

Ordinary Council Meeting

Minutes

Maclean - 25 October 2022 - 2:00pm



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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 Maclean, 25 October 2022 commencing at 2:00pm and closing at 2:58pm.

PRAYER – Cr Smith delivered the Prayer.

Almighty and gracious God
In all our works direct us,
Bless this Valley
All who hold office in this Council
And who administer its affairs.
Keep us in your grace
And guide us in your ways
That way may live in truth and peace
To the honour of your name. Amen.

ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THE LAND – Cr Novak 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.

STATEMENT BY THE MAYOR

The Mayor paid respects to Aunty Lillian Williams following her passing and called for a minutes silence.

COUNCIL RESOLUTION

Tiley/Novak

That letters of condolence be sent to the family of the late Lillian Williams.

Voting recorded as follows

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

Against: Nil

CARRIED

ANNOUNCEMENT – The Director Environment & Planning 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 Director Environment & Planning 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

Director Environment & Planning (Adam Cameron), A/Director Corporate & Community (Alex Moar), Director Works & Civil (Jamie Fleeting), Minutes Secretary (Karlie Chevalley), (Debbie McGilvray) and (Lee Boon) were in attendance.

2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE**COUNCIL RESOLUTION****Day/Novak**

That Council approve Cr Clancy and Cr Whaites to attend this Ordinary Council Meeting on Tuesday, 25 October 2022 via Teams under section 5.23 of the Code of Meeting Practice as they are currently attending the LGNSW Annual Conference in the Hunter Valley.

Voting recorded as follows

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

Against: Nil

CARRIED**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 Smith	07.22.232	<ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Remain in the Meeting ▪ Member of the Grafton Jacaranda Festival

4. CONFIRMATION OF MINUTES**COUNCIL RESOLUTION****Pickering/Toms**

That the Minutes of Ordinary Meeting of Council dated 27 September 2022, copies of which have been circulated, be taken as read and be confirmed.

Voting recorded as follows

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

Against: Nil

CARRIED

LATE ITEMS OF BUSINESS – Motion was not called or voted on to accept the late item of business.

5. MAYORAL MINUTES

**ITEM 05.22.016 MAYORAL MINUTE
CLARENCE VALLEY COUNCIL - NSW STATE ELECTION PRIORITIES**

Meeting	Council	25 October 2022
Submitted by	Cr Ian Tiley	
Attachments	Nil	

SUMMARY

The next quadrennial NSW State election will be conducted in March 2023. This presents an opportunity for Council to lobby all election candidates for the purpose of securing support and funding commitments for Council priorities. This Minute seeks council support to such process and also invites suggestions for inclusion in Council's advocacy.

PROPOSED MOTION

That Council lobby all election candidates for the State seat of Clarence to endeavour to secure commitments for support and funding of major council projects and works priorities and other matters of concern to NSW local government.

COUNCIL RESOLUTION - 05.22.016

Tiley

That Council lobby all election candidates for the State seat of Clarence to endeavour to secure commitments for support and funding of major council projects and works priorities and other matters of concern to NSW local government.

Voting recorded as follows

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

Against: Nil

CARRIED

**ITEM 05.22.017 MAYORAL MINUTE
APPLICATION FOR MEMBERSHIP OF NORTHERN RIVERS JOINT ORGANISATION
(NRJO)**

Meeting	Council	25 October 2022
Submitted by	Cr Ian Tiley	
Attachments	Nil	

SUMMARY

The aim of this Minute is to seek Council's support to obtain full membership of the NRJO. As Council is aware it declined, at its April 2022 meeting, to seek full membership. It is evident that non full membership is disadvantaging the Clarence community, particularly in light of the flooding devastation earlier this year and subsequent State Government initiatives.

PROPOSED MOTION

That Council now make application to the Northern Rivers Joint Organisation seeking full membership in lieu of the Council's current Associate non-voting status.

COUNCIL RESOLUTION - 05.22.017

Tiley

That Council now make application to the Northern Rivers Joint Organisation seeking full membership in lieu of the Council's current Associate non-voting status.

Voting recorded as follows

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

Against: Nil

CARRIED

**ITEM 05.22.018 MAYORAL MINUTE
CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT**

Meeting	Council	25 October 2022
Submitted by	Cr Ian Tiley	
Attachments	Nil	

SUMMARY

The intent of this minute is to seek councils support to continuing advocacy to obtain constitutional recognition of local government.

PROPOSED MOTION

That Council

1. Request Local Government NSW to advocate to the Federal Government that it collaborate with all Australian Local Government bodies to progress a Constitutional referendum to secure the recognition of Local Government in the Australian Constitution.
2. Declares its support for financial recognition of Local Government in the Australian Constitution so that the Federal Government has the power to fund Local Government directly and also for inclusion of Local Government in any new Preamble to the Constitution.
3. Lobby the Federal Local Government Minister and Council's Federal Parliamentary Representative in support of progressing constitutional recognition in the Australian Constitution.

COUNCIL RESOLUTION - 05.22.018

Tiley

That Council

1. Request Local Government NSW to advocate to the Federal Government that it collaborate with all Australian Local Government bodies to progress a Constitutional referendum to secure the recognition of Local Government in the Australian Constitution.
2. Declares its support for financial recognition of Local Government in the Australian Constitution so that the Federal Government has the power to fund Local Government directly and also for inclusion of Local Government in any new Preamble to the Constitution.
3. Lobby the Federal Local Government Minister and Council's Federal Parliamentary Representative in support of progressing constitutional recognition in the Australian Constitution.

Voting recorded as follows

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

Against: Nil

CARRIED

ORDER OF BUSINESS WAS CHANGED WITHOUT MOTION TO CONSIDER ITEM 07.22.020 BEFORE 07.22.019

**ITEM 05.22.019 MAYORAL MINUTE
CLARENZA AND NORTH GRAFTON SEWERAGE TREATMENT PLANTS (STP)**

Meeting	Council	25 October 2022
Submitted by	Cr Ian Tiley	
Attachments	Nil	

SUMMARY

The purpose of this Minute is to provide the opportunity for the Council to consider, and if considered appropriate to support the transfer of peak wet weather sewerage flow to the Clarenza STP in lieu of supporting construction of an STP at North Grafton. I agreed with Cr Toms to submit this Minute to provide the Council the opportunity to consider the alternate proposal.

At its September 2022 OCM, when considering report item 07.22.220, which addressed the various points made in Councils resolution of 28 June 2022, council resolved that the report be noted. Cr Toms was indisposed and had to leave the meeting prior to this matter being considered. The Councillor had earlier that day, notified by email her in intention to move a different motion to the Officer Recommendation.

PROPOSED MOTION

That Council

1. Withdraw its support for construction of a replacement Sewerage Treatment Plant at North Grafton on the area currently leased to MI Organics.
2. Determine that its preferred option is to transfer peak wet weather to Clarenza STP, which would permit abandonment of the North Grafton STP site.
3. Note that this preferred option is obtained from the GHD Clarence Valley North Grafton Treatment Plant Replacement Environmental Impact Statement dated February 2019.
4. Note that all three considered options meet EPA guidelines.
5. Now advise the relevant government agencies of this determination.

CR TILEY WITHDREW HIS MOTION.

**ITEM 05.22.020 MAYORAL MINUTE
RATE PEG METHODOLOGY REVIEW**

Meeting	Council	25 October 2022
Submitted by	Cr Ian Tiley	
Attachments	Nil	

SUMMARY

This Minute is intended to secure Councils support to having input into the current IPART rate peg methodology review.

PROPOSED MOTION

That Council lodge a submission to the IPART rate peg methodology review and convey suggestions for improvement to the present system of establishment of the rate peg limit.

COUNCIL RESOLUTION - 05.22.020

Tiley

That Council lodge a submission to the IPART rate peg methodology review and convey suggestions for improvement to the present system of establishment of the rate peg limit and incorporate the matters raised in the staff report 07.22.239.

Voting recorded as follows

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

Against: Nil

CARRIED

6. NOTICES OF MOTION

Nil

7. REPORTS

VOTE BY EXCEPTION - 07.22.224

Whaites/Novak

That the following items be adopted as recommended:

07.22.224

07.22.229

07.22.231

07.22.234

07.22.235

07.22.236

07.22.237

07.22.238

07.22.239

07.22.240

07.22.242

Voting recorded as follows


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

Against: Nil

CARRIED

OFFICE OF THE GENERAL MANAGER

ITEM 07.22.223 RATE PEG FOR CLARENCE VALLEY COUNCIL FOR 2023/2024

Meeting	Council	25 October 2022
Directorate	General Manager	
Prepared by	General Manager, Laura Black	
Reviewed by	General Manager, Laura Black	
Attachments	A. Information Paper - rate peg for councils for 2023/2024 	

SUMMARY

This report advises Council and community of the rate peg set for Clarence Valley Council for 2023/2024.

OFFICER RECOMMENDATION

That the rate peg set by IPART for Clarence Valley Council be noted and that Council consider its application in preparation of the 2023/2024 budget.

COUNCIL RESOLUTION - 07.22.223

Day/Smith

That

1. The rate peg set by IPART for Clarence Valley Council be noted and that Council consider its application in preparation of the 2023/2024 budget.
2. CVC lobby the NSW Government and Office of Local Government to increase pensioner rate rebates to assist in offsetting rate peg and SRV increases in rates and cost of living pressures over many years.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.224 REGIONAL GROWTH ENVIRONMENT AND TOURISM FUND

Meeting	Council	25 October 2022
Directorate	General Manager	
Prepared by	General Manager, Laura Black	
Reviewed by	General Manager, Laura Black	
Attachments	Nil	

SUMMARY

This report seeks consideration by the Council of alternative uses for the Regional Growth Environment and Tourism Fund (RGETF) should the required grant milestone not be met by 31 October 2022.

OFFICER RECOMMENDATION

That Council makes representations to the Deputy Premier, the Hon. Paul Toole MP to seek the redistribution of the remainder of Regional Growth – Environment and Tourism Funds to redevelopment of the Grafton Regional Aquatic Centre.

COUNCIL RESOLUTION - 07.22.224**Whaites/Novak**

That Council makes representations to the Deputy Premier, the Hon. Paul Toole MP to seek the redistribution of the remainder of Regional Growth – Environment and Tourism Funds to redevelopment of the Grafton Regional Aquatic Centre.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.225 ALTERNATE ACTIVITIES DURING CLOSURE OF GRAFTON OLYMPIC POOL

Meeting	Council	25 October 2022
Directorate	General Manager	
Prepared by	General Manager, Laura Black	
Reviewed by	General Manager, Laura Black	
Attachments	Nil	

SUMMARY

This report seeks Council's consideration of allocation of funds to coordinate alternative activities during the summer period in Grafton following the recent closure of the Grafton Olympic Pool.

OFFICER RECOMMENDATION

That Council endorse allocation of a budget of \$70,000 (PJ996750) to be included in the Q2 Quarterly Budget Review Statement reported in February 2023 to create a program of events in Grafton including:

- a. Operation of the Grafton Olympic Pool Waterslide and picnic area with a subsidised \$2 entry fee payable by patrons for session use during the months of December, January and February or until construction commences.
- b. A supervised Splash Pool/Slide located in Grafton with the patrons paying the entry fee charged directly by the operator for up to 5 days in January.
- c. Free art classes at Grafton Regional Art Gallery for up to three weeks in January.
- d. Subsidised entry to the Archibald Exhibition for use at Grafton Regional Art Gallery during the period of exhibition, with a capped budget of \$5,000.

COUNCIL RESOLUTION - 07.22.225

Johnstone/Novak

That Council endorse allocation of a budget of \$70,000 (PJ996750) to be included in the Q2 Quarterly Budget Review Statement reported in February 2023 to create a program of events in Grafton including:

- a. Operation of the Grafton Olympic Pool Waterslide and picnic area with a subsidised \$2 entry fee payable by patrons for session use during the months of December, January and February or until construction commences.
- b. A supervised Splash Pool/Slide located in Grafton with the patrons paying the entry fee charged directly by the operator for up to 5 days in January.
- c. Free art classes at Grafton Regional Art Gallery for up to three weeks in January.
- d. Subsidised entry to the Archibald Exhibition for use at Grafton Regional Art Gallery during the period of exhibition, with a capped budget of \$5,000.


Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.226 SIGNIFICANT PRIORITY PROJECTS BOOK

Meeting	Council	25 October 2022
Directorate	General Manager	
Prepared by	General Manager, Laura Black	
Reviewed by	General Manager, Laura Black	
Attachments	A. CVC Priority Projects 2022/2023 V2.0 	

SUMMARY

This report presents Council's significant projects requiring State and Federal funding and requires consideration of priority.

OFFICER RECOMMENDATION

That

1. Council adopt the revised priority order of the significant projects as identified in the attached significant projects book.
2. A copy of the revised significant project book be referred to the Local Federal Member for Page, Kevin Hogan MP and the Local State Member for Clarence, Chris Gulaptis MP.
3. A copy be forwarded to all local State candidates.

COUNCIL RESOLUTION - 07.22.226

Day/Toms

That

1. Council revise the priority order of the significant projects as identified in the attached significant projects book to place the Clarence Valley aquatic centre as the number one priority.
2. A copy of the revised significant project book be referred to the Local Federal Member for Page, Kevin Hogan MP and the Local State Member for Clarence, Chris Gulaptis MP.
3. A copy be forwarded to all local State candidates.
4. Council consider the other Council priorities in a Councillor workshop as soon as possible.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.227 CLARENCE VALLEY ABORIGINAL ADVISORY COMMITTEE

Meeting	Council	25 October 2022
Directorate	General Manager	
Prepared by	General Manager, Laura Black	
Reviewed by	General Manager, Laura Black	
Attachments	Nil	

SUMMARY

This report seeks Council's approval of an engagement framework to replace the former Clarence Valley Aboriginal Advisory Committee.

OFFICER RECOMMENDATION

That Council

1. Not re-establish a Clarence Valley Aboriginal Consultative Committee (CVACC) as it was formerly structured.
2. Establish one Aboriginal community round table meeting per annum that aims to strengthen relationships with the Aboriginal community, and to provide direct access to the Council to discuss issues of concern, in the following locations:
 - a. Yamba
 - b. Maclean
 - c. Grafton
3. Nominate a Councillor as host/chair for each of the Aboriginal community round tables identified above.
4. Invite the four Local Aboriginal Land Councils and the Traditional Owners Corporations to meet with the Mayor and councillors twice per annum.
5. As requested by the LALC, nominate a Councillor as chair to support the Baryulgil Square/Malabugilmah (Jana Ngalee) LALC twice yearly meeting.

COUNCIL RESOLUTION - 07.22.227

Tiley/Novak

That Council

1. **Not re-establish a Clarence Valley Aboriginal Consultative Committee (CVACC) as it was formerly structured.**
2. **Establish one Aboriginal community round table meeting per annum that aims to strengthen relationships with the Aboriginal community, and to provide direct access to the Council to discuss issues of concern, in the following locations:**
 - a. **Yamba**
 - b. **Maclean**
 - c. **Grafton**
3. **Nominate a Councillor as host/chair for each of the Aboriginal community round tables identified above.**
4. **Invite the four Local Aboriginal Land Councils and the Traditional Owners Corporations to meet with the Mayor and councillors twice per annum.**
5. **As requested by the LALC, nominate a Councillor as chair to support the Baryulgil Square/Malabugilmah (Jana Ngalee) LALC twice yearly meeting.**
6. **Prior to Councillors participating in these proposals they undertake cultural awareness training.**

Voting recorded as follows








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

Against: Nil

CARRIED

ENVIRONMENT & PLANNING

ITEM 07.22.228 REV2021/0011 REVIEW OF CONSENT CONDITIONS OF DA2021/0116 LAST RITES BAR, 2-4 YAMBA STREET YAMBA

Meeting	Council	25 October 2022
Directorate	Environment & Planning	
Prepared by	Senior Development Planner, Patrick Ridgway	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	<p>A. REV2021-0011 Applicant's Review Request DA2021-0116 2-4 Yamba Street YAMBA NSW 2464 (Separate Cover) </p> <p>B. REV2021-0011 Applicant Submission 19.9.2022 re DA2021-0116 2-4 Yamba Street YAMBA NSW 2464 (Separate Cover) </p> <p>C. REV2021-0011 Notice of Determination of Application DA2021-0116 (Separate Cover) </p> <p>D. REV2021-0011 Minutes and Attachments from Council Meeting held 25 May 2021 - 6b 21 026 - DA2021-0116 (Separate Cover) </p> <p>E. REV2021-0011 Submissions re DA2021-0116 2-4 Yamba Street YAMBA NSW 2464 (Separate Cover) </p> <p>F. REV2021-0011 Noise Assessment Report 20.8.2021 2-4 Yamba Street YAMBA NSW 2464 CC2021-0581 (Separate Cover) </p> <p>G. REV2021-0011 Section 4 15 Assessment </p> <p>H. REV2021-0011 Clarence Valley Council Noise Complaint Response Measurements (Confidential)</p>	

SUMMARY

<i>Applicant</i>	Dane Byrne / Mohawk & Beard Pty Ltd
<i>Owner</i>	Barry & Phillip Jones
<i>Address</i>	2-4 Yamba Street Yamba NSW 2464
<i>Submissions</i>	4 objections from nearby properties and 1 submission in support

Council granted consent for a Small Bar and Restaurant at its meeting of 25 May 2021 (Item 6b.21.026) under DA2021/0116. The development is located in the Yamba CBD in an area with land use Zone B2 Business (Local Centre). The approval included conditions of consent to address the potential noise impacts from the venue. The applicant is seeking a review to two of the conditions of consent, being condition 6 and condition 4. Council staff support a proposed change to condition 6 and do not support the proposed change to condition 4. It is also recommended that condition 2 be amended to remove ambiguity between the conditions.

Council has received 4 objections and 1 submission in support from the exhibition of the review application. Council has also received noise complaints from the operation of the Last Rites Bar. Finalising this review application, in accordance with the recommendations, will then allow appropriate compliance action to proceed to protect the amenity of nearby residents, while providing certainty to the bar operators. The applicant has now been afforded sufficient time to respond to Council's requests to manage noise levels for nearby residents and Council staff intend to enforce the requirements of the consent, as reviewed, until a satisfactory and reasonable outcome is achieved.

OFFICER RECOMMENDATION

That Council:

1. Approve an amendment to Condition 2 to reflect the approved hours of operation as set out in condition 5 of the consent and remove part 2(b) which conflicts with condition 6 as modified by this review as follows:

The development must be designed and operated such that, with regard to music and patron noise:

- a. *The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Frequency (31.5Hz – 8kHz inclusive) by more than 5dB at the boundary of any affected residence between the opening hours specified in condition 5.*

- ~~b. The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Frequency (31.5Hz – 8kHz inclusive) between 11:30pm and 07:00am at the boundary of any affected residence.~~
2. Not approve the requested amendment to Condition 4 of DA2021/0116, and
 3. Approve a variation to Condition 6 of DA2021/0116 be as follows:
'The noise from the licenced premises shall not be audible within any habitable room in any residential premises between the hours of 11.30pm and 7.00 am on Monday, Thursday, Friday and Saturday, and 10pm and 7.00am on Sundays and Public Holidays and at no time on Tuesdays and Wednesdays during opening hours'

COUNCIL RESOLUTION - 07.22.228**Tiley/Pickering****That Council:**

1. Approve an amendment to Condition 2 to reflect the approved hours of operation as set out in condition 5 of the consent and remove part 2(b) which conflicts with condition 6 as modified by this review as follows:
The development must be designed and operated such that, with regard to music and patron noise:
 - a. *The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Frequency (31.5Hz – 8kHz inclusive) by more than 5dB at the boundary of any affected residence between the opening hours specified in condition 5.*
 - ~~b. The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Frequency (31.5Hz – 8kHz inclusive) between 11:30pm and 07:00am at the boundary of any affected residence.~~
2. Not approve the requested amendment to Condition 4 of DA2021/0116, and
3. Approve a variation to Condition 6 of DA2021/0116 be as follows:
'The noise from the licenced premises shall not be audible within any habitable room in any residential premises between the hours of 11.30pm and 7.00 am on Monday, Thursday, Friday and Saturday, and 10pm and 7.00am on Sundays and Public Holidays and at no time on Tuesdays and Wednesdays during opening hours'

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

ITEM 07.22.229 LANDFILL CELL CONSTRUCTION PROGRESS REPORT

Meeting	Council	25 October 2022
Directorate	Environment & Planning	
Prepared by	Waste & Sustainability Coordinator, Ken Wilson	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	Nil	

SUMMARY

At its meeting held on 28 June 2022, Council accepted the tender from Valley Earthworks for the construction of a new landfill cell and leachate storage dam at the Grafton Regional landfill. This report provides a construction update and advises that variations to project costs are required due to unforeseen circumstances.

OFFICER RECOMMENDATION

That Council receive the progress report and note the variation to costs that will be funded from the Landfill Augmentation Reserve IR 107910 and included in the December Quarterly Budget Review Statement to be reported in February 2023.

COUNCIL RESOLUTION - 07.22.229

Whaites/Novak

That Council receive the progress report and note the variation to costs that will be funded from the Landfill Augmentation Reserve IR 107910 and included in the December Quarterly Budget Review Statement to be reported in February 2023.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.230 LGNSW EXCELLENCE IN ENVIRONMENT AWARDS CEREMONY - COMMUNITY MEMBER ATTENDANCE

Meeting	Council	25 October 2022
Directorate	Environment & Planning	
Prepared by	Manager Environment & Regulatory Services, Scott Lenton	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	Nil	

SUMMARY

Council has been selected as a finalist in the 2022 LGNSW Excellence in Environment Awards for our role in coordination of the Caring for our Coastal Emu Project (Partnerships to protect the endangered population) in the Natural Environment Protection & Enhancement: On-Ground Works category. The Awards ceremony will be held on Tuesday 6 December 2022 in Sydney. This report seeks Council endorsement to fund attendance by a community member to recognise their instrumental role in the Project inception and success.

OFFICER RECOMMENDATION

That Council fund 100% of reasonable travel, accommodation and subsistence costs, consistent with Council's Staff Travel Expenses Protocol, for Ms Barbara Linley from Lions Club of Clarence – Environmental to attend the 2022 LGNSW Excellence in Environment Awards in Sydney on 6 December 2022 with expenses to be assigned to Project No 994540.

COUNCIL RESOLUTION - 07.22.230

Novak/Toms

That Council fund 100% of reasonable travel, accommodation and subsistence costs, consistent with Council's Staff Travel Expenses Protocol, for Ms Barbara Linley from Lions Club of Clarence – Environmental to attend the 2022 LGNSW Excellence in Environment Awards in Sydney on 6 December 2022 with expenses to be assigned to Project No 994540.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.231 DIGGERS HEADLAND RESERVE - VEGETATION MANAGEMENT PLAN – ADOPTION

Meeting	Council	25 October 2022
Directorate	Environment & Planning	
Prepared by	Natural Resource Management Officer, Heather Mitchell	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	A. Final Diggers Reserve VMP (Separate Cover) 	

SUMMARY

The draft Diggers Headland Reserve Vegetation Management Plan (VMP) has been exhibited, submissions received and considered, and the draft VMP updated. This report now seeks Council's adoption of the revised draft Diggers Headland Reserve Vegetation Management Plan (attached to this report) that includes amendments in response to feedback received in public submissions.

OFFICER RECOMMENDATION

That Council adopt the Diggers Headland Reserve Vegetation Management Plan.

COUNCIL RESOLUTION - 07.22.231

Whaites/Novak

That Council adopt the Diggers Headland Reserve Vegetation Management Plan.



Voting recorded as follows

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

Against: Nil

CARRIED

CORPORATE & GOVERNANCE**ITEM 07.22.232 LOCAL PART-DAY PUBLIC HOLIDAYS 2023-24**

Meeting	Council	25 October 2022
Directorate	Corporate & Governance	
Prepared by	Governance Officer, Bligh Grant	
Reviewed by	A/Director - Corporate & Governance, Alex Moar	
Attachments	A. DPC Guidelines for Local Public Holiday and Local Event Day Applications 2022 	
	B. Exhibition and Letters of Support for Gazetted Holidays 	

SUMMARY

Application for proposed 2023-24 local part public holidays to NSW Government Department of Premier and Cabinet (DPO&C) Industrial Relations (I/R).

OFFICER RECOMMENDATION

That Council:

Resolve to authorise an application for the following part-day local public holidays for the calendar year of 2023 and 2024, noting the Guidelines for Local Public Holiday and Local Event Day Applications (Attachment A) and the feedback received from the consultation process (below and Attachment B).

Event	2023 date & duration	2024 date & duration	Location/applicable to
Macleean Show	Wednesday 26 April 2023 1-5 pm	Wednesday 17 April 2024 1-5 pm	The Police Patrol Districts of Macleean, Yamba and Iluka, within the Clarence Valley local government area
Ramornie Races	Wednesday 12 July 2023 - 1-5 pm	TBA	Grafton City within the Clarence Valley Council area
Grafton Cup	Thursday 13 July 2023 - 1-5 pm	TBA	Grafton City within the Clarence Valley Council area
Jacaranda Festival	Thursday 2 November 2023 - 1-5 pm	Thursday 31 October 2024 1-5 pm	Grafton City within the Clarence Valley Council area

COUNCIL RESOLUTION - 07.22.232**Smith/Day****That Council:**

Resolve to authorise an application for the following part-day local public holidays for the calendar year of 2023 and 2024, noting the Guidelines for Local Public Holiday and Local Event Day Applications (Attachment A) and the feedback received from the consultation process (below and Attachment B).

Event	2023 date & duration	2024 date & duration	Location/applicable to
Maclean Show	Wednesday 26 April 2023 1-5 pm	Wednesday 17 April 2024 1-5 pm	The Police Patrol Districts of Maclean, Yamba and Iluka, within the Clarence Valley local government area
Ramornie Races	Wednesday 12 July 2023 - 1-5 pm	TBA	Grafton City within the Clarence Valley Council area
Grafton Cup	Thursday 13 July 2023 - 1-5 pm	TBA	Grafton City within the Clarence Valley Council area
Jacaranda Festival	Thursday 2 November 2023 - 1-5 pm	Thursday 31 October 2024 1-5 pm	Grafton City within the Clarence Valley Council area

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.233 Q1 2022/2023 GOVERNANCE REPORT

Meeting	Council	25 October 2022
Directorate	Corporate & Community	
Prepared by	Governance Officer, Bligh Grant	
Reviewed by	A/Director - Corporate & Community, Alex Moar	
Attachments	Nil	

SUMMARY

This report summarises the status of legal proceedings, complaints lodged, Government Information (Public Access) applications, new and/or updated Disclosure of Interest returns and insurance claims for Q1 2022-23 (1 July 2022 to 30 September 2022).

OFFICER RECOMMENDATION

That Council receive and note the Q1 2022/2023 Governance Report.

COUNCIL RESOLUTION - 07.22.233

Tiley/Toms

That Council

- 1. Receive and note the Q1 2022/2023 Governance Report.**
- 2. Note that there was one complaint received during the September quarter.**




Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.234 POLICY REPORT

Meeting	Council	25 October 2022
Directorate	Corporate & Community	
Prepared by	Governance Officer, Bligh Grant	
Reviewed by	A/Director - Corporate & Community, Alex Moar	
Attachments	A. Art Collection Policy V5.0 (Separate Cover) 	
	B. Enterprise Risk Management Policy V7.0 (Separate Cover) 	
	C. Community Gardens Policy V3.0 (Separate Cover) 	

SUMMARY

This Report asks that Council adopts one (1) policy with minor changes following a period of exhibition and place two (2) updated policies on exhibition.

OFFICER RECOMMENDATION

That Council:

1. Consider the submission to the Art Collections Policy V5.0 (Attachment A) and adopt the policy with minor changes.
2. Place the following revised policies on exhibition and, subject to there being no submissions that change the intent of the policies, that they be adopted:
 - a. Enterprise Risk Management Policy V7.0 (Attachment B)
 - b. Community Gardens Policy V3.0 (Attachment C)

COUNCIL RESOLUTION - 07.22.234

Whaites/Novak

That Council:

1. **Consider the submission to the Art Collections Policy V5.0 (Attachment A) and adopt the policy with minor changes.**
2. **Place the following revised policies on exhibition and, subject to there being no submissions that change the intent of the policies, that they be adopted:**
 - a. **Enterprise Risk Management Policy V7.0 (Attachment B)**
 - b. **Community Gardens Policy V3.0 (Attachment C)**






Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.235 2022/23 QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2022

Meeting	Council	25 October 2022
Directorate	Corporate & Community	
Prepared by	Manager Finance & Systems, Kate Maginnity	
Reviewed by	A/Director - Corporate & Community, Alex Moar	
Attachments	<p>A. Quarterly Budget Income Statement By Fund - September 2022 (Separate Cover) </p> <p>B. Quarterly Budget Income & Expenditure Statements by Service - September 2022 (Separate Cover) </p> <p>C. Statement of Restricted Cash Reserve Funds - September 2022 </p> <p>D. Quarterly Contracts and Other Expenses September 2022 </p> <p>E. Monthly Grant Application Summary - September 2022 </p>	

SUMMARY

This report presents to Council the September 2022 Quarterly Budget Review Statement (QBRs) for the period 1 July 2022 to 30 September 2022.

Budget adjustments for the quarter ended 30 September 2022 (subject to council resolution) result in a net General Fund impact of \$60,000 increasing the current year projected budget result to a \$96,052 deficit.

The reserve funding variations identified in this report will decrease the reserve funds by a further \$48,000, resulting in a current year projected reserve funds movement of \$20,559,903.

OFFICER RECOMMENDATION

That Council:

1. Receive and note the information in the Quarterly Budget Review Statement to September 2022.
2. Approve General Fund variations detailed in this report totalling \$60,000, which results in a projected General Fund budget deficit of \$96,052 for the year.
3. Approve the variations for the Financial Reserves as detailed in this report totalling \$48,000, which results in a projected decrease in the External and Internal Reserves Funds of \$20,559,903.
4. Note and endorse the receipt of funds due to successful grant applications as detailed in Attachment E.

COUNCIL RESOLUTION - 07.22.235

Whaites/Novak

That Council:

1. Receive and note the information in the Quarterly Budget Review Statement to September 2022.
2. Approve General Fund variations detailed in this report totalling \$60,000, which results in a projected General Fund budget deficit of \$96,052 for the year.
3. Approve the variations for the Financial Reserves as detailed in this report totalling \$48,000, which results in a projected decrease in the External and Internal Reserves Funds of \$20,559,903.
4. Note and endorse the receipt of funds due to successful grant applications as detailed in Attachment E.


Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.236 MONTHLY INVESTMENT REPORT - SEPTEMBER 2022

Meeting	Council	25 October 2022
Directorate	Corporate & Community	
Prepared by	Finance Officer (Treasury), Heather Sydenham	
Reviewed by	A/Director - Corporate & Community, Alex Moar	
Attachments	A. Movement of Funds Between Months - September 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 30 September 2022 be noted.

COUNCIL RESOLUTION - 07.22.236

Whaites/Novak

That the report indicating Council's funds investment position as at 30 September 2022 be noted.




Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.237 COUNCIL MEETING CHECKLIST - UPDATE ON ACTIONS TAKEN

Meeting	Council	25 October 2022
Directorate	Corporate & Community	
Prepared by	Corporate Support Officer, Karlie Chevalley	
Reviewed by	A/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 - 07.22.237

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

Against: Nil

CARRIED

ITEM 07.22.238 ITEMS FOR INFORMATION

Meeting	Council	25 October 2022
Directorate	General Manager	
Attachments	A. Biodiversity Committee Minutes: 30-8-2022 (Separate Cover)  B. Climate Change Committee Minutes: 29-10-2021 (Separate Cover)  C. Climate Change Committee Minutes: 17-6-2022 (Separate Cover)  D. Climate Change Committee Minutes: 2-9-2022 (Separate Cover)  E. Dundurrabin Community Centre Minutes: 7-9-2022 (Separate Cover)  F. Coaldale Barretts Creek Hall Committee Minutes: 30-7-2022 (Separate Cover)  G. Coaldale Barretts Creek Hall Committee Minutes: 24-9-2022 (Separate Cover)  H. Coaldale Barretts Creek Hall Committee EOFY Statement July 2021-2022 (Separate Cover)  I. Lanitza-Kungala Community Hall Committee Minutes: 12-10-2022 (Separate Cover) 	

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
- Climate Change Committee Meeting Minutes: 29 October 2021
- Climate Change Committee Meeting Minutes: 17 June 2022
- Climate Change Committee Meeting Minutes: 2 September 2022
- Dundurrabin Community Centre Minutes: 7 September 2022
- Coaldale Barretts Creek Hall Committee Minutes: 30 July 2022 & 24 September 2022
- Coaldale Barretts Creek Hall Committee EOFY Statement July 2021/2022
- Lanitza-Kungala Community Hall Committee Minutes: 12 October 2022

COUNCIL RESOLUTION - 07.22.238

Whaites/Novak

That the Items for Information as listed below be noted:

- **Biodiversity Committee Meeting Minutes: 30 August 2022**
- **Climate Change Committee Meeting Minutes: 29 October 2021**
- **Climate Change Committee Meeting Minutes: 17 June 2022**
- **Climate Change Committee Meeting Minutes: 2 September 2022**
- **Dundurrabin Community Centre Minutes: 7 September 2022**
- **Coaldale Barretts Creek Hall Committee Minutes: 30 July 2022 & 24 September 2022**
- **Coaldale Barretts Creek Hall Committee EOFY Statement July 2021/2022**
- **Lanitza-Kungala Community Hall Committee Minutes: 12 October 2022**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.239 RATE PEG METHODOLOGY SUBMISSION TO IPART

Meeting	Council	25 October 2022
Directorate	Corporate & Community	
Prepared by	General Manager, Laura Black	
Reviewed by	General Manager, Laura Black	
Attachments	Nil	

SUMMARY

This reports seeks Council's support to lodge a submission to IPART's Review of the Rate Peg Methodology. The submission is due by 4 November 2022. The Issues paper can be found here [Issues Paper - Review of rate peg methodology - September 2022 | IPART](#).

OFFICER RECOMMENDATION

That Council makes a submission to IPART's review of the rate peg methodology including the matters detailed in the report.

THE ITEM WAS CONSIDERED TO BE RESOLVED AS PART OF 05.22.020.

WORKS & CIVIL**ITEM 07.22.240 TENDER 22/27 - SYSTEM INTEGRATOR**

Meeting	Council	25 October 2022
Directorate	Works & Civil	
Prepared by	Mechanical/Electrical Engineer, Deanne Eaton	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	A. Tender 22/27 - Tender Evaluation Report (Confidential)	

SUMMARY

Council called Schedule of Rates tenders to provide System Integrator services to Council's Water Cycle section, which opened on 1 August 2022 and closed on 31 August 2022. The tender is for a two-year period, with two extension options, each of two years. Three complying Tenders were received. The tender evaluation panel (TEP) considers, having regard to all the circumstances, that the Tender from SafeGroup Automation Pty Ltd is the most advantageous to Council and recommends that this Tender be accepted.

OFFICER RECOMMENDATION

That Council:

1. Award Tender RFT 22/027 System Integrator to SafeGroup Automation Pty Ltd at the Schedule of Rates tendered, to be funded from Water Cycle operating budgets and related capital works projects.
2. Delegate authority to the General Manager to exercise the 2 x 2 year extension options on completion of satisfactory periods of engagement.

COUNCIL RESOLUTION - 07.22.240

Whaites/Novak

That Council:

1. Award Tender RFT 22/027 System Integrator to SafeGroup Automation Pty Ltd at the Schedule of Rates tendered, to be funded from Water Cycle operating budgets and related capital works projects.
2. Delegate authority to the General Manager to exercise the 2 x 2 year extension options on completion of satisfactory periods of engagement.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.241 RFT22/28 GRAFTON NETBALL COURT REDEVELOPMENT

Meeting	Council	25 October 2022
Directorate	Works & Civil	
Prepared by	Senior Parks & Recreation Officer, Rachele Passmore	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	A. Tender Recommendation Report (Confidential)	

SUMMARY

The report presents the outcome of the open tender that was called for the design and construction of the Grafton Netball Courts, located at Westward Park (Reserve D540035) and seeks Council's endorsement to award the contract.

OFFICER RECOMMENDATION

That Council as Crown Land Manager of Westward Park (D540035):

1. Accepts the tender from Sports Build Pty Ltd for RFT22/28 Grafton Netball Court Redevelopment for the design and construction of eight outdoor hard courts and lighting at a cost of \$1,257,916 (Incl GST).
2. The project is to be funded from the Grafton Netball Court Redevelopment (FP 540116 Sub Service 341) and Grafton Netball Lighting (FP 540117 Sub Service 341).
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 - 07.22.241

Novak/Johnstone

That Council as Crown Land Manager of Westward Park (D540035):

1. **Accepts the tender from Sports Build Pty Ltd for RFT22/28 Grafton Netball Court Redevelopment for the design and construction of eight outdoor hard courts and lighting at a cost of \$1,257,916 (Incl GST).**
2. **The project is to be funded from the Grafton Netball Court Redevelopment (FP 540116 Sub Service 341) and Grafton Netball Lighting (FP 540117 Sub Service 341).**
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 07.22.242 RFT22/31 SEWER MAIN REHABILITATION

Meeting	Council	25 October 2022
Directorate	Works & Civil	
Prepared by	A/Senior Engineering Officer, Matt Godfrey	
Reviewed by	Director (Works & Civil), Jamie Fleeting	
Attachments	A. RFT 22/31 Sewer Main Rehabilitation Tender Evaluation Report (Confidential)	

SUMMARY

Council called a schedule of rates tender for sewer main relining services, which opened on 12 August 2022 and closed on 16 September 2022. Four (4) complying tenders were received. The Tender Evaluation Panel (TEP) considers, having regards to all the circumstances, that the tender from Wilmot Civil Pty Ltd T/as Wilmot Pipelining is the most advantageous for Council and recommends that this tender be accepted.

OFFICER RECOMMENDATION

That Council:

1. Awards Tender RFT22/031 Sewer Mains Rehabilitation to Wilmot Civil Pty Ltd T/as Wilmot Pipelining using the provided Schedule of Rate price of \$1,530,036.60 (including GST), to be funded from Financial Project 910016 (Sewer Rehabilitation Relining).
2. 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 - 07.22.242

Whaites/Novak

That Council:

1. Awards Tender RFT22/031 Sewer Mains Rehabilitation to Wilmot Civil Pty Ltd T/as Wilmot Pipelining using the provided Schedule of Rate price of \$1,530,036.60 (including GST), to be funded from Financial Project 910016 (Sewer Rehabilitation Relining).
2. 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

8. CONFIDENTIAL BUSINESS**9. QUESTIONS WITH NOTICE**

Nil

10. LATE ITEMS OF BUSINESS AND MATTERS ARISING

ITEM 10.22.004 CLARENCE VALLEY COMMUNITY LAND, CROWN RESERVES AND OTHER PUBLIC PLACES PLAN OF MANAGEMENT (DRAFT)

Meeting	Council	25 October 2022
Directorate	Environment & Planning	
Prepared by	Senior Strategic Planner (Public Land/Native Title), Dr Danny Parkin	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	A. Notice of Plan(s) of Management for Crown reserve(s) (Separate Cover)  B. (draft) Clarence Valley Community Land, Crown Reserves and other Public Places Plan of Management (Separate Cover) 	

SUMMARY

This draft generic plan of management (PoM) updates the draft generic PoM presented to Council at its 20 April 2021 (Item 6b.21.017) Ordinary meeting. The preparation of a PoM is a statutory requirement for land classified as 'community' under the *Local Government Act 1993* and for community Crown land under the *Crown Land Management Act 2016*.

OFFICER RECOMMENDATION

That Council:

1. Note the preparation of a revised (draft) *Clarence Valley Community Land, Crown Reserves and other Public Places Plan of Management* (generic PoM) for all Council-owned land and Crown land managed by Council set aside and/or embellished as public open space or developed for a specific community purpose not covered by a site-specific PoM.
2. Authorise the General Manager to refer the draft generic PoM; including the submission of the *Notice of Plan(s) of Management for Crown reserve(s)* form to the NSW Department of Planning and Environment (DPE) Crown Lands Division as owner of the Crown land included in the draft generic PoM for approval to place on public exhibition.
3. Place the draft generic PoM on public exhibition (after it has been returned by DPE and any corrections regarding the Crown land under the PoM are made) for a period not less than 28 days as required under the *Local Government Act 1993*.
4. Conduct at least two (2) public hearings (one in Maclean and one in Grafton) regarding the proposed additional categorisation of Council-owned 'community' and the categorisation of recently acquired Council-owned 'community' land by the PoM (detailed in Schedules 1AA and 1AB of the draft generic PoM).
5. Accept submissions on the draft generic PoM for a period not less than 42 days from the date the plan is placed on public exhibition as required under the *Local Government Act 1993*.
6. Report any submissions received and the draft generic PoM back to Council after the submission period has closed, for consideration of its adoption (or re-exhibition) as per the requirements of section 40 of the *Local Government Act 1993*.

COUNCIL RESOLUTION - 10.22.004

Tiley/Day

That Council:

1. Note the preparation of a revised (draft) *Clarence Valley Community Land, Crown Reserves and other Public Places Plan of Management* (generic PoM) for all Council-owned land and Crown land managed by Council set aside and/or embellished as public open space or developed for a specific community purpose not covered by a site-specific PoM and with the exclusion of the wetland at the northern end of the Brooms Head Caravan Park camping ground and the southern section known as the bluff.
2. Authorise the General Manager to refer the draft generic PoM; including the submission of the *Notice of Plan(s) of Management for Crown reserve(s)* form to the NSW Department of Planning and Environment (DPE) Crown Lands Division as owner of the Crown land included in the draft generic PoM for approval to place on public exhibition.
3. Place the draft generic PoM on public exhibition (after it has been returned by DPE and any corrections regarding the Crown land under the PoM are made) for a period not less than 28 days as required under the *Local Government Act 1993*.
4. Conduct at least two (2) public hearings (one in Maclean and one in Grafton) regarding the proposed additional categorisation of Council-owned 'community' and the categorisation of recently acquired Council-owned 'community' land by the PoM (detailed in Schedules 1AA and 1AB of the draft generic PoM).
5. Accept submissions on the draft generic PoM for a period not less than 42 days from the date the plan is placed on public exhibition as required under the *Local Government Act 1993*.
6. Report any submissions received and the draft generic PoM back to Council after the submission period has closed, for consideration of its adoption (or re-exhibition) as per the requirements of section 40 of the *Local Government Act 1993*.
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.

Voting recorded as follows**For:** Clancy, Day, Johnstone, Novak, Pickering, Smith, Tiley, Toms, Whaites**Against:** Nil**CARRIED****11. CLOSE OF ORDINARY MEETING**

There being no further business the Council Meeting closed at 2:58pm.



clarence
VALLEY COUNCIL

CERTIFICATION OF MINUTES

I certify that the preceding 35 pages are the Minutes of the October meeting of Clarence Valley Council held on 25 October 2022.

Signed by:

Ian Tiley

Mayor / Chairperson