

# Ordinary Council Meeting

## Minutes

Maclean - 22 February 2022 - 2.00pm





# AGENDA

	Page
<b>01 OPENING OF ORDINARY MEETING</b>	
<ul style="list-style-type: none"> <li>• Prayer</li> <li>• Acknowledgement of Country</li> <li>• Announcement – Recording of Meeting</li> </ul>	
<b>02 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE</b>	
<b>03 DISCLOSURES AND DECLARATIONS OF INTEREST</b>	
<b>04 CONFIRMATION OF MINUTES</b>	
<ul style="list-style-type: none"> <li>• Ordinary Meeting of Council held 23 November 2021</li> <li>• Extraordinary Meeting of Council held 3 December 2021</li> <li>• Extraordinary Meeting of Council held 11 January 2022</li> <li>• Extraordinary Meeting of Council held 20 January 2022</li> </ul>	
<b>05 MAYORAL MINUTES</b>	
Nil	
<b>06 NOTICE OF MOTIONS</b>	
06.22.001 AMENDMENT to investment policy	6
<b>07 REPORTS</b>	
07.22.001 General Manager's Performance Review Panel	9
07.22.002 Significant Projects and allocation of Local Roads and Community Infrastructure Program	11
07.22.003 Draft Disaster Resilience Framework	12
07.22.004 Lot 2 DP 839420 (2 Spring Street, South Grafton) Disposal - Progress Report	13
07.22.005 DA2019/0539 - Monthly Market - Harbour Street, Yamba (Whiting Beach Carpark)	14
07.22.006 MOD2021/0053 - Modify location of Advertising Sign - BP Service Station - 113 River Street, Maclean	15
07.22.007 DA2021/0558 - Multi Dwelling Housing (136 Dwellings, exhibition Home, Community Facilities & Associated Infrastructure) - No. 8 Park Avenue, Yamba	17
07.22.008 Clarence Valley Local Environmental Plan 2011. Housekeeping Amendment 2021. REZ2021/0005	19
07.22.009 Draft Rural Lands Strategy - for Exhibition	20
07.22.010 Amendment to water quality targets for new development in Council's Development Control Plans	21
07.22.011 RFT 21/42 Evaluation Report - Supply and installation of additional Solar battery storage	22
07.22.012 Advisory and section 355 committees establishment and Councillor participation	23
07.22.013 OLG Independent Review of Processes and Procedures for Councillor Misconduct: Information and Council Submission	26
07.22.014 Policy Report: Council reports for exhibition or endorsement	27

07.22.015	Independent Chair for the Audit, Risk and Improvement Committee (ARIC)	29
07.22.016	2021/2022 Special Events Sponsorship Program - Round 2	30
07.22.017	Draft Community Strategic Plan 'The Clarence 2032' for exhibition	31
07.22.018	Council Meeting Checklist - Update on Actions Taken	32
07.22.019	2021/22 Quarterly Budget Review Statement - December 2021	33
07.22.020	2020/21 Audited Financial Statements	34
07.22.021	Monthly Investment Report - November 2021	35
07.22.022	Monthly Investment Report - December 2021	36
07.22.023	Monthly Investment Report - January 2022	37
07.22.024	2021/2022 Operational Plan - Quarterly Review as at 31 December 2021	38
07.22.025	Property 113466 Sewer Connection Fee	39
07.22.026	Notice of Motion to LGNSW Special Conference - Floodplain Maintenance Funding	40
07.22.027	Contract T20/21 - Shannon Creek Dam Remediation of Tailwater Dam - Foreshadowed Variation	41
07.22.028	Classification of Lot 179 DP1279607 as Operational	42
07.22.029	Proposed Road Closure - Part Road Reserve Off Orara Way, Glenreagh	43
07.22.030	Proposed Road Closure - Part Skinners Road, Pillar Valley	44
07.22.031	Proposed Road Closure - Part Chatsworth Street, Maclean	45
07.22.032	Proposed Road Closure - Part Tancreds Lane, Clarenza	46
07.22.033	Clarence and Lower Clarence Sports Committees – Minutes of Meetings	47

## **08 CONFIDENTIAL BUSINESS**

Nil

## **09 QUESTIONS WITH NOTICE**

Nil

## **10 LATE ITEMS OF BUSINESS AND MATTERS ARISING**

Nil

## **11 CLOSE OF ORDINARY MEETING**

## 1. OPENING OF ORDINARY MEETING

**MINUTES of the ORDINARY MEETING of the CLARENCE VALLEY COUNCIL at Maclean, 22 February 2022 commencing at 2.00pm and closing at 4.08pm.**

**PRAYER** – Cr Smith delivered the Prayer.

**ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THE LAND** – Cr Novak delivered the Acknowledgement of Country

We acknowledge the Bundjalung, Gumbaynggirr and Yaegl people as the Traditional Owners of the land on which we all live and work. We honour the First Nations peoples culture & connection to land, sea and community. We pay our respects to their Elders past, present and emerging.

### CONDOLENCES

The Mayor called for a minutes silence to recognise the recent loss of two upstanding citizens.

### COUNCIL RESOLUTION

**Tiley/Day**

**That letters of condolence be sent to the families of the late Frank Mack and Baillieu Myer.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

**ANNOUNCEMENT** – The A/General Manager delivered the Announcement

All present are advised that this meeting is being broadcast live and audio recorded. Your attendance at this meeting is your acceptance that your image may be recorded and streamed to the internet as well as being retained in the archive of the record of the Council meeting.

Speakers are asked not to make insulting or defamatory statements and to take care when discussing other people's personal information. No other persons are permitted to record the meeting unless specifically authorised by Council to do so.

### PRESENT

Cr Peter Johnstone, Cr Ian Tiley (Mayor), Cr Allison Whaites, Cr Greg Clancy (Deputy Mayor), Cr Bill Day, Cr Jeff Smith, Cr Debrah Novak, Cr Karen Toms and Cr Steve Pickering

### ATTENDEES

A/General Manager (Laura Black), A/Director – Corporate & Governance (Alex Moar), Director – Environment & Planning (Adam Cameron) online, Director – Works & Civil (Jamie Fleeting) and Minutes Secretary (Debbie McGilvray).

## 2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Nil

**3. DISCLOSURES AND DECLARATIONS OF INTEREST – 03.22.001****Declarations received at the commencement of the Ordinary Council Meeting**

Name	Item	Nature of Interest, Action and Reason
Cr Novak	07.22.005	<ul style="list-style-type: none"> <li>▪ Pecuniary – Leave the Meeting</li> <li>▪ Applicant for DA</li> </ul>
Cr Smith	07.22.005	<ul style="list-style-type: none"> <li>▪ Pecuniary – Remain in the Meeting</li> <li>▪ Considering being a stallholder at markets</li> </ul>
Cr Johnstone	07.22.007	<ul style="list-style-type: none"> <li>▪ Non-Significant Non-Pecuniary – Leave the Meeting</li> <li>▪ An alternate for the Joint Regional Planning Panel so need to keep independent</li> </ul>
Cr Tiley	07.22.007	<ul style="list-style-type: none"> <li>▪ Non-Significant Non-Pecuniary – Leave the Meeting</li> <li>▪ Member of NRJRPP which will determine the matter</li> </ul>
Cr Clancy	07.22.007	<ul style="list-style-type: none"> <li>▪ Non-Significant Non-Pecuniary – Leave the Meeting</li> <li>▪ A member of the Northern Region Planning Panel</li> </ul>
Cr Pickering	07.22.016	<ul style="list-style-type: none"> <li>▪ Non-Significant Non-Pecuniary – Leave the Meeting</li> <li>▪ Supplied support reference for Ulmarra Riverlight Festival</li> </ul>
Cr Smith	07.22.016	<ul style="list-style-type: none"> <li>▪ Pecuniary – Remain in the Meeting</li> <li>▪ Currently a vendor at one or more events</li> </ul>

**4. CONFIRMATION OF MINUTES****COUNCIL RESOLUTION – 04.22.001**

**Toms/Novak**

**That the Minutes of Ordinary Meeting of Council dated 23 November 2021, copies of which have been circulated, be noted.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

**COUNCIL RESOLUTION – 04.22.002**

**Toms/Novak**

**That the Minutes of Extraordinary Meeting of Council dated 3 December 2021, copies of which have been circulated, be noted with the following amendments:**

- 1. Remove 19;06 from Motion (page 2)**
- 2. Add wording in italics (page 2):**  
**Point of Order (1) – Cr Toms - *Why are we going into confidential session as the Ombudsman's letter is not a Council document it is addressed to Mr and Mrs Cairns.***
- 3. Remove Point of Order (4 (could not be heard on microphone) (page 3)**  
**Point of Order (4) – Cr Lysaught – Cr Clancy is not speaking to the amendment.**



Clancy disagrees and asks not to be interrupted.

The Chair rules against the point of order and asks Cr Clancy not to raise his voice and allows him to continue debate.

4. Amend time from 4.47pm - Council moved into open forum at 4.57pm. (page 3)
5. Amend spelling from Moition to Motion (page 4)
6. Amend Cr Baker to Cr Williamson in Point of Orders 11 and 12 (page 4)  
Point of Order (11) – Cr Clancy – ~~Cr Baker~~ Cr Williamson is totally out of line.  
The Chair upheld the Point of Order and advised ~~Cr Baker~~ Cr Williamson his words were a bit strong.
7. Add new Point of Order between Points of Orders 13 and 14 (page 4)  
Point of Order – Cr Williamson – Cr Novak, it is in the Proposed Motion that was signed by two Councillors.  
The Chair upheld the Point of Order
8. Remove the word Government (page 4)  
Point of Order (15) – Cr Baker - If the report tells us that there were discussions with Local ~~Government~~ Area Command comment then it is reporting something true and if Cr Toms says its untrue and can prove it then she is fine to do so if not then she is out of order.
9. Points of Orders to be renumbered as a result of deletion and additions.

Further noting that Council's Minutes are not a transcript, they are an abbreviation of decisions made.

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

CARRIED

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#### COUNCIL RESOLUTION - 04.22.003

Toms/Whaites

That the Minutes of Extraordinary Meeting of Council dated 11 January 2022, copies of which have been circulated, be taken as read and be confirmed.

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

CARRIED

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#### COUNCIL RESOLUTION – 04.22.004

Toms/Whaites

That the Minutes of Extraordinary Meeting of Council dated 20 January 2022, copies of which have been circulated, be taken as read and be confirmed.

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

CARRIED

#### 5. MAYORAL MINUTES

Nil

## 6. NOTICES OF MOTION

<b>ITEM 06.22.001 NOTICE OF MOTION AMENDMENT TO INVESTMENT POLICY</b>		
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<b>Meeting</b>	Council	22 February 2022
<b>Submitted by</b>	Cr Greg Clancy	
<b>Attachments</b>	A. August Report to Council 6c.21.102 B. Draft Investment Policy C. Draft Investment Strategy	

To the General Manager, Clarence Valley Council, I propose that the following report and notice of motion be submitted to Council.

**SUMMARY**

Council at its meeting on 23 April 2019 resolved

That Council

1. Recognise that there is a climate emergency which requires actions by all levels of Government.
2. Acknowledge Council's efforts to lowering its emission.
3. Include a title of subheading "Climate Change" in all reports.
4. Continue carrying out the items "of action" in the "100% Renewables" report.
5. Note the minutes of the Climate Change Advisory Committee dated 22 June 2018; and thank the committee for their ongoing input. (Resolution 15.057/19).

One important action relating to the recognition of a climate emergency is to divest funds from financial institutions that fund the fossil-fuel industry. This can be achieved by investing with institutions that are known to not support the fossil-fuel industry with no financial loss to Council. The website Market Forces.org.au can be used as a reference to those institutions that do and don't support the fossil-fuel industry and decisions can then be made to divest.

**PROPOSED MOTION**

1. That Council place on public exhibition for a period of 28 days, the revised Investment Policy and Strategy considered at the August Ordinary Meeting of Council, and subject to there being no feedback that changes the intent of the inclusion of 5.11 as follows:

**5.11 Investments in Financial Institutions which Support the Fossil Fuel Industry**

Subject to consideration of the Risk Management Guidelines of this Policy, preference will be given to financial institutions that publicly state that they do not invest in or finance the fossil fuel industry if:

- a. The investment is compliant with Council's Investment Policy;
- b. The investment rate of return is equivalent to or more favourable to Council relative to other similar investments that may be offered to Council at the time of investment;
- c. It does not increase the overall risk of Council's investment portfolio and reduce the diversification with regards to counterparty, credit quality and its maturity profile, the Policy and Strategy be adopted.

2. Identify in the Monthly Investment Report investments that comply with 5.11.



**COUNCIL RESOLUTION – 06.22.001**

Clancy/Day

**That Council:**

- 1. Include in the draft Investment Policy the following section:  
5.11 Investments in Financial Institutions that do not support the Fossil Fuel Industry.  
Subject to consideration of the Risk Management Guidelines of this Policy, preference will be given to financial institutions that publicly state that they do not invest in or finance the fossil fuel industry if:
  - a. The investment is compliant with Council’s Investment Policy;**
  - b. The investment rate of return is equivalent to or more favourable to Council relative to other similar investments that may be offered to Council at the time of investment;**
  - c. It does not increase the overall risk of Council’s investment portfolio and reduce the diversification with regards to counterparty, credit quality and its maturity profile.****
- 2. Identify in the monthly investment Report investments that comply with the above, once the draft Investment Policy has been adopted.**
- 3. Review the draft Policy and Strategy to reflect the current economic situation and place the documents on public exhibition for a period of 28 days and report to Council for consideration on completion.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

**COUNCIL RESOLUTION****Day/Novak****That the following items be adopted by consent:**

**07.22.002  
07.22.008  
07.22.009  
07.22.011  
07.22.013  
07.22.017  
07.22.018  
07.22.019  
07.22.020  
07.22.021  
07.22.022  
07.22.023  
07.22.024  
07.22.025  
07.22.026  
07.22.028  
07.22.029  
07.22.030  
07.22.031  
07.22.032  
07.22.033**

**Voting recorded as follows****For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering****Against: Nil****CARRIED**

## 7. REPORTS

**ITEM 07.22.001 GENERAL MANAGER'S PERFORMANCE REVIEW PANEL**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	General Manager	
<b>Prepared by</b>	General Manager, Laura Black	
<b>Attachments</b>	A. Draft Performance Plan - GM B. Draft Performance Management - General Manager Policy	

**SUMMARY**

This report seeks the appointment of a Council nominated Councillor representative on the General Manager's Performance Review Panel to conduct the performance assessment of the Acting General Manager in the appointed role of the General Manager.

**OFFICER RECOMMENDATION**

That

1. Council nominate a Councillor to be the Council nominated representative on the General Manager's Performance Review Panel.
2. By Close of Business on Wednesday 23 February, the Acting General Manager advise the Council of the General Manager's nominated Councillor representative.
3. The draft Performance Management – General Manager Policy be placed on public exhibition for a period of 28 days and subject to there being no feedback that changes the intent of the amendment, it be adopted.

**COUNCIL RESOLUTION - 07.22.001**

**Toms/Novak**

That

1. **Council nominate a Councillor to be the Council nominated representative on the General Manager's Performance Review Panel.**
2. **By Close of Business on Wednesday 23 February, the Acting General Manager advise the Council of the General Manager's nominated Councillor representative.**
3. **The draft Performance Management – General Manager Policy be placed on public exhibition for a period of 28 days and subject to there being no feedback that changes the intent of the amendment, it be adopted.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

**NOMINATIONS****COUNCILLOR VOTES**

The first ballot was conducted by show of hands:

Cr Toms – 3

Cr Whaites – 4

Cr Novak – 2

*Cr Novak was excluded from the vote.*

**COUNCILLOR VOTES**

A second ballot was conducted by show of hands for the remaining two nominees:

Cr Toms – 5

Cr Whaites – 4

Cr Toms was appointed the panel member.

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**COUNCIL RESOLUTION – 07.22.001**

**Day/Smith**

**That Council nominate Cr Toms as the Council nominated representative on the General Manager's Performance Review Panel.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

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## ITEM 07.22.002 SIGNIFICANT PROJECTS AND ALLOCATION OF LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	General Manager	
<b>Prepared by</b>	General Manager, Laura Black	
<b>Attachments</b>	A. Significant Projects Book B. LRCIP Funding Allocations	

### SUMMARY

This report presents Council's significant projects requiring State and Federal funding and requires consideration of priority. The report also includes recommendations about proposed expenditure of the Local Roads and Community Infrastructure Program (LRCIP).

### OFFICER RECOMMENDATION

That Council

1. Adopt the priority order of the significant projects as identified in the attached significant projects book.
2. Refer the significant projects book to the Local State Member for Clarence and the Federal Member for Page.
3. Conduct annual reviews of the significant projects book as projects are funded and new ones are designed.
4. Make application for the allocation of Local Roads and Community Infrastructure Program funds totalling \$4,102,732 as follows:  
Clarence Valley Culture and Community Precinct (Maclean) - \$3,000,000  
Pedestrian Access and Mobility Plan outcomes - \$500,000  
Road renewal - \$602,732.

### COUNCIL RESOLUTION - 07.22.002

**Day/Novak**

That Council

1. **Adopt the priority order of the significant projects as identified in the attached significant projects book.**
2. **Refer the significant projects book to the Local State Member for Clarence and the Federal Member for Page.**
3. **Conduct annual reviews of the significant projects book as projects are funded and new ones are designed.**
4. **Make application for the allocation of Local Roads and Community Infrastructure Program funds totalling \$4,102,732 as follows:**  
**Clarence Valley Culture and Community Precinct (Maclean) - \$3,000,000**  
**Pedestrian Access and Mobility Plan outcomes - \$500,000**  
**Road renewal - \$602,732.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

**ITEM 07.22.003 DRAFT DISASTER RESILIENCE FRAMEWORK**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	General Manager	
<b>Prepared by</b>	General Manager, Laura Black	
<b>Attachments</b>	Nil	

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**SUMMARY**

At its Ordinary Meeting held 23 November 2021, Council resolved to place the Climate Change impact Assessment for Clarence Valley LGA Report on public exhibition, which is contrary to the confidentiality clause of the agreement entered with the consultant providing the service.

**OFFICER RECOMMENDATION**

That Council note

1. the information contained in this report.
2. the additional information provided by the consultant, being the Physical Climate Risk Assessment Summary for Policymakers and endorse the extension of the public exhibition period for the Draft Disaster Resilience Framework.

**COUNCIL RESOLUTION - 07.22.003**

**Clancy/Toms**

That Council note

1. the information contained in this report.
2. the additional information provided by the consultant, being the Physical Climate Risk Assessment Summary for Policymakers and endorse the extension of the public exhibition period for the Draft Disaster Resilience Framework.

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

**CARRIED**

**ITEM 07.22.004 LOT 2 DP 839420 (2 SPRING STREET, SOUTH GRAFTON) DISPOSAL - PROGRESS REPORT**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	General Manager	
<b>Prepared by</b>	General Manager, Laura Black	
<b>Attachments</b>	A. Gateway Determination	

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**SUMMARY**

The report provides councillors with the status of disposal of Lot 2 DP 839420 (2 Spring Street, South Grafton). The disposal of Lot 2 DP 839420 has been in train for some five (5) years and has been confirmed by Council through a number of resolutions since 2017.

**OFFICER RECOMMENDATION**

That the information in the report regarding progress with the disposal of Lot 2 DP 839420, be noted.

**COUNCIL RESOLUTION - 07.22.004****Day/Pickering**

1. That the information in the report regarding progress with the disposal of Lot 2 DP 839420, be noted.
2. That Councillors be provided, in confidence, with full details of the contract sale.

**Voting recorded as follows**

**For:** Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

**Against:** Nil

**CARRIED**



**ITEM 07.22.005 DA2019/0539 - MONTHLY MARKET - HARBOUR STREET, YAMBA (WHITING BEACH CARPARK)**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	Development Planner, James Hamilton	
<b>Attachments</b>	A. Site Plan B. Submissions C. Section 4.15 Assessment	

**SUMMARY**

<i>Applicant</i>	Debrah Novak
<i>Owner</i>	Crown Lands NSW (Council As Land Manager)
<i>Address</i>	Whiting Beach Carpark - Lot 7324 DP 1192051 being Reserve 56146 and Lot 7307 DP 1147276 being Reserve 85724
<i>Submissions</i>	Yes – 10 submissions (8 against, 2 for)

Council is in receipt of Development Application DA2019/0539 that proposes a monthly market on the first Saturday morning of each month within the Whiting Beach Carpark, Harbour Street, Yamba. In accordance with the Community Participation Plan the application was notified and advertised, with (10) submissions received. The application is forwarded to Council for a decision as a result of the public interest in the proposal. The report provides an assessment of the application and a recommendation for Council's consideration.

**OFFICER RECOMMENDATION**

That Council approve Development Application DA2019/0539 subject to the draft Advices and Conditions of Consent contained in Schedule 1.

Cr Novak left the meeting at 2:41 pm.  
Cr Novak returned to the meeting at 2:42 pm.

**COUNCIL RESOLUTION - 07.22.005**

**Toms/Johnstone**

**That Council approve Development Application DA2019/0539 subject to the draft Advices and Conditions of Consent contained in Schedule 1.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Toms, Pickering**

**Against: Nil**

**CARRIED**

**ITEM 07.22.006 MOD2021/0053 - MODIFY LOCATION OF ADVERTISING SIGN - BP SERVICE STATION - 113 RIVER STREET, MACLEAN**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	A/Development Services Coordinator, Carmen Landers	
<b>Attachments</b>	A. Amended Site Plan (Separate Cover) <a href="#">⇨</a> B. Submission (Separate Cover) <a href="#">⇨</a> C. Essential Energy Comments (Separate Cover) <a href="#">⇨</a> D. Section 4.55 Amendment Report (Separate Cover) <a href="#">⇨</a> E. DA2014/0586 - Notice of Determination as modified by MOD2019/0053 (Separate Cover) <a href="#">⇨</a> F. DA2014/0586 - Approved Plans as modified by MOD2019/0053 (Separate Cover) <a href="#">⇨</a>	

**SUMMARY**

<i>Applicant</i>	FK Gardner & Sons Pty Ltd
<i>Owner</i>	Bass Management Pty Ltd
<i>Address</i>	113 River Street, Maclean
<i>Submissions</i>	Yes – 1

Council is in receipt of a Section 4.55(1A) Application to modify DA2014/0586 for a Service Station at 113 River Street Maclean (Lot 11 DP 827039). The purpose of the modification is to reposition the BP pylon sign so that the requirements of Essential Energy in relation to the proximity of existing power lines can be met. DA2014/0586 has been previously modified under Section 4.55(2) by MOD2019/0053 as determined by Council at the Ordinary Meeting held 26 May 2020.

The proposed development was notified in accordance with Council's Community Participation Plan and a total of one (1) submission was received in relation to the modification. Issues raised in the submissions include the position of sign and potential light spill.

This matter is being reported to Council in line with the delegations adopted by Council at their November 2021 Meeting (Item No. 6c.21.123) as the application was originally determined by Council. This report provides an assessment of the application, issues raised within the submissions and a recommendation for Council's consideration.

**OFFICER RECOMMENDATION**

That Council approve Section 4.55(1A) Application MOD2021/0053 to modify DA2014/0586 subject to the amended condition contained in Schedule 1.

**MOTION**

Pickering/Day

That Council

1. Approve Section 4.55(1A) Application MOD2021/0053 to modify DA2014/0586 subject to the amended condition contained in Schedule 1.

**AMENDMENT TO MOTION**

Day/Tiley

Request the applicant to have a dimming mechanism from 10pm to 6am to reduce the impact on the neighbours including the caravan park and residents.

Voting recorded as follows

For: Johnstone, Tiley, Day, Smith, Novak

Against: Whaites, Clancy, Toms, Pickering

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**COUNCIL RESOLUTION - 07.22.006**

**Pickering/Day**

**That Council**

- 1. Approve Section 4.55(1A) Application MOD2021/0053 to modify DA2014/0586 subject to the amended condition contained in Schedule 1.**
- 2. Request the applicant to have a dimming mechanism from 10pm to 6am to reduce the impact on the neighbours including the caravan park and residents.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

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**ITEM 07.22.007 DA2021/0558 - MULTI DWELLING HOUSING (136 DWELLINGS, EXHIBITION HOME, COMMUNITY FACILITIES & ASSOCIATED INFRASTRUCTURE) - NO. 8 PARK AVENUE, YAMBA**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	A/Development Services Coordinator, Carmen Landers	
<b>Attachments</b>	<ul style="list-style-type: none"> <li>A. Northern Regional Planning Panel Report (Separate Cover) ⇨</li> <li>B. Statement of Environmental Effects (Separate Cover) ⇨</li> <li>C. Architectural Plans (Separate Cover) ⇨</li> <li>D. Landscape Plan (Separate Cover) ⇨</li> <li>E. Engineering Services Report (Separate Cover) ⇨</li> <li>F. Traffic Engineering Assessment (Separate Cover) ⇨</li> <li>G. DCP Assessment (Separate Cover) ⇨</li> <li>H. Social Impact Assessment (Separate Cover) ⇨</li> <li>I. Copy of Deposited Plan DP1228576 (Separate Cover) ⇨</li> <li>J. Submissions (Separate Cover) ⇨</li> </ul>	

**SUMMARY**

<i>Applicant</i>	Hometown Australia Management Pty Ltd
<i>Owner</i>	Parkes Menai P/L
<i>Address</i>	8 Park Avenue, Yamba
<i>Submissions</i>	21

Council is in receipt of a Development Application DA2021/0558 for a Multi Dwelling Housing development comprising 136 dwellings, one exhibition home, community facilities (including clubhouse, swimming pool, gym and cinema), associated infrastructure and landscaping upon Lot 101 DP1228576, being 8 Park Avenue, Yamba.

The proposed development constitutes 'regional development' requiring referral to the Northern Regional Planning Panel (NRPP) for determination as it is for general development with a capital investment greater than \$30 million under Schedule 7(2) of the *State Environmental Planning Policy (State and Regional) 2011*. While Council officers are responsible for the assessment of the development application (DA), the NRPP is the determining authority.

The subject site is zoned R3 Medium Density Residential under the *Clarence Valley Local Environmental Plan 2011* (CVLEP). The proposed multi dwelling housing development is permissible in the zone with development consent. Council staff have assessed the development application and the submissions made by the community and recommend the NRPP approve the proposed development.

This report is provided for information and to assist Council in deciding if they wish to make a representation to the NRPP meeting. The date of the NRPP meeting has not yet been confirmed but is likely to be scheduled in March.

**OFFICER RECOMMENDATION**

That Council note the submission of Council's Assessment Report to the Northern Regional Planning Panel for determination of DA2021/0558 for the proposed Multi Dwelling Housing development.

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**COUNCIL RESOLUTION**

**Tiley/Day**

**That Cr Toms be appointed Chairperson for the next item where Mayor Tiley, Deputy Mayor Clancy and Cr Johnstone have to leave the room with conflicts of interest.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

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Cr Tiley left the meeting at 2:57 pm.

Cr Tiley returned to the meeting at 3:13 pm.

Cr Clancy left the meeting at 2:57 pm.

Cr Clancy returned to the meeting at 3:13 pm.

Cr Johnstone left the meeting at 2:57 pm.

Cr Johnstone returned to the meeting at 3:13 pm.

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**COUNCIL RESOLUTION - 07.22.007**

**Pickering/Whaites**

**That Council note the submission of Council's Assessment Report to the Northern Regional Planning Panel for determination of DA2021/0558 for the proposed Multi Dwelling Housing development.**

**Voting recorded as follows**

**For: Whaites, Day, Toms, Pickering**

**Against: Smith, Novak**

**CARRIED**

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## ITEM 07.22.008 CLARENCE VALLEY LOCAL ENVIRONMENTAL PLAN 2011. HOUSEKEEPING AMENDMENT 2021. REZ2021/0005

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	Senior Strategic Planner, Deborah Wray	
<b>Attachments</b>	A. Summary of Proposed Amendments REZ2021-0005 B. Planning Proposal CVLEP 2011 Housekeeping Amendment 2021 REZ2021/0005 C. Combined Submissions REZ2021/0005	

### SUMMARY

An annual review of the Clarence Valley Local Environmental Plan 2011 (CVLEP) is usually carried out to update provisions, schedules, mapping layers and ensure a clear and robust development assessment process. Council resolved on 20 July 2021 to prepare a Housekeeping Amendment Planning Proposal (PP) to amend the CVLEP to correct and update a range of minor errors, anomalies and updates in the provisions and maps.

The Draft Planning Proposal received a Gateway Determination from the Department of Planning, Industry and Environment on 28 October 2021 and was placed on public exhibition from 19 November to 20 December 2021. Three (3) submissions were received: Two (2) raising no objections and One (1) suggesting better interpretation of heritage sites.

### OFFICER RECOMMENDATION

That Council:

1. As the Planning Proposal authority, adopt the Planning Proposal for the Housekeeping Amendments 2021, reference REZ2021/0005, to the *Clarence Valley Local Environmental Plan 2011* (Attachment B);
2. As the Planning Proposal authority, advise the Department of Planning, Industry and Environment that Council will use the local plan-making delegations under Section 3.36 of the *Environmental Planning and Assessment Act 1979* to finalise the amendments to the *Clarence Valley Local Environmental Plan 2011*; and
3. Explore opportunities for heritage interpretation in the Clarence Valley, particularly in association with relevant Council projects.

### COUNCIL RESOLUTION - 07.22.008

Day/Novak

That Council:

1. **As the Planning Proposal authority, adopt the Planning Proposal for the Housekeeping Amendments 2021, reference REZ2021/0005, to the *Clarence Valley Local Environmental Plan 2011* (Attachment B);**
2. **As the Planning Proposal authority, advise the Department of Planning, Industry and Environment that Council will use the local plan-making delegations under Section 3.36 of the *Environmental Planning and Assessment Act 1979* to finalise the amendments to the *Clarence Valley Local Environmental Plan 2011*; and**
3. **Explore opportunities for heritage interpretation in the Clarence Valley, particularly in association with relevant Council projects.**

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

**CARRIED**

**ITEM 07.22.009 DRAFT RURAL LANDS STRATEGY - FOR EXHIBITION**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	Coordinator Strategic Planning, Stephen Timms	
<b>Attachments</b>	A. Draft Rural Lands Strategy for Exhibition (Separate Cover) ⇨ B. Background Paper (Separate Cover) ⇨	

**SUMMARY**

The draft Rural Lands Strategy (draft Strategy) is a deliverable in our current Operational Plan 2021-22. Importantly, once finalised, the draft Strategy will comprise a key strategy to inform decision making for land use planning, development applications and resource allocation.

The importance of agriculture, forestry and fishing, along with managing rural lands and environmental sustainability, is supported by our planning framework and Council policies and strategies, including the Minister's Local Planning Directions, the North Coast Regional Plan 2017, our Community Strategic Plan – the Clarence 2027, our local Strategic Planning Statement and the Clarence Valley Regional Economic Development Strategy 2018-2022.

The draft strategy aligns with this strategic framework and has been developed through targeted consultation with Clarence Valley industry groups, State Government agencies and across Council. Further community consultation and formal exhibition of this draft Strategy is required before it is finalised for endorsement by Council and the Department of Planning, Industry and Environment (DPIE).

**OFFICER RECOMMENDATION**

That Council:

1. endorse the draft Rural Lands Strategy for public exhibition and associated community consultation and engagement; for a minimum of 28 days;
2. delegate authority to the General Manager to make any minor amendments to the draft Rural Land Strategy for publishing purposes prior to public exhibition; and
3. note that all submissions received, any recommended changes to the draft Rural Land Strategy and other supporting material will be reported to Council for approval following the exhibition period.

**COUNCIL RESOLUTION - 07.22.009**

**Day/Novak**

That Council:

1. endorse the draft Rural Lands Strategy for public exhibition and associated community consultation and engagement; for a minimum of 28 days;
2. delegate authority to the General Manager to make any minor amendments to the draft Rural Land Strategy for publishing purposes prior to public exhibition; and
3. note that all submissions received, any recommended changes to the draft Rural Land Strategy and other supporting material will be reported to Council for approval following the exhibition period.

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

**CARRIED**



## ITEM 07.22.010 AMENDMENT TO WATER QUALITY TARGETS FOR NEW DEVELOPMENT IN COUNCIL'S DEVELOPMENT CONTROL PLANS

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	Strategic Planner, Jasmine Oakes	
<b>Attachments</b>	A. Submissions B. DCP Sustainable Water Controls C. Clarence Valley Sustainable Water Requirements - Information for Applicants	

### SUMMARY

On 28 September 2021 Council resolved to publicly exhibit proposed changes to improve the Sustainable Water Controls in Clarence Valley's Development Control Plans (DCPs) and supporting information (Council Resolution 6b.21.072). This report provides a summary of the three (3) submissions received and recommends Council approve the proposed changes and adopt the amended DCPs.

### OFFICER RECOMMENDATION

That Council:

1. Note the submissions received (Attachment A) regarding the exhibited draft amendments to the Water Quality Targets for new development in the Clarence Valley Development Control Plans and Clarence Valley Sustainable Water Requirements: Information for Applicants;
2. Note the subsequent changes made to the draft amendments to the Water Quality Targets tables reflecting the correct targets for Total Phosphorous and Total Nitrogen within the Development Control Plans for Development in Residential Zones, Business Zones, Industrial Zones, Environmental Protection, Recreation and Special Use Zones;
3. Adopt the amended Sustainable Water Control sections of the draft Development Control Plans (Attachment B) and the Clarence Valley Sustainable Water Requirements: Information for Applicants (Attachment C); and
4. Provide public notice of the adoption in accordance with the *Environmental Planning and Assessment Act 1979* and Environmental Planning and Assessment Regulation 2000; and
5. Consider making further improvements to water quality controls in future amendments to the Clarence Valley Development Control Plans.

### COUNCIL RESOLUTION – 07.22.010

Toms/Novak

That Council:

1. Note the submissions received (Attachment A) regarding the exhibited draft amendments to the Water Quality Targets for new development in the Clarence Valley Development Control Plans and Clarence Valley Sustainable Water Requirements: Information for Applicants;
2. Note the subsequent changes made to the draft amendments to the Water Quality Targets tables reflecting the correct targets for Total Phosphorous and Total Nitrogen within the Development Control Plans for Development in Residential Zones, Business Zones, Industrial Zones, Environmental Protection, Recreation and Special Use Zones;
3. Defer adoption of the amended Sustainable Water Control sections of the draft Development Control Plans (Attachment B) and the Clarence Valley Sustainable Water Requirements: Information for Applicants (Attachment C); to allow staff to provide stronger and more appropriate wording and report back to Council.

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

**CARRIED**

**ITEM 07.22.011 RFT 21/42 EVALUATION REPORT - SUPPLY AND INSTALLATION OF ADDITIONAL SOLAR BATTERY STORAGE**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	Waste & Sustainability Coordinator, Ken Wilson	
<b>Attachments</b>	A. Tender Recommendation Report RFT 21/42 (Confidential)	

**SUMMARY**

Tenders for the supply and installation of additional PV (photovoltaic) Solar, battery storage, standby generator and car park shelter closed on the 27 January 2022. The project is fully budgeted for with funds coming from the NSW Bushfire Local Economic Recovery Fund to improve the resilience of the Rushforth Road Works Depot as well as an internal project budget. A tender evaluation process has been completed and this report recommends the acceptance of the tender providing the greatest value for Council.

**OFFICER RECOMMENDATION**

That Council accept the tender from Jarcon Pty Ltd trading as Harelec Services for RFT 21/42 - PV Solar, Battery Storage and Standby Generator and car park shelter at the Rushforth Road Works Depot (RRWD) at a cost of \$855,363.64 (GST exclusive) to be funded from PJ 995188 CAP00241 RRWD Solar Power Upgrade and PJ 994653 Renewable Energy & Energy Efficiency.

**COUNCIL RESOLUTION - 07.22.011**

**Day/Novak**

**That Council accept the tender from Jarcon Pty Ltd trading as Harelec Services for RFT 21/42 - PV Solar, Battery Storage and Standby Generator and car park shelter at the Rushforth Road Works Depot (RRWD) at a cost of \$855,363.64 (GST exclusive) to be funded from PJ 995188 CAP00241 RRWD Solar Power Upgrade and PJ 994653 Renewable Energy & Energy Efficiency.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

## ITEM 07.22.012 ADVISORY AND SECTION 355 COMMITTEES ESTABLISHMENT AND COUNCILLOR PARTICIPATION

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Governance Officer, Bligh Grant	
<b>Attachments</b>	Nil	

### SUMMARY

This report outlines the recommendations for establishment of Council's Advisory Committees and committees constituted by Council under Section 355 of the Local Government Act and seeks allocation of Councillor representation on to such established advisory committees and external and statutory committees.

### OFFICER RECOMMENDATION

That Council:

- adopt the recommended advisory committees be established.
- call for an Expression of interest from the community for nomination to be on these advisory committees in accordance with the relevant Terms of Reference.
- appoint councillor representatives for the following Advisory Committees:
  - Clarence Coast & Estuary Management Committee – 1 Chair and 1 Councillor
  - Clarence Sports Committee – 1 Chair and 1 Councillor
  - Lower Clarence Sports Committee – 1 Chair and 1 Councillor
  - Clarence Valley Aboriginal Advisory Committee – 1 Chair and 1 Councillor
  - Clarence Valley Access Committee – 1 Chair and 1 Councillor
  - Clarence Valley Climate Change Committee – 1 Chair and alternate
  - Clarence Valley Community and Cultural Committee – 1 Chair and 1 Councillor
  - Saleyards (Grafton) Advisory Committee – 1 Chair and 1 alternate
- adopt the recommended section 355 committees be established.
- call for an Expression of interest from the community for nomination to be on the section 355 committees in accordance with Terms of Reference.
- appoint councillor representation for the following External Committees:
  - Bushfire Management Committee – 1 Councillor
  - Arts Northern Rivers – 1 Councillor
- appoint councillors representation for the following Statutory Committees:
  - Clarence Regional Library - 2 Councillors
  - Local Traffic Committee – 1 Councillor and 1 alternate
- consider other advisory committees at future workshop to provide guidance on the preparation of Terms of Reference including proposed purpose and membership.

**COUNCIL RESOLUTION - 07.22.012**

**Clancy/Pickering**

**That Council:**

1. adopt the recommended advisory committees be established.
2. call for an Expression of interest from the community for nomination to be on these advisory committees in accordance with the relevant Terms of Reference.
3. appoint councillor representatives for the following Advisory Committees:
  - Clarence Coast & Estuary Management Committee – Clancy (Chair) and Smith (Councillor)
  - Clarence Sports Committee – Novak (Chair) and Whaites (Councillor)
  - Lower Clarence Sports Committee – Whaites (Chair) and Novak (Councillor)
  - ~~Clarence Valley Aboriginal Advisory Committee – 1 Chair and 1 Councillor~~
  - Clarence Valley Access Committee – Toms (Chair) and Pickering (Councillor)
  - Clarence Valley Climate Change Committee – Clancy (Chair) and Smith (alternate)
  - Clarence Valley Community and Cultural Committee – Whaites (Chair) and Smith (Councillor)
  - Saleyards (Grafton) Advisory Committee – Novak (Chair) and Johnstone (alternate)
  - Floodplain Risk Management Committee – Novak (Councillor) and Tiley (alternate)
4. adopt the recommended section 355 committees be established.
5. call for an Expression of interest from the community for nomination to be on the section 355 committees in accordance with Terms of Reference.
6. appoint councillor representation for the following External Committees:
  - Bushfire Management Committee – Novak (Councillor) [Vote Novak – 6/Clancy – 3]
  - Arts Northern Rivers – Pickering (Councillor)
  - NPWS Iluka Community Consultation Forum – Toms (Councillor)
7. appoint councillors representation for the following Statutory Committees:
  - Clarence Regional Library – Toms & Johnstone (Councillors)
  - Local Traffic Committee – Johnstone (Councillor) and Pickering (alternate)
8. form a Biodiversity Advisory Committee and an Economic Development and Tourism Advisory Committee:
  - a. with Terms of Reference being prepared for the March Workshop; and
  - b. thereafter Expressions of Interest being called for membership; and
  - c. appoint Clancy (Chair) and Johnstone (alternate) to the Biodiversity Advisory Committee
  - d. appoint Day (Chair) and Smith (Councillor) representative to the Economic Development and Tourism Advisory Committee
9. consider other advisory committees at future workshop to provide guidance on the preparation of Terms of Reference including proposed purpose and membership.
10. defer establishment of the Clarence Valley Aboriginal Advisory Committee pending discussion with local Aboriginal communities and organisations.

**Voting recorded as follows**

**For: Johnstone, Tiley, Clancy, Day, Smith, Pickering**

**Against: Whaites, Novak, Toms**

**CARRIED**

**AMENDMENT TO MOTION**

Toms/Novak

That Council:

- 
1. adopt the recommended advisory committees be established.
  2. call for an Expression of interest from the community for nomination to be on these advisory committees in accordance with the relevant Terms of Reference.
  3. appoint councillor representatives for the following Advisory Committees:  
  
Clarence Coast & Estuary Management Committee – 1 Chair and 1 Councillor  
Clarence Sports Committee – 1 Chair and 1 Councillor  
Lower Clarence Sports Committee – 1 Chair and 1 Councillor  
~~Clarence Valley Aboriginal Advisory Committee – 1 Chair and 1 Councillor~~  
Clarence Valley Access Committee – 1 Chair and 1 Councillor  
Clarence Valley Climate Change Committee – 1 Chair and alternate  
Clarence Valley Community and Cultural Committee – 1 Chair and 1 Councillor  
Saleyards (Grafton) Advisory Committee – 1 Chair and 1 alternate  
Floodplain Risk Management Committee – 1 Councillor and 1 alternate
  4. adopt the recommended section 355 committees be established.
  5. call for an Expression of interest from the community for nomination to be on the section 355 committees in accordance with Terms of Reference.
  6. appoint councillor representation for the following External Committees:  
Bushfire Management Committee – 1 Councillor  
Arts Northern Rivers – 1 Councillor  
NPWS Iluka Community Consultation Group – 1 Councillor
  7. appoint councillors representation for the following Statutory Committees:  
  
Clarence Regional Library - 2 Councillors  
Local Traffic Committee – 1 Councillor and 1 alternate
  8. defer establishment of the Clarence Valley Aboriginal Advisory Committee pending discussion with local Aboriginal communities and organisations.

Voting recorded as follows

For: Whaites, Novak, Toms

Against: Johnstone, Tiley, Clancy, Day, Smith, Pickering

The Amendment to Motion was put and declared LOST

### ITEM 07.22.013 OLG INDEPENDENT REVIEW OF PROCESSES AND PROCEDURES FOR COUNCILLOR MISCONDUCT: INFORMATION AND COUNCIL SUBMISSION

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Governance Officer, Bligh Grant	
<b>Attachments</b>	A. Attachment A. OLG. Consultation-Paper. Councillor Conduct B. Attachment B. CVC Code_of_Conduct_V8.0 C. Attachment C. OLG. Model Procedures-for-the-Administration-of-the-Model-Code-of-Conduct-2020 D. Attachment D. OLG. Framework-For-Managing-Councillor-Misconduct-Allegations	

#### SUMMARY

On 25 November 2021, the Office of Local Government (OLG) called for submissions to its review of the councillor misconduct framework in NSW. The final date for submissions to the review is 28 March 2022.

This report identifies the points of Council's proposed submission.

#### OFFICER RECOMMENDATION

That Council make a submission to the Office of Local Government's review of the councillor misconduct framework in NSW identifying the following points as detailed further in the report:

- Clarify the gravity of misconduct to enable lower level breaches to be dealt with by the organisation to reduce costs
- a separate Code of Conduct is required for councillors and staff
- the General Manager should be removed from the initial handling of Code of Conduct complaints about elected members.
- the cost impact of Code of Conduct assessments.

#### COUNCIL RESOLUTION - 07.22.013

##### Day/Novak

That Council make a submission to the Office of Local Government's review of the councillor misconduct framework in NSW identifying the following points as detailed further in the report:

- Clarify the gravity of misconduct to enable lower level breaches to be dealt with by the organisation to reduce costs
- a separate Code of Conduct is required for councillors and staff
- the General Manager should be removed from the initial handling of Code of Conduct complaints about elected members.
- the cost impact of Code of Conduct assessments.

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

**CARRIED**

**ITEM 07.22.014 POLICY REPORT: COUNCIL REPORTS FOR EXHIBITION OR ENDORSEMENT**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Governance Officer, Bligh Grant	
<b>Attachments</b>	A. Draft Code of Conduct V9 B. Draft Councillor attendance at conferences V5.1 C. Draft Councillor and staff interaction policy V4 D. Draft Social Media Policy V3 E. Draft Internal reporting and public interest disclosures policy V1 F. Draft Managing unreasonable conduct by complainants policy V3 G. Draft Equal Employment Opportunity & Anti-Discrimination Policy V1	

**SUMMARY**

This Report outlines updates to existing Council Policies, introduces new policies and seeks Council's commitment to guiding principles in policy.

**OFFICER RECOMMENDATION**

That:

1. Council adopt the Code of Conduct policy V9 (Attachment A).
2. Council adopt the Councillor Attendance at Conferences policy V5.1 (Attachment B).
3. Council endorse the draft Councillor and Staff Interaction Policy V4.0 (Attachment C) to be placed on public exhibition and subject to feedback that changes the intent of the Policy it be adopted.
4. Council endorse the draft Social Media policy V3.0 (Attachment D) to be placed on exhibition and subject to feedback that changes the intent of the Policy it be adopted.
5. Council endorse the draft Internal Reporting and Public Interest Disclosures (PID) policy V1.0 (Attachment E) to be placed on exhibition and subject to feedback that changes the intent of the Policy it be adopted.
6. Council endorse the draft Managing Unreasonable Conduct by Complainants Policy V3 (Attachment F) to be placed on exhibition and subject to feedback that changes the intent of the Policy it be adopted.
7. Council endorse the draft Equal Employment Opportunity and Anti-Discrimination Policy V1 (Attachment G) to be placed on public exhibition and subject to feedback that changes the intent of the Policy it be adopted.

**COUNCIL RESOLUTION – 07.22.014**

**Clancy/Toms/Day**

That:

1. Council endorse the following policies to be placed on public exhibition and brought back to Council to be adopted, such policies are as follows:
  - Code of Conduct policy V9 (Attachment A)
  - Councillor Attendance at Conferences policy V5.1 (Attachment B)
  - Draft Councillor and Staff Interaction Policy V4.0 (Attachment C)
  - Draft Social Media policy V3.0 (Attachment D)
  - Draft Internal Reporting and Public Interest Disclosures (PID) policy V1.0 (Attachment E)
  - Draft Equal Employment Opportunity and Anti-Discrimination Policy V1 (Attachment G)
2. Item 6, the Draft Managing Unreasonable Conduct by Complainants Policy V3 (Attachment F), be deferred and that the UCC Policy be the subject of a Councillors workshop.

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

**CARRIED**



**FORESHADOWED MOTION**

Pickering

That:

1. Council adopt the Code of Conduct policy V9 (Attachment A).
2. Council adopt the Councillor Attendance at Conferences policy V5.1 (Attachment B).
3. Council endorse the draft Councillor and Staff Interaction Policy V4.0 (Attachment C) to be placed on public exhibition and subject to feedback that changes the intent of the Policy it be adopted.
4. Council endorse the draft Social Media policy V3.0 (Attachment D) to be placed on exhibition and subject to feedback that changes the intent of the Policy it be adopted.
5. Council endorse the draft Internal Reporting and Public Interest Disclosures (PID) policy V1.0 (Attachment E) to be placed on exhibition and subject to feedback that changes the intent of the Policy it be adopted.
6. Council endorse the draft Managing Unreasonable Conduct by Complainants Policy V3 (Attachment F) to be placed on exhibition and subject to feedback that changes the intent of the Policy it be adopted.
7. Council endorse the draft Equal Employment Opportunity and Anti-Discrimination Policy V1 (Attachment G) to be placed on public exhibition and subject to feedback that changes the intent of the Policy it be adopted.

**ITEM 07.22.015 INDEPENDENT CHAIR FOR THE AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC)**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Internal Audit Officer, Kallet Ward	
<b>Attachments</b>	A. Expression of Interest 1 (Confidential) B. Expression of Interest 2 (Confidential) C. Expression of Interest 3 (Confidential) D. Audit, Risk and Improvement Committee- Responsibilities	

**SUMMARY**

This report requires Council to consider the appointment of a chair for the Audit, Risk and Improvement Committee (ARIC) and to nominate a councillor representative as an observer. The ARIC provides independent advice on council's risk management, control, governance, internal audit, organisational performance and external responsibilities.

**OFFICER RECOMMENDATION**

That Council

1. appoint Neville Parsons as Chair of the Audit, Risk and Improvement Committee for the term of the Council.
2. seek the assistance of the Chair in assessing and recommending appointment of other independent members of the Audit, Risk, and Improvement Committee.
3. appoint a councillor as an observer to the Audit, Risk, and Improvement Committee for the term of the council.

**COUNCIL RESOLUTION - 07.22.015**

**Novak/Johnstone**

That Council

1. appoint Neville Parsons as Chair of the Audit, Risk and Improvement Committee for the term of the Council.
2. seek the assistance of the Chair in assessing and recommending appointment of other independent members of the Audit, Risk, and Improvement Committee.
3. appoint a councillor as an observer to the Audit, Risk, and Improvement Committee for the term of the council.

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

**CARRIED**

**COUNCIL RESOLUTION - 07.22.015a**

**Toms/Day**

That Cr Johnstone be appointed as the observer to the Audit, Risk, and Improvement Committee for the term of the council.

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

**CARRIED**

**ITEM 07.22.016 2021/2022 SPECIAL EVENTS SPONSORSHIP PROGRAM - ROUND 2**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Event Development Officer, Alicia Savelloni	
<b>Attachments</b>	A. Round 2 Special Event Sponsorship Recommendations	

**SUMMARY**

This report presents a summary of sponsorship applications received under Round Two of the Special Events Sponsorship 2021/2022 program, the criteria applied in the assessment of the applications and recommendations for the allocation of funding.

**OFFICER RECOMMENDATION**

That Council adopt the recommendations for the provision of funding to applicants as listed in the attached schedule to the value of \$37,250 and authorise the processing of these sponsorships in accordance with the adopted Event Sponsorship Policy.

Cr Pickering left the meeting at 4:06 pm.

Cr Pickering returned to the meeting at 4:07 pm.

**COUNCIL RESOLUTION - 07.22.016**

**Toms/Novak**

**That Council adopt the recommendations for the provision of funding to applicants as listed in the attached schedule to the value of \$37,250 and authorise the processing of these sponsorships in accordance with the adopted Event Sponsorship Policy.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms**

**Against: Nil**

**CARRIED**

**ITEM 07.22.017 DRAFT COMMUNITY STRATEGIC PLAN 'THE CLARENCE 2032' FOR EXHIBITION**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	A/Director - Corporate & Governance, Alex Moar	
<b>Attachments</b>	A. Draft Community Strategic Plan (Separate Cover) <a href="#">↗</a>	

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**SUMMARY**

Council endorse the Draft Community Strategic Plan 'The Clarence 2032' for public exhibition until 6 May 2022.

**OFFICER RECOMMENDATION**

That Council endorse the Draft Community Strategic Plan 'The Clarence 2032' for public exhibition until 6 May 2022.

**COUNCIL RESOLUTION - 07.22.017**

**Toms/Novak**

**That Council endorse the Draft Community Strategic Plan 'The Clarence 2032' for public exhibition until 6 May 2022.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

**ITEM 07.22.018 COUNCIL MEETING CHECKLIST - UPDATE ON ACTIONS TAKEN**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Executive Support Assistant, Karlie Chevalley	
<b>Attachments</b>	A. Checklist Attachment for February 2022	

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**SUMMARY**

This report updates Councillors on actions taken to implement resolutions of previous Council meetings.

**OFFICER RECOMMENDATION**

That the schedule of actions taken on Council resolutions be noted and those resolutions marked as complete be removed from the checklist.

**COUNCIL RESOLUTION - 07.22.018**

**Day/Novak**

**That the schedule of actions taken on Council resolutions be noted and those resolutions marked as complete be removed from the checklist.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

**ITEM 07.22.019 2021/22 QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2021**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Manager Finance & Systems, Kate Maginnity	
<b>Attachments</b>	A. Quarterly Budget Review Income Statement By Fund B. Quarterly Budget Review Sub Service Summary C. Quarterly Budget Review Summary of Restrictions D. Quarterly Budget Review Contracts and Other Expenses	

**SUMMARY**

This report presents to Council the December 2021 Quarterly Budget Review Statement (QBRS) for the period 1 October 2021 to 31 December 2021.

Budget adjustments for the quarter ended 31 December 2021 (subject to council resolution) result in a net General Fund impact of (\$187,000) increasing the current year projected budget result to a \$72,608 surplus.

The reserve funding variations identified in this report will decrease the reserve funds by a further \$10,000, resulting in a current year projected reserve funds movement of \$31,611,783.

**OFFICER RECOMMENDATION**

That Council:

1. Receive and note the information in the Quarterly Budget Review Statement to December 2021.
2. Approve General Fund variations detailed in this report totalling (\$187,000), which results in a projected General Fund budget surplus of \$72,608 for the year.
3. Approve the variations for the Financial Reserves as detailed in this report totalling \$10,000, which results in a projected decrease in the External and Internal Reserves Funds of \$31,611,783.
4. Note and endorse the receipt of funds due to successful grant applications as detailed in the body of this report.

**COUNCIL RESOLUTION - 07.22.019**

**Day/Novak**

That Council:

1. Receive and note the information in the Quarterly Budget Review Statement to December 2021.
2. Approve General Fund variations detailed in this report totalling (\$187,000), which results in a projected General Fund budget surplus of \$72,608 for the year.
3. Approve the variations for the Financial Reserves as detailed in this report totalling \$10,000, which results in a projected decrease in the External and Internal Reserves Funds of \$31,611,783.
4. Note and endorse the receipt of funds due to successful grant applications as detailed in the body of this report.

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

**CARRIED**

**ITEM 07.22.020 2020/21 AUDITED FINANCIAL STATEMENTS**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Acting Financial Accountant, Kirsty Gooley	
<b>Attachments</b>	A. Annual Financial Statements 2020-21	

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**SUMMARY**

This report presents Council's consolidated Audited 2020/21 Annual Financial Statements to the public in accordance with Section 419 (1) of the Local Government Act (LGA).

**OFFICER RECOMMENDATION**

That Council receive and note the Audited 2020/21 Annual Financial Statements.

**COUNCIL RESOLUTION - 07.22.020**

**Day/Novak**

**That Council receive and note the Audited 2020/21 Annual Financial Statements.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**



**ITEM 07.22.021 MONTHLY INVESTMENT REPORT - NOVEMBER 2021**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Acting Financial Accountant, Kirsty Gooley	
<b>Attachments</b>	A. Movement of Funds Between Months - November 2021	

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**SUMMARY**

The purpose of this report is to inform Council of the details of Council's investment funds as at the end of each month.

**OFFICER RECOMMENDATION**

That the report indicating Council's funds investment position as at 30 November 2021 be received and noted.

**COUNCIL RESOLUTION - 07.22.021**

**Day/Novak**

That the report indicating Council's funds investment position as at 30 November 2021 be received and noted.

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

**ITEM 07.22.022 MONTHLY INVESTMENT REPORT - DECEMBER 2021**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Acting Financial Accountant, Kirsty Gooley	
<b>Attachments</b>	A. Movement of Funds Between Months - December 2021	

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**SUMMARY**

The purpose of this report is to inform Council of the details of Council's investment funds as at the end of each month.

**OFFICER RECOMMENDATION**

That the report indicating Council's funds investment position as at 31 December 2021 be received and noted.

**COUNCIL RESOLUTION - 07.22.022**

**Day/Novak**

That the report indicating Council's funds investment position as at 31 December 2021 be received and noted.

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

**CARRIED**

**ITEM 07.22.023 MONTHLY INVESTMENT REPORT - JANUARY 2022**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Financial Analysis, Kirsty Gooley	
<b>Attachments</b>	A. Movement of Funds Between Months - January 2022	

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**SUMMARY**

The purpose of this report is to inform Council of the details of Council's investment funds as at the end of each month.

**OFFICER RECOMMENDATION**

That the report indicating Council's funds investment position as at 31 January 2022 be received and noted.

**COUNCIL RESOLUTION - 07.22.023**

**Day/Novak**

That the report indicating Council's funds investment position as at 31 January 2022 be received and noted.

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

**ITEM 07.22.024 2021/2022 OPERATIONAL PLAN - QUARTERLY REVIEW AS AT 31 DECEMBER 2021**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	A/Director - Corporate & Governance, Alex Moar	
<b>Attachments</b>	A. Operational Plan Progress Report Q2 21-22 (Separate Cover) <a href="#">⇒</a>	

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**SUMMARY**

This report provides the second quarterly review on Council's performance in fulfilling its actions, services, projects and programs in the 2021/2022 Operational Plan.

**OFFICER RECOMMENDATION**

That the Quarterly Operational Plan outcomes as at 31 December 2021 be noted.

**COUNCIL RESOLUTION - 07.22.024**

**Day/Novak**

**That the Quarterly Operational Plan outcomes as at 31 December 2021 be noted.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

**ITEM 07.22.025 PROPERTY 113466 SEWER CONNECTION FEE**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Manager Water Cycle, Greg Mashiah	
<b>Attachments</b>	<ul style="list-style-type: none"> <li>A. 2006 Correspondence from Property Owner (Confidential)</li> <li>B. Extract from 2021/22 Fees and Charges</li> <li>C. Report 13.279 to December 2011 Council meeting</li> <li>D. Request from Property Owner (Confidential)</li> </ul>	

**SUMMARY**

The owners of Property 113466 have requested the sewer connection fee for their property not include a capital component due to historical circumstances related to sewerage of the property. As staff do not have delegation to modify adopted fees and charges, the matter is reported to Council for consideration.

**OFFICER RECOMMENDATION**

That Council approve a variation to the 2021/22 adopted fees and charges for Property 113466 and only charge the "*Sewer Connection Application*" fee being \$279 and exclude the capital component fee of \$11,979.

**COUNCIL RESOLUTION - 07.22.025**

**Day/Novak**

That Council approve a variation to the 2021/22 adopted fees and charges for Property 113466 and only charge the "*Sewer Connection Application*" fee being \$279 and exclude the capital component fee of \$11,979.

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

## ITEM 07.22.026 NOTICE OF MOTION TO LGNSW SPECIAL CONFERENCE - FLOODPLAIN MAINTENANCE FUNDING

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Manager Water Cycle, Greg Mashiah	
<b>Attachments</b>	A. Notice of Motion to LGNSW Special Conference B. Submission from Floodplain Management Australia to Minister Hancock C. Response from OLG to Floodplain Management Australia	

### SUMMARY

This report seeks endorsement of a Motion submitted by the Mayor and Acting General Manager to the LGNSW Special Conference to give councils power of entry to construct and maintain flood mitigation works

### OFFICER RECOMMENDATION

That Council endorse the following Motion submitted to the LGNSW Special Conference:

*That Local Government NSW lobbies the NSW Government to amend Section 59A and 191A of the Local Government Act to give councils power of entry to construct and maintain flood mitigation works.*

### COUNCIL RESOLUTION - 07.22.026

**Day/Novak**

That Council endorse the following Motion submitted to the LGNSW Special Conference:

*That Local Government NSW lobbies the NSW Government to amend Section 59A and 191A of the Local Government Act to give councils power of entry to construct and maintain flood mitigation works.*

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

**CARRIED**

**ITEM 07.22.027 CONTRACT T20/21 - SHANNON CREEK DAM REMEDIATION OF TAILWATER DAM - FORESHADOWED VARIATION**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Manager Water Cycle, Greg Mashiah	
<b>Attachments</b>	A. Report 6e.21.013 to 27 July 2021 meeting	

**SUMMARY**

At its meeting of 27 July 2021 Council awarded Design and Construct Contract T20/21 for *Shannon Creek Dam Remediation of Tailwater Dam and Access Track* (Resolution 6e.21.013).

The remediation works are required as a result of significant damage to an existing rock gabion structure following a 1% Average Exceedance Probability (AEP) flood event in December 2018. Additional geotechnical investigation undertaken by the contractor during the design phase of the contract has shown that site subsurface conditions are significantly poorer than the information provided in the tender background information and the foundation options proposed in the tender will therefore not meet the specified design requirements.

Council's dam safety consultant concurs with this assessment. The contractor has foreshadowed a variation to construct a foundation which addresses the subsurface conditions. As the Resolution awarding the contract only authorised variations up to 15% of the contract sum, the foreshadowed variation is reported to Council for noting.

**OFFICER RECOMMENDATION**

That Council notes:

1. The foreshadowed variation for Contract T20/21 due to adverse ground conditions, and
2. The final variation will be included in the Q3 budget adjustment.

**COUNCIL RESOLUTION - 07.22.027**

**Toms/Novak**

That Council notes:

1. The foreshadowed variation for Contract T20/21 due to adverse ground conditions, and
2. The final variation will be included in the Q3 budget adjustment.

Voting recorded as follows

For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

Against: Nil

**CARRIED**

**ITEM 07.22.028 CLASSIFICATION OF LOT 179 DP1279607 AS OPERATIONAL**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Support Officer (Acquisitions & Disposals), Eloise Casson	
<b>Attachments</b>	A. Submission from Community Member	

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**SUMMARY**

This report seeks to classify land, being Lot 179 in DP1279607, as Operational Land on its acquisition by Council. Lot 179 is to be dedicated as a Drainage Reserve on registration of the plan. One submission objecting to the classification of Lot 179 as Operational Land was received during the 28-day public exhibition period.

**OFFICER RECOMMENDATION**

That Council proceed with classifying Lot 179 in DP 1279607 as Operational Land.

**COUNCIL RESOLUTION - 07.22.028**

**Day/Novak**

**That Council proceed with classifying Lot 179 in DP 1279607 as Operational Land.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**



**ITEM 07.22.029 PROPOSED ROAD CLOSURE - PART ROAD RESERVE OFF ORARA WAY, GLENREAGH**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Support Officer (Acquisitions & Disposals), Eloise Casson	
<b>Attachments</b>	Nil	

**SUMMARY**

This report is to consider the road closure of part of the road reserve off Orara Way, Glenreagh, and transfer of ownership to the adjoining landowner. The request was made by the adjoining landowner of Lot 4 DP 247797, being 1782 Orara Way, Glenreagh.

**OFFICER RECOMMENDATION**

1. That Council
  - i. permanently close part of the road reserve off Orara Way, Glenreagh, adjoining Lot 4 DP 247797 (figure 1)
  - ii. classify the newly created lot as 'operational' land
  - iii. transfer the newly created lot to the adjoining landowner for \$10,000.00 plus GST if applicable
  - iv. affix the Common Seal to the survey and transfer documentation
  - v. authorise the General Manager to execute all documents related to the closure and sale to affect the above requirements.
  
2. That the Landowner meet all costs associated with the road closure.

**COUNCIL RESOLUTION - 07.22.029****Day/Novak**

1. **That Council**
  - i. permanently close part of the road reserve off Orara Way, Glenreagh, adjoining Lot 4 DP 247797 (figure 1)**
  - ii. classify the newly created lot as 'operational' land**
  - iii. transfer the newly created lot to the adjoining landowner for \$10,000.00 plus GST if applicable**
  - iv. affix the Common Seal to the survey and transfer documentation**
  - v. authorise the General Manager to execute all documents related to the closure and sale to affect the above requirements.**
  
2. **That the Landowner meet all costs associated with the road closure.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

**ITEM 07.22.030 PROPOSED ROAD CLOSURE - PART SKINNERS ROAD, PILLAR VALLEY**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Support Officer (Acquisitions & Disposals), Eloise Casson	
<b>Attachments</b>	Nil	

**SUMMARY**

This report is to consider the permanent road closure of a part of Skinners Road, Pillar Valley, and transfer of ownership to the adjoining landowner. The request is made by the adjoining landowner of Lot 1 DP 240931 and Lot 105 DP 751378 being 52 Skinners Road, Pillar Valley.

**OFFICER RECOMMENDATION**

1. That Council
  - i. permanently close part of Skinners Road, Pillar Valley, adjoining Lot 1 DP 240931 (Figure 1) subject to a survey confirming that the shed located on Lot 185 DP 709485 is not encroaching onto the road reserve.
  - ii. classify the newly created lot as 'operational' land.
  - iii. Transfer the newly created lot to the adjoining landowner for \$3,000.00 plus GST if applicable and consolidate with the applicant's adjoining Lot.
  - iv. affix the Common Seal to the survey and transfer documentation.
  - v. authorise the General Manager to execute all documents relating to the closure and sale to affect the above requirements.
2. The landowner is to meet all costs associated with the road closure.

**COUNCIL RESOLUTION - 07.22.030****Day/Novak**

1. That Council
  - i. permanently close part of Skinners Road, Pillar Valley, adjoining Lot 1 DP 240931 (Figure 1) subject to a survey confirming that the shed located on Lot 185 DP 709485 is not encroaching onto the road reserve.
  - ii. classify the newly created lot as 'operational' land.
  - iii. Transfer the newly created lot to the adjoining landowner for \$3,000.00 plus GST if applicable and consolidate with the applicant's adjoining Lot.
  - iv. affix the Common Seal to the survey and transfer documentation.
  - v. authorise the General Manager to execute all documents relating to the closure and sale to affect the above requirements.
2. The landowner is to meet all costs associated with the road closure.

**Voting recorded as follows**

**For:** Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

**Against:** Nil

**CARRIED**

**ITEM 07.22.031 PROPOSED ROAD CLOSURE - PART CHATSWORTH STREET, MACLEAN**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Support Officer (Acquisitions & Disposals), Eloise Casson	
<b>Attachments</b>	Nil	

**SUMMARY**

This report is to consider the permanent road closure of part Chatsworth Street, Maclean, and transfer of ownership to the adjoining landowner. The request is made by the adjoining landowner of Lot 351 DP 1269387, being 1 Chatsworth Street, Maclean.

**OFFICER RECOMMENDATION**

1. That Council,
  - i. permanently close part of Chatsworth Street, Maclean, adjoining Lot 351 DP 1269387 (figure 1)
  - ii. classify the newly created lot as 'operational' land
  - iii. transfer the newly created lot to the adjoining landowner for \$8,000.00 plus GST if applicable and consolidate with Lot 351 DP 1269387
  - iv. affix the Common Seal to the survey and transfer documentation
  - v. authorise the General Manager to execute all documents related to the closure and sale to affect the above requirements.
  
2. That the landowner meet all costs associated with the road closure

**COUNCIL RESOLUTION - 07.22.031****Day/Novak**

1. That Council,
  - i. permanently close part of Chatsworth Street, Maclean, adjoining Lot 351 DP 1269387 (figure 1)
  - ii. classify the newly created lot as 'operational' land
  - iii. transfer the newly created lot to the adjoining landowner for \$8,000.00 plus GST if applicable and consolidate with Lot 351 DP 1269387
  - iv. affix the Common Seal to the survey and transfer documentation
  - v. authorise the General Manager to execute all documents related to the closure and sale to affect the above requirements.
  
2. That the landowner meet all costs associated with the road closure

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

**ITEM 07.22.032 PROPOSED ROAD CLOSURE - PART TANCREDS LANE, CLARENZA**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Support Officer (Acquisitions & Disposals), Eloise Casson	
<b>Attachments</b>	Nil	

**SUMMARY**

This report is to consider the permanent road closure of part Tancreds Lane, Clarenza, and transfer of ownership to the adjoining landowners. The request is made by the adjoining landowners of Lot 6 DP748364, being 311 Tancreds Lane, Clarenza.

**OFFICER RECOMMENDATION**

1. That Council
  - i. permanently close part of Tancred Lane, Clarenza, bisecting Lot 6 DP748364 (figure 1)
  - ii. classify the newly created lot as 'operational' land
  - iii. transfer the newly created lot to the adjoining landowner for \$3,000.00 plus GST if applicable and consolidate with Lot 6 DP748364
  - iv. affix the Common Seal to the survey and transfer documentation
  - v. authorise the General Manager to execute all documents related to the closure and sale to affect the above requirements.
  
2. The landowner is to meet all costs associated with the road closure

**COUNCIL RESOLUTION - 07.22.032****Day/Novak**

1. That Council
  - i. permanently close part of Tancred Lane, Clarenza, bisecting Lot 6 DP748364 (figure 1)
  - ii. classify the newly created lot as 'operational' land
  - iii. transfer the newly created lot to the adjoining landowner for \$3,000.00 plus GST if applicable and consolidate with Lot 6 DP748364
  - iv. affix the Common Seal to the survey and transfer documentation
  - v. authorise the General Manager to execute all documents related to the closure and sale to affect the above requirements.
  
2. The landowner is to meet all costs associated with the road closure

**Voting recorded as follows**

**For:** Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering

**Against:** Nil

**CARRIED**

**ITEM 07.22.033 CLARENCE AND LOWER CLARENCE SPORTS COMMITTEES – MINUTES OF MEETINGS**

<b>Meeting</b>	Council	22 February 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Parks & Recreation Officer, Gavin Beveridge	
<b>Attachments</b>	A. CSC Minutes 15 November 2021 B. LCSC Minutes 15 November 2021	

**SUMMARY**

This report provides a copy of the minutes of the meetings from the Clarence Sports Committee and Lower Clarence Sports Committee for Council's information..

**OFFICER RECOMMENDATION**

That Council receive and note the Minutes from Monday 15 November 2021 Clarence Sports Committee and Lower Clarence Sports Committee meetings.

**COUNCIL RESOLUTION - 07.22.033**

**Day/Novak**

**That Council receive and note the Minutes from Monday 15 November 2021 Clarence Sports Committee and Lower Clarence Sports Committee meetings.**

**Voting recorded as follows**

**For: Johnstone, Tiley, Whaites, Clancy, Day, Smith, Novak, Toms, Pickering**

**Against: Nil**

**CARRIED**

**8. CONFIDENTIAL BUSINESS**

Nil

**9. QUESTIONS WITH NOTICE**

Nil

**10. LATE ITEMS OF BUSINESS AND MATTERS ARISING**

Nil

**11. CLOSE OF ORDINARY MEETING**

There being no further business the Council Meeting closed at 4.08pm.

