

Ordinary Council Meeting

Minutes

Grafton - 22 November 2022 - 2:00pm



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Nil

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11 CLOSE OF ORDINARY MEETING

1. OPENING OF ORDINARY MEETING

MINUTES of the ORDINARY MEETING of the CLARENCE VALLEY COUNCIL at Grafton, 22 November 2022 commencing at 2:00pm and closing at 6:29pm.

AFFIRMATION – Cr Clancy delivered the Affirmation.

We, the Councillors of the Clarence Valley declare that we will undertake the duties of the office of Councillor in the best interests of our community and faithfully and impartially, carry out the functions, powers, authorities and discretions vested in us, to the best of our skill and judgement.

ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THE LAND – Cr Toms delivered the Acknowledgement of the Traditional Custodians of the Land.

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.

ANNOUNCEMENT – The 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.

STATEMENT OF ETHICAL OBLIGATIONS - The General Manager delivered the Announcement.

All Councillors are reminded that under section 3.23 of the Code of Meeting Practice, Councillors are reminded of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

PRESENT

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

General Manager (Laura Black), Director Environment & Planning (Adam Cameron), Director Corporate & Community (Alex Moar), Director Works & Civil (Jamie Fleeting), Minutes Secretary (Karlie Chevalley) and Minutes Secretary (Lee Boon) were in attendance.

2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Nil

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

Name	Item	Nature of Interest, Action and Reason
Cr Johnstone	07.22.248	<ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Leave the Meeting ▪ On the JRPP
Cr Clancy	07.22.248	<ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Leave the Meeting ▪ On the JRPP
Cr Tiley	07.22.248	<ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Leave the Meeting ▪ On the JRPP
Cr Toms	07.22.266	<ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Remain in the Meeting

		<ul style="list-style-type: none"> ▪ Director of JKT sons P/L who contract manages Iluka Riverside Holiday Park- On Crown Land
Cr Toms	08.22.007	<ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Remain in the Meeting ▪ Director of JKT sons P/L who contract manages Iluka Riverside Holiday Park- On Crown Land
Cr Novak	07.22.271	<ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Remain in the Meeting ▪ Coordinator of the weekly Grafton Farmers markets that sits with the taxi rank at Market Square

4. CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

Tiley/Toms

That the minutes of Ordinary Council Meeting 25 October 2022 be adopted, it being noted a resolution to accept the late item of business was not passed and further minute number Clarence Valley Community Land, Crown Reserves and Other Public Places Plan of Management (Draft) part 7 be amended by adoption of the wording:

7. Prepare a site specific PoM for Lots 1 and 2 DP 1095139 Brooms Head Reserve 65975, which adheres to the reserve purpose and the core objectives of the assigned categorisation.

Voting recorded as follows

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

Against: Nil

CARRIED

5. MAYORAL MINUTES**ITEM 05.22.021 MAYORAL MINUTE
DECLARATION OF STATEWIDE ROAD EMERGENCY**

Meeting	Council	22 November 2022
Submitted by	Cr Ian Tiley	
Attachments	A. November 2022 CMA Attachment ALGA ⇒	

SUMMARY

The intent of this minute is to seek Council's support for a Statewide Road Emergency to be declared as a result of natural disasters.

PROPOSED MOTION

That Council joins with Local Government NSW and Country Mayors Association of NSW in declaring a Statewide Road Emergency.

COUNCIL RESOLUTION - 05.22.021

Tiley

That Council joins with Local Government NSW and Country Mayors Association of NSW in declaring a Statewide Road Emergency.

Voting recorded as follows

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

Against: Nil

CARRIED

6. NOTICES OF MOTION

ITEM 06.22.011 NOTICE OF MOTION ACTION ON SECOND GENERATION ANTICOAGULANT RODENTICIDES		
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Meeting	Council	22 November 2022
Submitted by	Cr Greg Clancy	
Attachments	Nil	

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

SUMMARY

The most commonly used rodent poisons are anticoagulant rodenticides (ARs). Newer ARs, called second generation anticoagulant rodenticides (SGARs), which are powerful enough that a single feed can be lethal but because of the time lag between taking a bait and feeling the effects, rodents can consume a more-than-lethal dose and still be wandering around – like walking time bombs.

Predators that naturally eat rodents, like owls, birds of prey and some snakes, can easily consume multiple poisoned rodents, in turn becoming poisoned themselves.

SGARs work by causing internal bleeding, but when rats and mice eat baits poisoned with SGARs, they become poisonous themselves, harming, and even killing other animals (including birds) that eat them, including wildlife and pets.

Studies in Australia have found harmful, often fatal, levels of SGARs in dead birds of prey, including Southern Boobys, Wedge-Tailed Eagles and Powerful Owls.

There are alternative poisons and non-poison options available for rodent control.

PROPOSED MOTION

That Council:

1. Calls on the NSW State Government to:
 - a) Legislate to ban the retail sale of Second Generation Anticoagulant Rodenticides (SGARs) in NSW;
 - b) Change the state government's pest management practices for state-owned properties to stop the use of SGARs;
 - c) Advocate through the joint Commonwealth-States Agriculture Ministers Meeting (AMM) for a national ban on the retail sale of SGARs;
 - d) Investigate nominating SGARs as a key threatening process under the NSW Biodiversity Conservation Act 2016;
 - e) Encourage landholders through the Local Land Services to avoid the use of SGARs and responsibly manage pest issues through licenced professionals; and
2. Not use SGARs in any rodent control carried out by Council.

COUNCIL RESOLUTION - 06.22.011

Clancy/Pickering

That Council:

1. **Calls on the NSW State Government to:**
 - a) **Legislate to ban the retail sale of Second Generation Anticoagulant Rodenticides (SGARs) in NSW;**
 - b) **Change the state government's pest management practices for state-owned properties to stop the use of SGARs;**
 - c) **Advocate through the joint Commonwealth-States Agriculture Ministers Meeting (AMM) for a national ban on the retail sale of SGARs;**
 - d) **Investigate nominating SGARs as a key threatening process under the NSW Biodiversity Conservation Act 2016;**
 - e) **Encourage landholders through the Local Land Services to avoid the use of SGARs and responsibly manage pest issues through licenced professionals; and**
2. **That the General Manager investigate Councils use of chemical and non-chemical alternatives to SGARs, including availability, cost and efficacy and to report to Council's February 2023 OCM, including details of Council's current and recent use of SGARs, any stocks held and the monetary value of them.**

Voting recorded as follows

For: Clancy, Day, Pickering, Smith, Tiley

Against: Johnstone, Novak, Toms, Whaites

CARRIED

FORESHADOWED MOTION

Toms/Novak

That the General Manager investigate Councils use of chemical and non-chemical alternatives to SGARs, including availability, cost and efficacy and to report to Council's February 2023 OCM, including details of Council's current and recent use of SGARs, any stocks held and the monetary value of them.

ITEM 06.22.012 RESCISSION MOTION COUNCIL RESOLUTION - 07.22.213 - CR TOMS

Meeting	Council	22 November 2022
Submitted by	Councillor, Karen Toms	
Attachments	Nil	

To the General Manager, Clarence Valley Council, we, the undersigned, propose that the following rescission motion be submitted to Council.

PROPOSED RESCISSION MOTION

That Council rescind the quarantine of profits from the sale of the former South Grafton Visitor Information Centre for the future Economic Development and Tourism Projects.

And replace with the following:

That Council quarantine the proceeds from the sale of the South Grafton Visitor Information Centre for the redevelopment of the Grafton Memorial Pool.

COUNCIL RESOLUTION - 06.22.012

Toms/Whaites

That Council rescind the quarantine of profits from the sale of the former South Grafton Visitor Information Centre for the future Economic Development and Tourism Projects.

Voting recorded as follows

For: Johnstone, Novak, Pickering, Toms, Whaites

Against: Clancy, Day, Smith, Tiley

CARRIED

COUNCIL RESOLUTION - 06.22.012a

Toms/Novak

That Council quarantine the proceeds from the sale of the South Grafton Visitor Information Centre for the redevelopment of the Grafton Memorial Pool.

Voting recorded as follows

For: Johnstone, Novak, Pickering, Toms, Whaites

Against: Clancy, Day, Smith, Tiley

CARRIED

POINT OF ORDER

Toms

Cr Toms called a Point of Order against Cr Day during his debate.

Cr Toms: We need to be discussing the rescission motion and the funds not past history of the Clarence River Tourist Association.

The Chair overruled the Point of Order and allowed Councillor Day to continue his debate.

POINT OF ORDER

Toms

Cr Toms called a Point of Order against Cr Day during his debate.

Cr Toms: We are really going off track here.

The Chair overruled the Point of Order and allowed Councillor Day to continue his debate and keep on track.

VOTE BY EXCEPTION**Novak/Pickering****That the following items be adopted as recommended:****07.22.245****07.22.250****07.22.252****07.22.253****07.22.255****07.22.256****07.22.260****07.22.261****07.22.262****07.22.264****07.22.266****07.22.269****07.22.270****07.22.273****Voting recorded as follows****For: Clancy, Day, Johnstone, Novak, Pickering, Smith, Tiley, Toms, Whaites****Against: Nil****CARRIED****MOTION**

Johnstone/Smith

That we move the Regional Aquatic Centre – Funding Strategy 07.22.244 to the end of the agenda today just before the confidential item.

Voting recorded as follows

For: Johnstone, Smith

Against: Clancy, Day, Novak, Pickering, Tiley, Toms, Whaites

The Motion was put and declared LOST

7. REPORTS**OFFICE OF THE GENERAL MANAGER****ITEM 07.22.243 CR CLANCY - ATTENDANCE AT 2022 LOCAL GOVERNMENT NSW CONFERENCE**

Meeting	Council	22 November 2022
Directorate	General Manager	
Attachments	A. 2022 Annual Conference Record of Decisions ⇒	

SUMMARY

The 2022 Local Government NSW (LGNSW) Conference was held at the Crowne Plaza Hunter Valley, Lovedale from Sunday 23 October to Tuesday 25 October 2022. Two Clarence Valley Councillors, Cr Allison Whaites and I attended as voting delegates. The General Manager Laura Black attended as a non-voting delegate.

The purpose of this report is to provide my perspective on the conference. On the Sunday evening I attended the President's welcome reception before having dinner with other councillors.

Monday's programme began at 9 am with a conference introduction and a welcome to country. This was followed by voting procedure and housekeeping and then the welcome address by the Local Government NSW President Darriea Turley AM. At 9.20 am the Federal and State Conferences opened and motions were considered. There were 144 category 1 motions including three from Clarence Valley Council, and 13 late motions. In addition, there were 80 category 2 motions with 1 late category 2 motion. Category 2 motions are motions that are not debated as they are already LGNSW policy. 146 Category 1 motions were adopted, 8 were lost and 3 were withdrawn.

The motions covered a wide spectrum of local government and broader issues but I will highlight ones that I spoke to or found really valuable.

OFFICER RECOMMENDATION

That Council note the information provided by Councillor Clancy after attending the LGNSW Annual Conference.

COUNCIL RESOLUTION - 07.22.243

Clancy/Day

That Council note the information provided by Councillor Clancy after attending the LGNSW Annual Conference.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.244 REGIONAL AQUATIC CENTRE - FUNDING STRATEGY

Meeting	Council	22 November 2022
Directorate	General Manager	
Prepared by	General Manager, Laura Black	
Reviewed by	General Manager, Laura Black	
Attachments	Nil	

SUMMARY

The report seeks Council's consideration of a funding strategy for the Regional Aquatic Centre and endorsement of lodging a request with the Department of Regional NSW to transfer Bushfire Local Economic Recovery (BLER) Funds to this project

The report also confirms Council's commitment to two key infrastructure projects in the Clarence Valley, with construction complete by (Regional Aquatic Centre) December 2024 and (Treelands Drive Community Centre) December 2026.

OFFICER RECOMMENDATION

That Council:

1. Lodge a request with the Department of Regional NSW to transfer Bushfire Local Economic Recovery Funds originally allocated to Treelands Drive Community Centre to the Regional Aquatic Centre project.
2. Seek the support of the State and Federal Members Chris Gulaptis MP and Kevin Hogan MP, for the transfer of Bushfire Local Economic Recovery Funds.
3. Endorse the funding strategy for Stage 1 of the Regional Aquatic Centre as detailed in the report for submission to the Department of Regional NSW.
4. Place the Borrowing Policy on public exhibition and receive a further report including any feedback as well as borrowing opportunities to support the delivery of key infrastructure identified in the report.
5. Delay construction commencement of the Treelands Drive Community Centre upgrade including library relocation until July 2024.

COUNCIL RESOLUTION - 07.22.244

Toms/Novak

That Council:

1. **Lodge a request with the Department of Regional NSW to transfer bushfire local economic recovery funds originally allocated to Treelands drive community centre to the regional aquatic centre project.**
2. **Seek the support of the state and federal members Chris Gulaptis MP and Kevin Hogan MP, for the transfer of bushfire local economic recovery funds.**
3. **Endorse the funding strategy for stage 1 to the Regional Aquatic Centre as detailed in the report including the funding from the sale from the South Grafton Visitor Information Centre**
4. **Place the borrowing policy on public exhibition and receive a further report including any feedback as well as borrowing opportunities to support the delivery of key infrastructure identified in the report.**
5. **Despite the above BLER funding transfer to the Aquatic Centre continue progressing Treelands Drive Community Centre upgrade including a Library relocation.**
6. **Receive a report to the December OCM with a preferred option, a funding plan and time frame for completion TDCC upgrade, noting there should be no delay in delivering the project.**

Voting recorded as follows

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

Against: Johnstone, Tiley

CARRIED

FORESHADOWED MOTION

Johnstone

That Council:

1. Place the Borrowing Policy on public exhibition and receive a further report including any feedback as well as borrowing opportunities to support the delivery of key infrastructure identified in the report.
2. Adjust Item 07.22.193 (September 2022 Ordinary Meeting) to create a new Stage 1A which includes the 50-meter outdoor pool, grandstand, upgraded amenities block and other essential infrastructure to enable further stages to be completed in the future.
3. Endorse the following funding strategy allocation for Stage 1A of the Regional Aquatic Centre as:
 - a. 2018 SRV* Exp 23/24 & 24/25 Buildings & Open Space - \$1,270,824
 - b. S712 Contributions - \$733,000
 - c. General Revenue Allocation 23/24 & 24/25 - \$1,935,294
 - d. Proceeds from the sale of 2 Spring Street, South Grafton \$882,000
 - e. Loan 5% over 25 years - \$5,000,000
4. Any unexpended funds are to be used to pay down the loan borrowed in point 3e.

ITEM 07.22.245 COUNCIL'S MEMBERSHIP OF THE NORTHERN RIVERS JOINT ORGANISATION

Meeting	Council	22 November 2022
Directorate	General Manager	
Prepared by	General Manager, Laura Black	
Reviewed by	General Manager, Laura Black	
Attachments	Nil	

SUMMARY

This report seeks to progress securing membership of the Northern Rivers Joint Organisation following the Extraordinary Meeting of the Northern River Joint Organisation, held Tuesday 15 November 2022.

OFFICER RECOMMENDATION

That Council makes an application to the Minister for Local Government requesting her recommendation to the Governor to proclaim Clarence Valley Council as a member of the Northern Rivers Joint Organisation joining the current local government areas of Ballina Shire, Byron Shire, Lismore City, Richmond Valley, Tweed Shire and Kyogle.

COUNCIL RESOLUTION - 07.22.245**Novak/Pickering**

That Council makes an application to the Minister for Local Government requesting her recommendation to the Governor to proclaim Clarence Valley Council as a member of the Northern Rivers Joint Organisation joining the current local government areas of Ballina Shire, Byron Shire, Lismore City, Richmond Valley, Tweed Shire and Kyogle.

Voting recorded as follows

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

Against: Nil

CARRIED

ENVIRONMENT & PLANNING

ITEM 07.22.246 PLANNING AMENDMENTS FOR AGRITOURISM

Meeting	Council	22 November 2022
Directorate	Environment & Planning	
Prepared by	Senior Strategic Planner (Policy), Alex Wells	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	A. LGNSW Letter to Minister re Agritourism Reforms October 2022 ⇒ B. DPE Agritourism Nomination Form - October 2022 ⇒	

SUMMARY

The State Government has introduced reforms designed to make it easier to undertake agritourism activities, such as farm stays, camping, restaurants or cafes and commercial events such as weddings and functions. The bulk of the reforms are compulsory for all councils and will commence on 1 December 2022.

This report highlights some potential issues with the proposed reforms. Other councils with significant rural lands (including Tamworth, Tweed, Byron and Shoalhaven) have expressed serious concerns about the reforms and Local Government NSW has written to the Hon. Anthony Roberts MP, Minister for Planning and Minister for Homes (**Attachment A**) seeking a delay to its introduction and to allow further consultations with councils to ensure that these concerns are addressed.

Council is also being given the choice to include certain optional provisions to manage any adverse impacts on agricultural productivity and adjacent land users and are required to inform the Department of Planning and Environment (DPE) regarding the zones that agritourism will be permitted and whether Council wishes to adopt the optional Local Environmental Plan (LEP) clauses.

OFFICER RECOMMENDATION

That Council:

1. Note the correspondence (**Attachment A**) dated 13 October 2022 from Local Government NSW to the Hon. Anthony Roberts MP, Minister for Planning and Homes expressing a range of concerns in relation to the agritourism reforms and requesting implementation be delayed.
2. Note that the introduction of the agritourism reforms as it is currently structured will likely lead to an increase in land use conflict in the rural zone and demand on Council resources in its administration, compliance checks and enforcement.
3. Delegate authority to the General Manager to prepare a letter outlining the concerns outlined in this report to the Hon. Anthony Roberts MP, Minister for Planning and Minister for Homes.
4. Authorise the General Manager to send the completed form (**Attachment B**) to the Department of Planning and Environment noting that Council does not wish to nominate additional land use zones where agritourism may be permitted and to nominate to adopt the revised optional clauses for 'Farm Stay Accommodation' and 'Farm Gate Premises' in the LEP Order.

MOTION

Whaites/Toms

That Council:

1. Welcome the NSW Government's agritourism and other changes reforms 2022.
2. Note the benefit this reform brings to the Clarence Valley.
3. Publicise the additional land uses permitted by this reform.

Voting recorded as follows

For: Johnstone, Smith, Toms, Whaites

Against: Clancy, Day, Novak, Pickering, Tiley

The Motion was put and declared LOST

The Foreshadowed Motion was then considered and became the Council Resolution.

COUNCIL RESOLUTION - 07.22.246

Pickering/Novak

That Council:

- 1. Note the correspondence (Attachment A) dated 13 October 2022 from Local Government NSW to the Hon. Anthony Roberts MP, Minister for Planning and Homes expressing a range of concerns in relation to the agritourism reforms and requesting implementation be delayed.**
- 2. Note that the introduction of the agritourism reforms as it is currently structured will likely lead to an increase in land use conflict in the rural zone and demand on Council resources in its administration, compliance checks and enforcement.**
- 3. Delegate authority to the General Manager to prepare a letter outlining the concerns outlined in this report to the Hon. Anthony Roberts MP, Minister for Planning and Minister for Homes.**
- 4. Authorise the General Manager to send the completed form (Attachment B) to the Department of Planning and Environment noting that Council does not wish to nominate additional land use zones where agritourism may be permitted and to nominate to adopt the revised optional clauses for 'Farm Stay Accommodation' and 'Farm Gate Premises' in the LEP Order.**

Voting recorded as follows

For: Clancy, Day, Novak, Pickering, Smith, Tiley

Against: Johnstone, Toms, Whaites

CARRIED

AMENDMENT TO MOTION

Johnstone/Whaites

That Council:

- 1. Note the correspondence (Attachment A) dated 13 October 2022 from Local Government NSW to the Hon. Anthony Roberts MP, Minister for Planning and Homes expressing a range of concerns in relation to the agritourism reforms and requesting implementation be delayed.**
- 2. Authorise the General Manager to send the completed form (Attachment B) to the Department of Planning and Environment noting that Council does not wish to nominate additional land use zones where agritourism may be permitted and to nominate to adopt the revised optional clauses for 'Farm Stay Accommodation' and 'Farm Gate Premises' in the LEP Order.**

Voting recorded as follows

For: Johnstone, Toms, Whaites

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

The Amendment to Motion was put and declared LOST. The original Motion became the Council Resolution.

ITEM 07.22.247 REVIEW OF COUNCIL'S DETERMINATION TO REFUSE MOD2022/0062 TO AMEND CONDITION 86 WHICH REQUIRES MANUFACTURED HOMES TO BE CONSTRUCTED AND ASSEMBLED OFF-SITE UNDER DA2019/0423

Meeting	Council	22 November 2022
Directorate	Environment & Planning	
Prepared by	Senior Development Planner, Patrick Ridgway	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	<p>A. REV2022-0003 Statement of Environmental Effects Brooms Head Road GULMARRAD NSW 2463 ⇒</p> <p>B. REV2022-0003 Notice of Determination DA2019-0423 Brooms Head Road Gulmarrad ⇒</p> <p>C. REV2022-0003 Advice for Distribution Modification of DA2019-0423 Brooms Head Road Gulmarrad ⇒</p> <p>D. REV2022-0003 Business Paper Report Item 07.22.168 ⇒</p> <p>E. REV2022-0003 Submissions (Redacted) MHE Objection Brooms Head Road GULMARRAD NSW 2463 ⇒</p>	

SUMMARY

<i>Applicant</i>	Stimson Urban & Regional Planning
<i>Owner</i>	Lincoln Place
<i>Address</i>	Lot 2 DP11999142, Brooms Head Road, Gulmarrad
<i>Submissions</i>	Eight (8)

Council has received an application for Review of Council's determination made by Council's resolution on 23 August 2022 under Item 07.22.168 to refuse the Modification Application (MOD2022/0062) for amendments sought to Condition 86 of DA2019/0423 and to refuse the Section 82 *Local Government Act 1993* objection that the provisions Clause 41 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 to allow the building of manufactured homes on-site.

A review of a determination can be made under the provisions of S8.2 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The review application also requests a Section 82 Objection review of determination under Section 100 of the *Local Government Act 1993* (LGA). The S8.2 EP&A Act and S100 LGA Review is reported to Council to consider a response to each of the reasons for refusal of the made in the resolution.

The Officer Recommendation made to Council in the business paper report remains substantially the same as the recommendation for the review application and the report for MOD2022/0062 is provided as **Attachment D**. Reasons for the recommendation are outlined in that report. An additional condition is proposed regarding a complaints protocol to further manage impacts from building on-site.

OFFICER RECOMMENDATION

That Council:

1. Support the Section 82 *Local Government Act 1993* objection and the concurrence of the Secretary of the Department of Planning and Environment that the provisions Clause 41 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 are not to be applied and the building of manufactured homes on-site be allowed for the development approved under DA2019/0423.
2. Modify Condition 86 to read as follows: '*The construction of manufactured homes must comply with the Construction Management Plan submitted by Lincoln Place Pty Ltd at all times.*'
3. Insert a new condition 92 to read as follows:
'A Complaints Protocol is to be provided to Council for approval within fourteen (14) days of the issue of a Notice of Review of Determination of REV2022/0003. The protocol is to cover (but is not limited to) the following issues:
 - Ensure compliance with the relevant conditions of approval,
 - Minimise the potential impact of the construction activities on nearby residents,
 - Minimise noise emissions and associated nuisances,

- Provide a site-manager contact,
 - Effectively manage and respond to resident complaints within 24 hours,
 - Keep a record of all complaints and how they have been managed and actions taken, and
 - In the event that complaint/s are received by Council, the record of complaint/s and actions taken are to be provided to Council.
4. Insert a new advice as follows: 'At its meeting of August 2022 Council resolved that it supported a Section 82 Local Government Act 1993 objection for the approval issued under DA2019/0423. With the concurrence of the Secretary of the Department of Planning and Environment the provisions Clause 41 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 are not to be applied and the building of manufactured homes on-site is allowed.'

COUNCIL RESOLUTION - 07.22.247**Toms/Pickering****That Council:**

1. Support the Section 82 Local Government Act 1993 objection and the concurrence of the Secretary of the Department of Planning and Environment that the provisions Clause 41 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 are not to be applied and the building of manufactured homes on-site be allowed for the development approved under DA2019/0423.
2. Modify Condition 86 to read as follows: 'The construction of manufactured homes must comply with the Construction Management Plan submitted by Lincoln Place Pty Ltd at all times.'
3. Insert a new condition 92 to read as follows:
'A Complaints Protocol is to be provided to Council for approval within fourteen (14) days of the issue of a Notice of Review of Determination of REV2022/0003. The protocol is to cover (but is not limited to) the following issues:
 - Ensure compliance with the relevant conditions of approval,
 - Minimise the potential impact of the construction activities on nearby residents,
 - Minimise noise emissions and associated nuisances,
 - Provide a site-manager contact, available during and outside operation hours (such as a phone number and email). A letter with the contact details is to be provided to all adjoining residents seven (7) days prior to construction works commencing
 - All site construction personnel must be 'tool boxed' on the complaints protocol
 - Effectively manage and respond to residents complaints within 24 hours, and
 - Complaints are to be recorded, how they have been managed and actions taken.
4. Insert a new advice as follows: 'At its meeting of August 2022 Council resolved that it supported a Section 82 Local Government Act 1993 objection for the approval issued under DA2019/0423. With the concurrence of the Secretary of the Department of Planning and Environment the provisions Clause 41 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 are not to be applied and the building of manufactured homes on-site is allowed.'

Voting recorded as follows

For: Day, Novak, Pickering, Tiley, Toms, Whaites

Against: Clancy, Johnstone, Smith

CARRIED**FORESHADOWED MOTION**

Johnstone

That Council:

Refuse MOD2022/0062 Objection to Requirements of Clause 41 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 and modification to Manufactured Home Estate approval on the basis that:

1. Under the ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – section 4.55 1A(b) this development is no longer substantially the same development as approved under DA2019/0423. The applicant's proposed constructions are not considered by council to be engineered to be suitably

relocatable. There will potentially be more noise and on site activity than was originally anticipated and approved by council and accepted by the community.

2. LGA 1993 Section 82 1 (b) requires that applicants wishing to make an objection to the application of regulations and local policies prove that “compliance with any provision of those regulations or such a policy is unreasonable or unnecessary in the particular circumstances of the case.” Yet the objections raised by the applicant are generic and could be raised against any MHE development. They are not suitably specific to this particular site to satisfy the requirements of the act.
3. LGA 1993 Section 82 (3B) considers an objection well founded if no person or the public interest would be adversely affected by the variation.
 - a. The process of preparing the homes for relocation proposed by the applicant is considered by council to potentially reduce the value of the home substantially should a future home owner wish to move to another site.
 - b. Local residents would be subjected to increased noise and disruption if this variation was granted in comparison to the original development approval.
4. Suitability of the site for development. This site is close to the pacific highway so would be a very suitable site for a manufactured home estate as per the existing approval under DA2019/0423. The applicant objections have not proved to council satisfaction that the regulations in clause 41 are unreasonable or unsatisfactory.

That Council adjourn for a break at 4.58pm.

That Council resumed at 5.12pm.

ITEM 07.22.248 NOTIFICATION OF NORTHERN REGIONAL PLANNING PANEL MEETING TO DETERMINE DA2022/0152 (PPSNTH-151) FOR A RESOURCE RECOVERY FACILITY, 255 ORCHARD ROAD, MOUNTAIN VIEW, NSW, 2460

Meeting	Council	22 November 2022
Directorate	Environment & Planning	
Prepared by	Senior Development Planner, Patrick Ridgway	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	<p>A. DA2022-0152 Assessment Briefing Report (PPSNTH-151) Resource Recovery Facility ↗</p> <p>B. DA2022-0152 Submissions (Redacted) Resource Recovery Facility, Orchard Road ↗</p> <p>C. DA2022-0152 Environmental Impact Statement 255 Orchard Road ↗</p>	

SUMMARY

<i>Applicant</i>	State Road Quarry Products Pty Ltd
<i>Owner</i>	Markenzo Pty Ltd
<i>Address</i>	Lot 2 DP 1058903, 255 Orchard Road MOUNTAIN VIEW NSW 2460
<i>Submissions</i>	Four (4)

DA2022/0152 was lodged on 4 March 2022 for a Resource Recovery Facility (RRF) processing up to 99,000 tonnes per annum of building demolition and solid organic materials. The development application is Regionally Significant Development and has been referred to the Northern Regional Planning Panel (the Panel) as the determining authority for this application.

The purpose of this report is to advise Councillors that the development application will be scheduled by the Panel for determination on 12 or 13 of December 2022. An elected council may make a submission on a Development Application to be determined by the Panel up to seven days before the Panel meeting and may speak to this submission at the public determination meeting.

Due to the scheduling of Council's Ordinary Meetings, the Regional Planning Panel Operational Procedures and the Panel determination date, the Council assessment report is not provided as part of this report.

OFFICER RECOMMENDATION

The Council:

- Note that a public determination meeting for DA2022/0152 will be scheduled by the Northern Regional Planning Panel on the 12 or 13 December 2022.
- Note that a Council Resolution is required should Council wish to make a submission about DA2022/0152 to the Northern Regional Planning Panel.

COUNCIL RESOLUTION

Tiley/Day

That Cr Toms Chairs the Meeting for Item 07.22.248.

Voting recorded as follows

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

Against: Nil

CARRIED

Cr Clancy left the meeting at 5:13 pm. Cr Clancy returned to the meeting at 5:18 pm.
Cr Johnstone left the meeting at 5:13 pm. Cr Johnstone returned to the meeting at 5:18 pm.
Cr Tiley left the meeting at 5:13 pm. Cr Tiley returned to the meeting at 5:18 pm.

COUNCIL RESOLUTION**Novak/Whaites****The Council:**

1. Note that a public determination meeting for DA2022/0152 will be scheduled by the Northern Regional Planning Panel on the 12 or 13 December 2022.
2. Note that a Council Resolution is required should Council wish to make a submission about DA2022/0152 to the Northern Regional Planning Panel.

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

The Mayor resumed the Chair.

CORPORATE & GOVERNANCE**ITEM 07.22.249 CULTURAL & SPORTS TRUST FUND**

Meeting	Council	22 November 2022
Directorate	Corporate & Community	
Prepared by	Community Projects Officer (Community Grants), Sammy Lovejoy	
Reviewed by	Director - Corporate & Community, Alex Moar	
Attachments	Nil	

SUMMARY

Requests for assistance from the Clarence Valley Cultural and Sports Trust fund have been received on behalf of Brock Harrison and Hollie Harrison.

OFFICER RECOMMENDATION

That Council approve donations from the Clarence Valley Cultural and Sports Trust Fund:

1. \$300 to assist Brock Harrison, who has been selected to represent NSW at the 2023 Darts Australia Junior National Championships in Brisbane from 11-17 January 2023; and
2. \$300 to assist Hollie Harrison, who has been selected to represent NSW at the 2023 Darts Australia Junior National Championships in Brisbane from 11-17 January 2023.

COUNCIL RESOLUTION - 07.22.249**Pickering/Novak**

That Council approve donations from the Clarence Valley Cultural and Sports Trust Fund:

1. \$300 to assist Brock Harrison, who has been selected to represent NSW at the 2023 Darts Australia Junior National Championships in Brisbane from 11-17 January 2023; and
2. \$300 to assist Hollie Harrison, who has been selected to represent NSW at the 2023 Darts Australia Junior National Championships in Brisbane from 11-17 January 2023.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.250 MONTHLY INVESTMENT REPORT - OCTOBER 2022

Meeting	Council	22 November 2022
Directorate	Corporate & Community	
Prepared by	Finance Officer (Treasury), Heather Sydenham	
Reviewed by	Director - Corporate & Community, Alex Moar	
Attachments	A. Movement of Funds Between Months - Oct 2022 ⇒	

SUMMARY

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

OFFICER RECOMMENDATION

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

COUNCIL RESOLUTION - 07.22.250

Novak/Pickering

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

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.251 DA FEE WAIVER - CLARENCE RIVER SAILING CLUB

Meeting	Council	22 November 2022
Directorate	Corporate & Community	
Prepared by	Community Projects Officer (Community Grants), Sammy Lovejoy	
Reviewed by	Director - Corporate & Community, Alex Moar	
Attachments	Nil	

SUMMARY

A request has been received from Big River Sailing Club for Council consideration of a donation to cover the Development Application fees paid for DA2022/0733.

OFFICER RECOMMENDATION

That Council donate \$597 to the Clarence River Sailing Club, for the development application fees for the works required to stabilise the riverbank adjacent to their clubhouse.

COUNCIL RESOLUTION - 07.22.251

Toms/Whaites

That Council donate \$597 to the Big River Sailing Club, for the development application fees for the works required to stabilise the riverbank adjacent to their clubhouse.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.252 COUNCIL MEETING CHECKLIST - UPDATE ON ACTIONS TAKEN

Meeting	Council	22 November 2022
Directorate	Corporate & Community	
Prepared by	Corporate Support Officer, Karlie Chevalley	
Reviewed by	Director - Corporate & Community, Alex Moar	
Attachments	A. Completed Checklist Items (Separate Cover) ⇒ B. Outstanding Checklist Items (Separate Cover) ⇒ C. Rolling Checklist from Feb 22 (Separate Cover) ⇒	

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 - 07.22.252**Novak/Pickering**

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

Against: Nil

CARRIED

ITEM 07.22.253 ITEMS FOR INFORMATION

Meeting	Council	22 November 2022
Directorate	General Manager	
Attachments	A. Biodiversity Committee Meeting Minutes - 30 August 2022 ↔ B. Wooloweyah Parks & Reserves Management Committee Meeting Minutes - 27 September 2022 ↔ C. Lanitza/Kungala 355 Committee Meeting Minutes - 30 October 2022 ↔ D. Disclosure of Interest - Cr Allison Whaites – Q1 2022-23 ↔	

SUMMARY

Committee minutes attached are for noting.

OFFICER RECOMMENDATION

That the Items for Information as listed below be noted:

- Biodiversity Committee Meeting Minutes: 30 August 2022
- Wooloweyah Parks & Reserves Management Committee Meeting Minutes: 27 September 2022
- Lanitza/Kungala 355 Committee Meeting Minutes: 30 October 2022
- Disclosure of Interest - Cr Allison Whaites – Q1 2022-23

COUNCIL RESOLUTION - 07.22.253**Novak/Pickering**

That the Items for Information as listed below be noted:

- Biodiversity Committee Meeting Minutes: 30 August 2022
- Wooloweyah Parks & Reserves Management Committee Meeting Minutes: 27 September 2022
- Lanitza/Kungala 355 Committee Meeting Minutes: 30 October 2022
- Disclosure of Interest - Cr Allison Whaites – Q1 2022-23

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.254 2023 MEETING ARRANGEMENTS

Meeting	Council	22 November 2022
Directorate	Corporate & Community	
Prepared by	Corporate Support Officer, Karlie Chevalley	
Reviewed by	Director - Corporate & Community, Alex Moar	
Attachments	A. 2023 Meeting Schedule ↗	

SUMMARY

This report concerns the setting of dates for both the Pre-Briefing Councillors Workshop and Ordinary Council Meetings for 2023.

OFFICER RECOMMENDATION

That Council approve the following adjustment to the meeting cycle dates for April and December 2023:

- Friday, 14 April 2023 – Pre-Meeting Briefing
- Tuesday, 18 April 2023 – Ordinary Council Meeting
- Friday, 15 December 2023 – Pre-Meeting Briefing
- Tuesday, 19 December 2023 – Ordinary Council Meeting

COUNCIL RESOLUTION - 07.22.254**Pickering/Whaites**

That Council approve the following adjustment to the meeting cycle dates for April and December 2023:

- Tuesday, 24 January 2023 – Additional Council meeting date if required
- Friday, 14 April 2023 – Pre-Meeting Briefing
- Tuesday, 18 April 2023 – Ordinary Council Meeting
- Friday, 15 December 2023 – Pre-Meeting Briefing
- Tuesday, 19 December 2023 – Ordinary Council Meeting

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.255 CLASSIFICATION OF DRAINAGE RESERVE LOT 20 DP 1246427 AS OPERATIONAL

Meeting	Council	22 November 2022
Directorate	Corporate & Community	
Prepared by	Coordinator Property, Eloise Casson	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	Nil	

SUMMARY

This report seeks to classify land, being Lot 20 DP 1245427, as Operational Land. Lot 20 has been dedicated to Council as a Drainage Reserve on registration of the plan, which occurred on 28 October 2022.

OFFICER RECOMMENDATION

That Council:

1. Publicly exhibits its intention to classify Lot 20 DP 1245427 as 'Operational'.
2. Subject to no submissions being received requiring Council to consider this matter further, classify the land as 'Operational' at the end of the 28-day exhibition period.

COUNCIL RESOLUTION - 07.22.255

Novak/Pickering

That Council:

1. Publicly exhibits its intention to classify Lot 20 DP 1245427 as 'Operational'.
2. Subject to no submissions being received requiring Council to consider this matter further, classify the land as 'Operational' at the end of the 28-day exhibition period.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.256 PROPERTY RATIONALISATION UPDATE

Meeting	Council	22 November 2022
Directorate	Corporate & Community	
Prepared by	Coordinator Property, Eloise Casson	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	Nil	

SUMMARY

This report presents to Council an update on the progress of the property rationalisation sales.

OFFICER RECOMMENDATION

That Council note the status of the current property rationalisation sales.

COUNCIL RESOLUTION - 07.22.256**Novak/Pickering**

That Council note the status of the current property rationalisation sales.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.257 ANNUAL REPORT

Meeting	Council	22 November 2022
Directorate	Corporate & Community	
Prepared by	Governance Officer, Bligh Grant	
Reviewed by	Director - Corporate & Community, Alex Moar	
Attachments	A. OLG to Clarence Valley - 2021/2022 AFS Extension Granted ⇨	

SUMMARY

The Annual Report is one of the key points of accountability between Council and the community. The report outlines the Council's achievements in meeting statutory compliance requirements throughout the 2021-2022 financial year. Due to the extension granted by the Office of Local Government (OLG) the Annual Report does not contain the audited financial reports. When completed, the Annual Report will be updated and returned to Council.

OFFICER RECOMMENDATION

That:

1. Council note the 2021/2022 Annual Report.
2. The 2021/2022 Annual Report be made available to the community on Council's website.
3. The URL link to the 2021/2022 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.
4. Council note the 2021/2022 Annual Report does not contain the audited financial reports due to the extension granted from the Office of the Local Government for the lodgement the Audited Financial Statements for 2021/2022 until 31 December 2022.

COUNCIL RESOLUTION - 07.22.257

Smith/Whaites

That:

1. Council note the 2021/2022 Annual Report.
2. Amendments be made to the Councillor/Mayoral allowance on pg.16 prior to the 2021/2022 Annual Report being made available to the community on Council's website.
3. The URL link to the 2021/2022 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.
4. Council note the 2021/2022 Annual Report does not contain the audited financial reports due to the extension granted from the Office of the Local Government for the lodgement the Audited Financial Statements for 2021/2022 until 31 December 2022.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.258 REQUEST TO REDUCE WATER USAGE CHARGE ON WATER ACCOUNT 2143071

Meeting	Council	22 November 2022
Directorate	Corporate & Community	
Prepared by	Revenue Officer, Peter Kennedy	
Reviewed by	Director - Corporate & Community, Alex Moar	
Attachments	<ul style="list-style-type: none"> A. First notification of higher than normal consumption to owner (Confidential) B. Second Notification of Higher than Normal Consumption to Owner (Confidential) C. Application from the Property Owner Seeking Concealed Leak Concession (Confidential) D. Response Advising Reduction Under Concealed Leaks Policy (Confidential) E. Request for review of account (Confidential) 	

SUMMARY

The son of property owner of Water Account 2143071 submitted a request on 24 October 2022 on their behalf, seeking a reduction on the water usage charges raised due to higher than normal usage.

OFFICER RECOMMENDATION

That Council not grant a concession on Account 2143071 as it does not comply with the Concealed Water Leak Allowance Policy. Council staff informed the owner of the higher consumption in the prior period, but no action to stop further water loss was taken. That an extended payment arrangement as per the Hardship – Ordinary Rates and Annual Charges Policy to be offered to the owner.

COUNCIL RESOLUTION - 07.22.258

Clancy/Day

That Council grants a concession of water charges totalling \$14,471.57 on Account 2143071 on compassionate grounds.

Voting recorded as follows

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

Against: Nil

CARRIED

FORESHADOWED MOTION

Pickering

That Council grants a concession of water charges totalling \$7,235.78 on Account 2143071 on compassionate grounds.

ITEM 07.22.259 CLARENCE VILLAGE LIMITED REQUEST FOR EXEMPTION FROM WATER SUPPLY SPECIAL RATES AND SEWERAGE SPECIAL RATES

Meeting	Council	22 November 2022
Directorate	Corporate & Community	
Prepared by	Revenue Officer, Peter Kennedy; Manager Water Cycle, Greg Mashiah	
Reviewed by	Director - Corporate & Community, Alex Moar	
Attachments	A. Request for Exemption from Rates and Charges ⇒ B. Clarence Village Limited - Table of Properties ⇒	

SUMMARY

This report requests Council's consideration of Clarence Village Limited's request that Council grant an exemption from the payment of water supply special rates and sewerage special rates.

OFFICER RECOMMENDATION

That no exemption for water or sewer supply special rates be approved for Clarence Village Limited.

MOTION

Novak/Day

That

1. This matter be deferred to the December 2022 OCM.
2. The General Manager coordinate a meeting with the applicants for this exemption to have a discussion about what is rateable and what is not rateable.

Voting recorded as follows

For: Day, Novak, Pickering, Smith

Against: Clancy, Johnstone, Tiley, Toms, Whaites

The Motion was put and declared LOST. The Foreshadowed Motion was then considered and became the Council Resolution.

COUNCIL RESOLUTION - 07.22.259

Toms/Clancy

That:

1. No exemption for water or sewer supply special rates be approved for Clarence Village Limited.
2. The General Manager writes a letter to the CEO of Clarence Village Limited to explain why the annual water and sewer charges raised under section 501 are not exempt.

Voting recorded as follows

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

Against: Tiley

CARRIED

FORESHADOWED MOTION

Tiley

That Council make a donation equivalent to the water and sewerage supplies special rates currently paid by Clarence Valley Limited of the current year from the water and sewer funds.

ITEM 07.22.260 2022/2023 MONTHLY FINANCIAL REPORT - OCTOBER 2022

Meeting	Council	22 November 2022
Directorate	Corporate & Community	
Prepared by	Manager Finance & Systems, Kate Maginnity	
Attachments	A. 2022/23 Monthly Income & Expenditure Statements by Service - October 2022 ↗	
	B. Monthly Grant Application Summary - October 2022 ↗	

SUMMARY

The purpose of this report is to provide financial data at the end of each month for actual income and expenditure, for all funds and provide advance notice of potential budget variations. This report is submitted to Council in addition to the statutory reporting requirements of the Quarterly Budget Review Statements.

Budget variations identified in this report do not impact the General Fund end of year result. The reserve fund variations identified in this report will decrease the balance of the Financial Reserves by \$938,974.

OFFICER RECOMMENDATION

That Council:

1. Note the monthly financial information report for October 2022 attached to this report.
2. Endorse the proposed variations, which decrease the Financial Reserves by \$938,974 which will be included in the December Quarterly Budget Review Statement to be reported in February 2023.
3. Note and endorse the grant applications as identified in Attachment B.

COUNCIL RESOLUTION - 07.22.260**Novak/Pickering**

That Council:

1. **Note the monthly financial information report for October 2022 attached to this report.**
2. **Endorse the proposed variations, which decrease the Financial Reserves by \$938,974 which will be included in the December Quarterly Budget Review Statement to be reported in February 2023.**
3. **Note and endorse the grant applications as identified in Attachment B.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.261 FURTHER EXTENSION TO OFFICE OF LOCAL GOVERNMENT FINANCIAL REPORTING REQUIREMENTS SOUGHT

Meeting	Council	22 November 2022
Directorate	Corporate & Community	
Prepared by	Manager Finance & Systems, Kate Maginness	
Reviewed by	Director - Corporate & Community, Alex Moar	
Attachments	Nil	

SUMMARY

This report requests Council to seek a further extension for lodgement of the 2021/2022 Annual Financial Statements to the Office of Local Government Financial Reporting Requirements following the floods of 2022. An initial extension was successfully applied for which extended the due date to 31 December 2022. However, due to further extenuating circumstances, this deadline is unable to be achieved and as such a further extension is requested. The extension request has been sent to the Audit Risk Improvement Committee (ARIC) for endorsement and is supported by Council's Auditor, Thomas Noble Russell (TNR).

OFFICER RECOMMENDATION

That Council submit a request to the Office of Local Government seeking a further extension for lodgement of the 2021/2022 Annual Financial Statements to 28 February 2023.

COUNCIL RESOLUTION - 07.22.261

Novak/Pickering

That Council submit a request to the Office of Local Government seeking a further extension for lodgement of the 2021/2022 Annual Financial Statements to 28 February 2023.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.262 REQUEST FOR INCLUSION OF GRAFTON IN ROYAL VISIT ITINERARY

Meeting	Council	22 November 2022
Directorate	Corporate & Community	
Prepared by	Regional Gallery Director, Niomi Sands	
Reviewed by	Director - Corporate & Community, Alex Moar	
Attachments	A. Historical Society Request for Royal Tour Support ⇒	

SUMMARY

Clarence River Historical Society has written to Council to request that Clarence Valley Council apply to have Grafton considered as a possible itinerary stop for the upcoming 2024 visit to Australia by the British Royal Family.

OFFICER RECOMMENDATION

That Council write to the Governor General of Australia promoting Grafton as an itinerary stop for the upcoming 2024 visit to Australia by the British Royal Family.

COUNCIL RESOLUTION - 07.22.262**Novak/Pickering**

That Council write to the Governor General of Australia promoting Grafton as an itinerary stop for the upcoming 2024 visit to Australia by the British Royal Family.

Voting recorded as follows

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

Against: Nil

CARRIED

WORKS & CIVIL

ITEM 07.22.263 ACQUISITION OF PART LOT 254 DP 752810 FROM THE MINISTER OF EDUCATION FOR THE CONSTRUCTION OF THE COUTTS CROSSING PUBLIC SCHOOL BUS LANE

Meeting	Council	22 November 2022
Directorate	Works & Civil	
Prepared by	Coordinator Property, Eloise Casson	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	Nil	

SUMMARY

This report considers the compulsory acquisition of part Lot 254 DP 752810, being Coutts Crossing Public School, for the purpose of constructing a bus lane.

OFFICER RECOMMENDATION

That Council:

1. Proceed with the compulsory acquisition of the land described as part of Lot 254 DP 752810 located at Coutts Crossing, depicted by red hatching on figure 1, for the purpose of road in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
2. Make application to the Minister and the Governor for approval to acquire part of Lot 254 DP752810 by compulsory process under section 177(1) of the *Roads Act 1993*
3. Enter into a deed of agreement and memorandum of understanding (MOU) with the NSW Department of Education for early access to the subject land to commence works prior to the acquisition being completed.
4. Delegate authority to the General Manager to execute documents relating to the compulsory acquisition, the deed of agreement and the memorandum of understanding.

COUNCIL RESOLUTION - 07.22.263

Clancy/Johnstone

That Council:

1. **Proceed with the compulsory acquisition of the land described as part of Lot 254 DP 752810 located at Coutts Crossing, depicted by red hatching on figure 1, for the purpose of road in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.**
2. **Make application to the Minister and the Governor for approval to acquire part of Lot 254 DP752810 by compulsory process under section 177(1) of the *Roads Act 1993***
3. **Enter into a deed of agreement and memorandum of understanding (MOU) with the NSW Department of Education for early access to the subject land to commence works prior to the acquisition being completed.**
4. **Delegate authority to the General Manager to execute documents relating to the compulsory acquisition, the deed of agreement and the memorandum of understanding.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.264 PROPOSAL TO NAME PUBLIC RESERVE

Meeting	Council	22 November 2022
Directorate	Works & Civil	
Prepared by	Manager Open Spaces & Facilities, Peter Birch	
Attachments	Nil	

SUMMARY

Council is proposing to unassign the naming of Lot 1 DP 1162943 as Elsie Crisp Park and to assign the naming of Lot 16 DP 25599 as Elsie Crisp Memorial Park. Community consultation was undertaken with all submissions received supporting the proposals. The next step in the place naming process is to submit the naming proposals to the Geographical Names Board via the NSW Place and Road Name Proposal System.

OFFICER RECOMMENDATION

That Council:

1. Endorses the proposals to unassign the naming of Lot 1 DP 1162943 as Elsie Crisp Park and to assign the naming of Lot 16 DP 25599 as Elsie Crisp Memorial Park.
2. Submit place naming proposals to the Geographical Names Board.

COUNCIL RESOLUTION - 07.22.264

Novak/Pickering

That Council:

1. Endorses the proposals to unassign the naming of Lot 1 DP 1162943 as Elsie Crisp Park and to assign the naming of Lot 16 DP 25599 as Elsie Crisp Memorial Park.
2. Submit place naming proposals to the Geographical Names Board.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.265 GRAFTON ROWING CLUB REDEVELOPMENT - ON CROWN LAND

Meeting	Council	22 November 2022
Directorate	Works & Civil	
Prepared by	Manager Open Spaces & Facilities, Peter Birch	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	A. Grafton Rowing Club Upgrade Plans ⇒	

SUMMARY

The Grafton Rowing Club received grant funding of over \$1.8M to update its facility. The initial design phase has been completed and is now before Council seeking in principle support.

OFFICER RECOMMENDATION

That Council as Crown Land Manager of RE85477:

1. Provide in principle support for the upgrade of the Grafton Rowing Club in accordance with the plans in Attachment 1.
2. Note that a development application will now be lodged for assessment.

COUNCIL RESOLUTION - 07.22.265

Pickering/Novak

That Council as Crown Land Manager of RE85477:

1. **Provide in principle support for the upgrade of the Grafton Rowing Club in accordance with the plans in Attachment 1.**
2. **Note that a development application will now be lodged for assessment.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.266 WOOLI HOLIDAY PARK MANAGEMENT CONTRACT EXTENSION - ON CROWN LAND

Meeting	Council	22 November 2022
Directorate	Works & Civil	
Prepared by	Manager Open Spaces & Facilities, Peter Birch	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	Nil	

SUMMARY

This report is recommending the continuation of the temporary management arrangement for the Wooli Holiday Park to 31 July 2023 to align with Minnie Water Holiday Park contract expiry 31 July 2023.

OFFICER RECOMMENDATION

That Council as Crown Land Manager of the Wooli Holiday Park -

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 2022.
2. Enter into an agreement with Jarah Management Pty Ltd for the management and operation of the Wooli Holiday Park for a period of 8 months from 1 December 2022 to 31 July 2023.
3. Utilise the existing budget of \$73,000 (GST exclusive) PJ996780 to fund the management and operation at the Wooli Holiday Park.

COUNCIL RESOLUTION - 07.22.266

Novak/Pickering

That Council as Crown Land Manager of the Wooli Holiday Park -

- 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 2022.**
- 2. Enter into an agreement with Jarah Management Pty Ltd for the management and operation of the Wooli Holiday Park for a period of 8 months from 1 December 2022 to 31 July 2023.**
- 3. Utilise the existing budget of \$73,000 (GST exclusive) PJ996780 to fund the management and operation at the Wooli Holiday Park.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.267 MASTERPLAN - HAWTHORNE RODEO PARK, SOUTH GRAFTON - ON CROWN LAND

Meeting	Council	22 November 2022
Directorate	Works & Civil	
Prepared by	Manager Open Spaces & Facilities, Peter Birch	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	A. HPUG Submission to the September Ordinary Meeting ↗	

SUMMARY

Community and stakeholder consultation was undertaken between 2021 and 2022 to capture the key elements for a Masterplan for Hawthorne Rodeo Park. Following this process, a Masterplan has been completed and this report responds to matters arising from submissions to the September 2022 Ordinary meeting resolution.

OFFICER RECOMMENDATION

That Council adopt the Hawthorne Rodeo Park Masterplan.

COUNCIL RESOLUTION - 07.22.267

Pickering/Novak

That Council:

- 1. Adopt the Hawthorne Rodeo Park Masterplan.**
- 2. Consult with Hawthorne Park user groups during the Detailed Design phase to include user feedback.**
- 3. Consider inclusion for the 2023/2024 budget.**

Voting recorded as follows

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

Against: Nil

CARRIED

FORESHADOWED MOTION

Clancy

That Council adopt the Hawthorne Rodeo Park Masterplan and work with the various user groups when designing specific projects for funding applications, acknowledging that there are still some concerns about specific issues such as the siting of the southern roadway.

ITEM 07.22.268 WOOLLOWEYAH FORESHORE RESERVE SITE MANAGEMENT PLAN - ON CROWN LAND

Meeting	Council	22 November 2022
Directorate	Works & Civil	
Prepared by	Manager Open Spaces & Facilities, Peter Birch	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	A. Woolloweyah Foreshore Reserve Vegetation Management Plan ↔	

SUMMARY

This report advises on the outcomes of initial consultation for a draft Site Management Plan at the Woolloweyah Foreshore Reserve and to make recommendations on a position for the use of the rock platform for the launching and retrieval of commercial fishing boats from the reserve.

OFFICER RECOMMENDATION

That Council as Crown Land Manager of the Woolloweyah Foreshore Reserve R95841–

1. Note the consultation to date for the Site Management Plan.
2. As an interim action, move the rock bollards in alignment with the property boundary between Lot 102 DP 1003014 and Lot 1037 DP 1003014 to provide commercial fishers with an area suitable to stage activities.
3. Advise any commercial users of the reserve that they need to seek appropriate licenses from NSW Crown lands for the use of the reserve for that activity.

COUNCIL RESOLUTION - 07.22.268

Pickering/Novak

That the item be deferred to the December OCM 2022 meeting.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.269 RFT22/25 DESIGN AND CONSTRUCT REPLACEMENT THREE BRIDGES

Meeting	Council	22 November 2022
Directorate	Works & Civil	
Prepared by	Support Officer (Fixing Country Bridges), Michelle Inglis	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	A. RFT22-25 Three Bridges Tender Recommendation Report (Confidential)	

SUMMARY

An open tender process was completed for the design and construction of three bridges, including the demolition of the existing bridges, as part of the Fixing Country Bridges program. The tender opened on 22 August 2022 and closed on 6 October 2022. Five complying tenders were received. The Tender Evaluation Panel considers, having regard to all circumstances, that the tendered fees from Fulton Hogan Industries Pty Ltd represent the most advantageous tender and best return for Council and recommends that this tender be accepted.

OFFICER RECOMMENDATION

That Council:

1. Accept the tender from Fulton Hogan Industries Pty Ltd for RFT22-25 Design and Construct Replacement of Three (3) Bridges, Alternative Two at a cost of \$7,028,755.64 (GST inclusive) to be funded from Fixing Country Bridges program (\$6,971,755.64) and a Council contribution (\$57,000) under projects PJ 937030 Billys Creek Bridge, Armidale Road: PJ 937033 Dundoo Floodway Bridge, Kungala Road and PJ 937028 Wintervale Creek Bridge, Old Glen Innes Road.
2. Accept the tender subject to Transport for New South Wales approving Clarence Valley Council's Fixing Country Bridges funding reallocation variation submission.
3. Delegates authority to the General Manager to approve appropriately deemed variations to the contract and those variations be reported to Council within the Quarterly Budget Review Statement (QBRs) once the contract is finalised.

COUNCIL RESOLUTION - 07.22.269**Novak/Pickering**

That Council:

1. **Accept the tender from Fulton Hogan Industries Pty Ltd for RFT22-25 Design and Construct Replacement of Three (3) Bridges, Alternative Two at a cost of \$7,028,755.64 (GST inclusive) to be funded from Fixing Country Bridges program (\$6,971,755.64) and a Council contribution (\$57,000) under projects PJ 937030 Billys Creek Bridge, Armidale Road: PJ 937033 Dundoo Floodway Bridge, Kungala Road and PJ 937028 Wintervale Creek Bridge, Old Glen Innes Road.**
2. **Accept the tender subject to Transport for New South Wales approving Clarence Valley Council's Fixing Country Bridges funding reallocation variation submission.**
3. **Delegates authority to the General Manager to approve appropriately deemed variations to the contract and those variations be reported to Council within the Quarterly Budget Review Statement (QBRs) once the contract is finalised.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.270 VOLUNTARY HOUSE RAISING POLICY

Meeting	Council	22 November 2022
Directorate	Works & Civil	
Prepared by	Coast & Estuary Coordinator, Peter R Wilson; Manager Water Cycle, Greg Mashiah	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	Nil	

SUMMARY

Council's Voluntary House Raising (VHR) policy, adopted at its meeting of 15 December 2020, aligns with the eligibility criteria set out by the Department of Planning and Environment (DPE) in [Guidelines for Voluntary House Raising schemes](#).

Council has received nearly 70 VHR expressions of interest since the February/March floods. Some of the properties that have submitted an EOI do not meet the eligibility criteria. Some of those properties, while ineligible for VHR, do meet the criteria for voluntary purchase but Council does not currently have a policy for this. The state government pool of funding for the 7 eligible northern rivers Councils is only \$2M. The federal government recently announced an injection of \$800M of funding to be available for voluntary purchase, house raising and flood proofing for Northern Rivers councils. DPE has advised that this additional funding will be administered through the Northern Rivers Reconstruction Corporation (NRRC).

OFFICER RECOMMENDATION

That:

1. Council notes the additional funding being made available for Voluntary House Purchase, Voluntary House Raising and flood proofing, which will be made available through the Northern Rivers Reconstruction Corporation.
2. Council revises the Voluntary House Raising policy to include Voluntary House Purchase in line with the State Government guidelines, provided no financial contribution is required from Council, and
3. The policy revision also incorporates any changes to Department of Planning and Environment (DPE) guidelines and Northern Rivers Reconstruction Corporation (NRRC) guidelines.

COUNCIL RESOLUTION - 07.22.270

Novak/Pickering

That:

1. Council notes the additional funding being made available for Voluntary House Purchase, Voluntary House Raising and flood proofing, which will be made available through the Northern Rivers Reconstruction Corporation.
2. Council revises the Voluntary House Raising policy to include Voluntary House Purchase in line with the State Government guidelines, provided no financial contribution is required from Council, and
3. The policy revision also incorporates any changes to Department of Planning and Environment (DPE) guidelines and Northern Rivers Reconstruction Corporation (NRRC) guidelines.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.271 LOCAL TRAFFIC COMMITTEE

Meeting	Council	22 November 2022
Directorate	Works & Civil	
Prepared by	Support Officer (Operations), Julie Wilks; Road Safety Officer, Alana Brooks	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	A. Local Traffic Committee Meeting Minutes 2.11.22 (Separate Cover) ⇒ B. 0035.22 School Zone Infrastructure Combined Plans (Separate Cover) ⇒	

SUMMARY

This report lists the recommendations made at the 2 November 2022 meeting of the Clarence Valley Council Local Traffic Committee.

OFFICER RECOMMENDATION

That the recommendations of the Local Traffic Committee included in the Minutes of the 2 November 2022 meeting be adopted by Council.

COUNCIL RESOLUTION - 07.22.271

Novak/Johnstone

That the recommendations of the Local Traffic Committee included in the Minutes of the 2 November 2022 meeting be adopted by Council.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.272 RFT22/32 - WILCOX BRIDGE RESTORATION

Meeting	Council	22 November 2022
Directorate	Works & Civil	
Prepared by	Bridges Engineer, Adele McGeary	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	A. RFT22-32 Wilcox Bridge - Tender Recommendation Report (Confidential) B. Financial Assessment - Ark Construction Group Pty Ltd (Confidential)	

SUMMARY

Council called open tenders for the design and construction for the replacement of the flood damaged Wilcox Bridge on Four Mile Lane. The tender closed on 18 October 2022. This report presents the outcome of the tender process and seeks Council's resolution to accept the most advantageous tender.

OFFICER RECOMMENDATION

That Council:

1. Subject to receiving the agreed funding schedule from Transport for NSW, accept the tender from Ark Construction Group Pty Ltd for RFT22/32 Wilcox Bridge Restoration at a cost of \$3,259,798 including GST to be funded from AGRN - Restoration Works – Wilcox Bridge, Swan Creek (PJ 751001).
2. Delegate authority to the General Manager to approve appropriately deemed variations to the Contract and those variations be reported to Council within the Quarterly Budget Review Statement (QBRs) once the Contract is finalised.

COUNCIL RESOLUTION - 07.22.272

Pickering/Novak

That Council:

1. **Subject to receiving the agreed funding schedule from Transport for NSW, accept the tender from Ark Construction Group Pty Ltd for RFT22/32 Wilcox Bridge Restoration at a cost of \$3,259,798 including GST to be funded from AGRN - Restoration Works – Wilcox Bridge, Swan Creek (PJ 751001).**
2. **Delegate authority to the General Manager to approve appropriately deemed variations to the Contract and those variations be reported to Council within the Quarterly Budget Review Statement (QBRs) once the Contract is finalised.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.273 RFT22/33 - Y1 SEWAGE PUMP STATION UPGRADE

Meeting	Council	22 November 2022
Directorate	Works & Civil	
Prepared by	A/Senior Engineering Officer, Matt Godfrey	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	A. RFT22_33 Y1 SPS Upgrade Tender Recommendation Report (Confidential)	

SUMMARY

Council called schedule of rates tenders for Y1 sewage pump station upgrade which opened on 10th October 2022 and closed on 2nd November 2022. One complying tender was received. The Tender Evaluation Committee (TEC) considers, having regards to all the circumstances, that the tender from Ledonne Constructions Pty Ltd is the most advantageous for Council. The tender received is approximately 50% above the adopted budget. From an operational perspective the upgrading work is required, and it is therefore recommended that additional budget be allocated and the tender from Ledonne Constructions be accepted.

OFFICER RECOMMENDATION

That Council:

1. Awards Tender RFT22/033 Y1 Sewage Pump Station Upgrade to Ledonne Constructions Pty Ltd using the provided Schedule of Rate price of \$1,025,273.00 (including GST), to be funded from Financial Project 910173 (Upgrade Pump Station Y1).
2. Endorses a budget variation, to financial project 910173 of \$432,234.36 (funded from Sewer Fund Reserve), be included in the Q3 Quarterly Business Review Statement.

COUNCIL RESOLUTION - 07.22.273**Novak/Pickering**

That Council:

1. Awards Tender RFT22/033 Y1 Sewage Pump Station Upgrade to Ledonne Constructions Pty Ltd using the provided Schedule of Rate price of \$1,025,273.00 (including GST), to be funded from Financial Project 910173 (Upgrade Pump Station Y1).
2. Endorses a budget variation, to financial project 910173 of \$432,234.36 (funded from Sewer Fund Reserve), be included in the Q3 Quarterly Business Review Statement.

Voting recorded as follows

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

Against: Nil

CARRIED

7. CONFIDENTIAL BUSINESS**OFFICER RECOMMENDATION**

That Council move into closed session to consider the following items in accordance with the Local Government Act 1993:

1. 08.22.007 Purchase of Site at Brooms Head Holiday Park - On Crown Land - 10A(2) (a) *The report contains information on personnel matters concerning particular individuals (other than Councillors) and 10A(2) (c) The report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business*

COUNCIL RESOLUTION

Day/Smith

That Council move into closed session to consider the following items in accordance with the Local Government Act 1993:

1. 08.22.007 Purchase of Site at Brooms Head Holiday Park - On Crown Land - 10A(2) (a) *The report contains information on personnel matters concerning particular individuals (other than Councillors) and 10A(2) (c) The report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business*

Voting recorded as follows

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

Against: Nil

CARRIED

Council moved into closed session at 6:10pm.

ITEM 08.22.007 PURCHASE OF SITE AT BROOMS HEAD HOLIDAY PARK - ON CROWN LAND

Meeting	Council	22 November 2022
Directorate	Works & Civil	
Prepared by	Manager Open Spaces & Facilities, Peter Birch	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	Nil	

CONFIDENTIAL *The General Manager advises that the following matter be dealt with in Closed Session as the matter and information are confidential in accordance with the Local Government Act 1993 Section*

10A(2) (a) The report contains information on personnel matters concerning particular individuals (other than Councillors)

10A(2) (c) The report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

COUNCIL RESOLUTION - 08.22.007

Novak/Day

That Council negotiate with the owner of site 73 Brooms Head Holiday Park.

Voting recorded as follows

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

Against: Nil

CARRIED

9. QUESTIONS WITH NOTICE

Nil

10. LATE ITEMS OF BUSINESS AND MATTERS ARISING

11. CLOSE OF ORDINARY MEETING

There being no further business the Council Meeting closed at 6.29pm



CERTIFICATION OF MINUTES

I certify that the preceding 47 pages are the Minutes of the meeting of Clarence Valley Council held on 22 November 2022.

Signed by:

A handwritten signature in red ink, appearing to read 'I. Tiley', is written over a horizontal line. The signature is fluid and cursive.

Ian Tiley

Mayor / Chairperson