADLINE
1	Adoption of previous Minutes: 11 Nov 2019	<b>Motion:</b> That this meeting accepts the minutes of the meeting of 11 Nov 2019. Proposed: N Moran. Carried	Secretary
2	Business arising Nil		
3	Correspondence	Outgoing Nil  Incoming Nil	

## OYSTER COVE FORESHORE RESERVE MANAGEMENT COMMITTEE (OCFRMC)

ITEM	DISCUSSION	RESPONSIBLE PERSON & DEADLINE
<b>4 Particular items of business (list)</b> a) Trees requiring removal b) Chain for stopping cars on Reserve c) Mower tyre slow leak d) Christmas Party e) Annual Meeting f) Annual weed spraying Foreshore	a) List given to CVC (Andrew) b) Request given to CVC (Andrew) c) Notification given to CVC (Andrew) d) To be held 13 December e) To be held March 2021 f) Confirmation carried out by CVC	a) Completed b) Completed c) Completed d) President e) President f) Completed
<b>5 Date and venue of next meeting</b>	<b>The next OCFRMC meeting will be the AGM will be held in March 2021</b>	Secretary/Chairperson
<b>Meeting closed: 5.45 pm</b>		