

# Ordinary Council Meeting

## Minutes

Grafton - 27 September 2022 - 2:00pm





# AGENDA

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- Acknowledgement of Country
- Announcement – Recording of Meeting
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## 04 CONFIRMATION OF MINUTES

- Ordinary Meeting of Council held 23 August 2022

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Nil

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Nil

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Nil

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## 1. OPENING OF ORDINARY MEETING

**MINUTES of the ORDINARY MEETING of the CLARENCE VALLEY COUNCIL at Grafton, 27 September 2022 commencing at 2:00pm and closing at 5:10pm.**

**PRAYER** – Cr Whaites 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 Pickering 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 A/General Manager delivered the Announcement.

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

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

**STATEMENT OF ETHICAL OBLIGATIONS - The A/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

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

## 2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Nil

## 3. DISCLOSURES AND DECLARATIONS OF INTEREST

Nil

#### 4. CONFIRMATION OF MINUTES

##### COUNCIL RESOLUTION

**Toms/Johnstone**

**That the Minutes of Ordinary Meeting of Council dated 23 August 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**

##### **Tribute to Queen Elizabeth II**

The passing of Queen Elizabeth II, presented and delivered to Council by Mayor Tiley.

The people of the Clarence Valley Council area extend condolences and deep sympathy to the members of the Royal Family and citizens of the United Kingdom on the sad passing of her Majesty Queen Elizabeth II. We share your profound sense of loss and grief.

We speak of her remarkable span of selfless service, work ethic, commitment, experience, devotion to a lifetime of public duty, her wisdom, kindness, grace, unwavering dignity, fortitude, humility, integrity, selflessness, compassion, diligence, humour, untiring endeavours, deep faith, magnificent achievements, a lady of class and dedicated to her people.

Her loss has been felt around the Commonwealth, indeed around the world. She captured the imagination of people around the globe.

She was a mother, grandmother, great grandmother. A mechanic during WWII.

Her reign was a remarkable span, unequalled in duration. The longest reigning monarch in British history. Served as a mechanic in WWII. She was always there. The only Monarch we have ever known. A reassuring presence. A true constant in all our lives.

She was the leader of our constitutional monarchy government for 70 years. Australia's Head of State. Her loving service touched a multitude of lives.

She was dedicated to the Crown and the Commonwealth of Australia. She was the glue which has held the Commonwealth together over seven decades.

We draw strength from her shining example. We celebrate a life of grace and wisdom. She defined an era. She knew how to adjust. She was a symbol of cooperation and reconciliation, of constant affection and love. One of the greatest leaders in recent history.

Vale your Majesty. Rest in Peace.

**VOTE BY CONSENT - 07.22.191****Novak/Pickering****That the following items be adopted as recommended:****07.22.191****07.22.192****07.22.194****07.22.197****07.22.198****07.22.199****07.22.202****07.22.207****07.22.209****07.22.211****07.22.215****07.22.217****Voting recorded as follows****For: Clancy, Day, Johnstone, Novak, Pickering, Smith, Tiley, Toms, Whaites****Against: Nil****CARRIED****5. MAYORAL MINUTES**

Nil

**6. NOTICES OF MOTION**

Nil

**7. REPORTS**

## OFFICE OF THE GENERAL MANAGER

**ITEM 07.22.191 SENIOR STAFF ORGANISATIONAL STRUCTURE**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	General Manager	
<b>Prepared by</b>	A/General Manager, Laura Black	
<b>Attachments</b>	A. Senior Executive Organisation Structure <a href="#">↗</a>	

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**SUMMARY**

This report seeks Council's endorsement of the number of senior staff positions and the roles and reporting lines of holders of senior staff positions adopted in February 2021.

**OFFICER RECOMMENDATION**

That Council determine the organisation structure as detailed in Attachment A.

**COUNCIL RESOLUTION - 07.22.191**

**Novak/Pickering**

**That Council determine the organisation structure as detailed in Attachment A.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**



### ITEM 07.22.192 CO-LOCATED OPERATIONS EMERGENCY CONTROL AND FIRE CONTROL CENTRE - PREFERRED SITE NOTIFICATION

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	General Manager	
<b>Prepared by</b>	A/General Manager, Laura Black	
<b>Attachments</b>	Nil	

#### SUMMARY

NSW Rural Fire Service (RFS) has requested Council resolve a preferred site for the co-located Emergency Operations Centre and Fire Control Centre funded by the State Government, with funds vested with the RFS.

#### OFFICER RECOMMENDATION

That Council advise the Deputy Commissioner – Preparedness & Capability, Kyle Stewart of the preferred site for the co-located Operations Emergency Control and Fire Control Centre as the Emergency Services Precinct at the Grafton Regional Airport.

#### COUNCIL RESOLUTION - 07.22.192

##### Novak/Pickering

That Council advise the Deputy Commissioner – Preparedness & Capability, Kyle Stewart of the preferred site for the co-located Operations Emergency Control and Fire Control Centre as the Emergency Services Precinct at the Grafton Regional Airport.

##### Voting recorded as follows

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

Against: Nil

**CARRIED**

**ITEM 07.22.193 GRAFTON OLYMPIC POOL UPDATE**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	General Manager	
<b>Prepared by</b>	Senior Parks & Recreation Officer, Rachele Passmore	
<b>Attachments</b>	A. JLT Advice re Grafton Pool <a href="#">⇒</a>	

**SUMMARY**

The deterioration of the infrastructure at the Grafton Olympic Pool has resulted in substantial water loss and increased maintenance works. Due to the risk of catastrophic failure caused by the undermining effects of the significant water loss and the increasing operational and maintenance costs it is recommended to close the facility and commence the procurement process for the redevelopment of the Grafton Pool.

**OFFICER RECOMMENDATION**

That Council:

1. Close the Grafton Olympic Pool for the 2022/23 season.
2. Undertake further geotechnical investigations in the pool basin and concourse following the closure.
3. In conjunction with the pool operator, plan a suitable and safe event/activity for the community to celebrate the history and connection with the current facility.
4. Commit \$3,830,545 in funds to assist deliver all components of Stage 1 of the Redevelopment of the Grafton Pool project from the funding sources identified within the report.
5. Seek financial support from the Federal and State Government for the Redevelopment of the Grafton Pool project.
6. Undertake further investigation and consultation on the need for the inclusion of a dive pool in Stage 2 of the proposed upgrade
7. Investigate Section 7.11 Contributions Plan funding for the grandstand.
8. Proceed with a two-stage selective tender for Stage 1 and 2 for the upgrade to the Grafton Olympic Pool.

**MOTION**

Toms/Pickering

That Council:

1. Close the Grafton Olympic Pool for the 2022-23 season.
2. Endorse the Grafton Pool project to proceed and include the indoor facilities (learn to swim and 8 lane 25m warm water pool) and the 50 m pool with associated amenities, grandstand, and the renovation of the existing building, the amenities/gym/creche/swim club.
3. Remove the dive pool from the project.
4. Give an undertaking to the community to deliver the remaining items, the waterslide and splash pad in council's general Fund Capital projects 2024/2025 or sooner, if grant funding opportunities arise.
5. Commit \$5,000,000.00 of council funds to assist the delivery of the Grafton pool project facilities listed in point two.
6. Continue to apply for grant funding from Federal and/or State Government sources for funds to complete the Grafton Pool project.
7. Proceed with loan borrowings for the remaining funds required to deliver the listed items in point two, should grant funding be unsuccessful by the time the project is ready to proceed.
8. Undertake maintenance on the waterslide structure without delay.
9. In conjunction with the pool operator, prepare to open the waterslide to the community until such time as the site is handed over to a successful tenderer for the construction of the redevelopment.
10. Undertake further geotechnical investigations in the pool basin and concourse immediately to ensure disclosure of possible latent conditions for procurement purposes.
11. Proceed with a two-stage selective tender for the Grafton Pool Project without delay.
12. Investigate Section 7.11 Contributions Plan funding for the grandstand.

**AMENDMENT TO MOTION**

Novak/Whaites

That Council:

1. Close the Grafton Olympic Pool for the 2022-23 season.
2. Endorse the Grafton Pool project to proceed and include the indoor facilities (learn to swim and 8 lane 25m warm water pool) and the 50 m pool with associated amenities, grandstand, and the renovation of the existing building, the amenities/gym/creche/swim club.
3. Remove the dive pool from the project.
4. Give an undertaking to the community to deliver the remaining items, the waterslide and splash pad in council's general Fund Capital projects 2024/2025 or sooner, if grant funding opportunities arise.
5. Commit \$5,000,000.00 of council funds to assist the delivery of the Grafton pool project facilities listed in point two.
6. Continue to apply for grant funding from Federal and/or State Government sources for funds to complete the Grafton Pool project.
7. Proceed with loan borrowings for the remaining funds required to deliver the listed items in point two, should grant funding be unsuccessful by the time the project is ready to proceed.
8. Undertake maintenance on the waterslide structure without delay.
9. In conjunction with the pool operator, prepare to open the waterslide to the community until such time as the site is handed over to a successful tenderer for the construction of the redevelopment.
10. Undertake further geotechnical investigations in the pool basin and concourse immediately to ensure disclosure of possible latent conditions for procurement purposes.
11. Proceed with a two-stage selective tender for the Grafton Pool Project without delay.
12. Investigate Section 7.11 Contributions Plan funding for the grandstand.
13. Form a community focus group to work with Council for the life of the project.

Voting recorded as follows

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

Against: Clancy

The Amendment to Motion was put and declared CARRIED. The amendment became the Substantive Motion.

**SUBSTANTIVE MOTION**

Toms/Pickering

That Council:

1. Close the Grafton Olympic Pool for the 2022-23 season.
2. Endorse the Grafton Pool project to proceed and include the indoor facilities (learn to swim and 8 lane 25m warm water pool) and the 50 m pool with associated amenities, grandstand, and the renovation of the existing building, the amenities/gym/creche/swim club.
3. Remove the dive pool from the project.
4. Give an undertaking to the community to deliver the remaining items, the waterslide and splash pad in council's general Fund Capital projects 2024/2025 or sooner, if grant funding opportunities arise.
5. Commit \$5,000,000.00 of council funds to assist the delivery of the Grafton pool project facilities listed in point two.
6. Continue to apply for grant funding from Federal and/or State Government sources for funds to complete the Grafton Pool project.
7. Proceed with loan borrowings for the remaining funds required to deliver the listed items in point two, should grant funding be unsuccessful by the time the project is ready to proceed.
8. Undertake maintenance on the waterslide structure without delay.
9. In conjunction with the pool operator, prepare to open the waterslide to the community until such time as the site is handed over to a successful tenderer for the construction of the redevelopment.
10. Undertake further geotechnical investigations in the pool basin and concourse immediately to ensure disclosure of possible latent conditions for procurement purposes.
11. Proceed with a two-stage selective tender for the Grafton Pool Project without delay.
12. Investigate Section 7.11 Contributions Plan funding for the grandstand.
13. Form a community focus group to work with Council for the life of the project.

Voting recorded as follows

For: Novak, Pickering, Toms, Whaites

Against: Clancy, Day, Johnstone, Smith, Tiley

The Substantive Motion was put and declared LOST.

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

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**COUNCIL RESOLUTION - 07.22.193**

**Clancy/Day**

**That Council:**

- 1. Close the Grafton Olympic Pool for the 2022/23 season.**
- 2. Undertake further geotechnical investigations in the pool basin and concourse following the closure.**
- 3. In conjunction with the pool operator, plan a suitable and safe event/activity for the community to celebrate the history and connection with the current facility.**
- 4. Commit \$3,830,545 in funds to assist deliver all components of Stage 1 of the Redevelopment of the Grafton Pool project from the funding sources identified within the report.**
- 5. Seek financial support from the Federal and State Government for the Redevelopment of the Grafton Pool project.**
- 6. Undertake further investigation and consultation on the need for the inclusion of a dive pool in Stage 2 of the proposed upgrade**
- 7. Investigate Section 7.11 Contributions Plan funding for the grandstand.**
- 8. Proceed with a two-stage selective tender for Stage 1 and 2 for the upgrade to the Grafton Olympic Pool.**
- 9. Form a community focus group to work with Council for the life of the project.**

**Voting recorded as follows**

**For: Clancy, Day, Novak, Pickering, Tiley, Toms**

**Against: Johnstone, Smith, Whaites**

**CARRIED**

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**FORESHADOWED MOTION**

Johnstone

**That Council:**

- 1. Close the Grafton Olympic Pool for the 2022/23 season.**
- 2. In conjunction with the pool operator, plan a suitable and safe event/activity for the community to celebrate the history of the current facility.**
- 3. Staff investigate and report back to council ideas to mitigate the effect on the Grafton and surrounding communities of the closure of the Grafton Olympic Pool during the 2022/23 season.**
- 4. Proceed with a request for tender for the 50m pool component of Stage 1 of the Grafton Aquatic Centre.**
- 5. Investigate funding sources that would enable the 50m pool component of Stage 1 to be completed without delay.**
- 6. Continue to submit grants applications to the State and Federal Government to fund the completion of the remainder of the Grafton Regional Aquatic Centre.**
- 7. Investigate Section 7.11 Contributions Plan funding for the grandstand.**

That Council adjourn the meeting for a break at 3:12pm.

The Council recommenced at 3:21pm.

## ENVIRONMENT &amp; PLANNING

**ITEM 07.22.194 DA2021/1345 APPLICATION FOR DWELLING AT 12 RIVER ROAD PALMERS ISLAND LOT 2 DP551579**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	Senior Development Planner, Patrick Ridgway	
<b>Attachments</b>	A. DA2021-1345 Architectural Plans 12 River Road Palmers Island (Separate Cover) <a href="#">⇒</a> B. DA2021-1345 Salients Riverbank Erosion Report - 12 River Road Palmers Island (Separate Cover) <a href="#">⇒</a> C. Restriction on use of Land AK867690 (Separate Cover) <a href="#">⇒</a> D. DA2021-1345 Additional Information Received 12 River Road Palmers Island (Separate Cover) <a href="#">⇒</a> E. Section 4.15 Assessment Report DA2021-1343 <a href="#">⇒</a> F. Palmers Island Bank Stability assessment 2000 PBP report (Separate Cover) <a href="#">⇒</a> G. Driveway Access Report DA2021-1345 (Separate Cover) <a href="#">⇒</a> H. Driveway Plan and ROW DA2021-1345 (Separate Cover) <a href="#">⇒</a>	

**SUMMARY**

<i>Applicant</i>	TMMM Constructions Pty Ltd t/a GJ Gardner Homes Clarence Valley
<i>Owner</i>	Darren John Haaijer & Tricia Nicole Haaijer
<i>Address</i>	12 River Road Palmers Island, Lot 2 DP 551579
<i>Submissions</i>	Nil

Council is in receipt of a Development Application for a proposed dwelling on Lot 2 DP 551579, being 12 River Road, Palmers Island. The lot is within an area identified as being at risk from riverbank erosion. A former dwelling on the lot was demolished and removed under a Maclean Shire voluntary buyback scheme following the adoption of the *Palmers Island: Bank Erosion Assessment and Management Plan 1992*. The adjoining section of River Road that services the lot has been removed from the road maintenance list and the road closed to through traffic.

After the removal of the dwelling, a restriction on the title of the lot was imposed by Council on the subject lot prohibiting any buildings or improvements following the voluntary buyback scheme and the lot was placed back on the market for sale at a reduced value due to the restriction.

The Applicant is requesting that Council remove the restriction on the title and is applying for development approval for a new dwelling on the lot.

A report to the June 2022 Council meeting for this application was deferred at the applicant's request to enable them the opportunity to investigate an alternate access arrangement. The application now proposes alternative access over the adjoining property at 10 River Road, Palmers Island.

This report is submitted to Council for consideration and provides an assessment and recommendation for determination.

**OFFICER RECOMMENDATION**

That Council:

1. Refuse any variation or modification of the Restriction on the Use of Land, reference AK867690F, imposed on Lot 12 DP551579 by the former Maclean Shire Council, which prohibits any dwellings or building or improvement within the 100 year management line.
2. Refuse DA2021/1345 for a dwelling on the lot due to:
  - a. The development application conflicts with Clause 2.12 of State Environmental Planning Policy (Resilience and Hazards) 2021;

- b. The development application is inconsistent with the following clauses of Clarence Valley Local Environment Plan 2011: Clause 5.21 – Flood Planning, Clause 7.5 – Coastal risk planning and Clause 7.6 – Development on land subject to riverbank erosion
- c. The applicant has not satisfied Council that the disposal and management of sewage and suitable road access services that are essential for the proposed development are available or that adequate arrangements have been made as required under Clause 7.8 – Essential Services of the Clarence Valley Local Environment Plan 2011;
- d. The unsuitability of the site for the development due to the unacceptable risk of riverbank erosion as identified in the Palmers Island Bank Stability assessment by Patterson Britton & Partners Pty Ltd in June 2000;
- e. Inconsistency with the coastal risk management controls of Part P - Palmers Island Riverbank Controls of Council's Rural Zones Development Control Plan 2011;
- f. Inconsistency with the side boundary setback controls in Cause 5.1 of Council's Rural Zones Development Control Plan 2011
- g. The development application is inconsistent with the Disaster Resilience Framework which provides strategies, actions and recommendations for Council's planning and decision-making;
- h. The development is not considered to be in the public interest because a dwelling was removed from the site due to the riverbank risk hazard and a restriction placed on the title to prohibit further development in this location;
- i. The applicant's riverbank erosion assessment report is not a definitive assessment of the likelihood of further erosion at the site; and
- j. The applicant has not demonstrated that the proposed on-site waste water management (OSWM) system used on the land would not have significant adverse impacts upon the coastal environment, or that the proposed alternative access driveway would not have an adverse effect on the OSWM system on 10 River Road, Palmers Island.

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**COUNCIL RESOLUTION - 07.22.194**
**Novak/Pickering**
**That Council:**

1. **Refuse any variation or modification of the Restriction on the Use of Land, reference AK867690F, imposed on Lot 12 DP551579 by the former Maclean Shire Council, which prohibits any dwellings or building or improvement within the 100 year management line.**
2. **Refuse DA2021/1345 for a dwelling on the lot due to:**
  - a. **The development application conflicts with Clause 2.12 of State Environmental Planning Policy (Resilience and Hazards) 2021;**
  - b. **The development application is inconsistent with the following clauses of Clarence Valley Local Environment Plan 2011: Clause 5.21 – Flood Planning, Clause 7.5 – Coastal risk planning and Clause 7.6 – Development on land subject to riverbank erosion**
  - c. **The applicant has not satisfied Council that the disposal and management of sewage and suitable road access services that are essential for the proposed development are available or that adequate arrangements have been made as required under Clause 7.8 – Essential Services of the Clarence Valley Local Environment Plan 2011;**
  - d. **The unsuitability of the site for the development due to the unacceptable risk of riverbank erosion as identified in the Palmers Island Bank Stability assessment by Patterson Britton & Partners Pty Ltd in June 2000;**
  - e. **Inconsistency with the coastal risk management controls of Part P - Palmers Island Riverbank Controls of Council's Rural Zones Development Control Plan 2011;**
  - f. **Inconsistency with the side boundary setback controls in Cause 5.1 of Council's Rural Zones Development Control Plan 2011**
  - g. **The development application is inconsistent with the Disaster Resilience Framework which provides strategies, actions and recommendations for Council's planning and decision-making;**
  - h. **The development is not considered to be in the public interest because a dwelling was removed from the site due to the riverbank risk hazard and a restriction placed on the title to prohibit further development in this location;**
  - i. **The applicant's riverbank erosion assessment report is not a definitive assessment of the likelihood of further erosion at the site; and**
  - j. **The applicant has not demonstrated that the proposed on-site waste water management (OSWM) system used on the land would not have significant adverse impacts upon the**

coastal environment, or that the proposed alternative access driveway would not have an adverse effect on the OSWM system on 10 River Road, Palmers Island.

Voting recorded as follows

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

Against: Nil

**CARRIED**



**ITEM 07.22.195 MOD2022/0045 APPLICATION TO MODIFY DA2014/0098 - SHERIDANS HARD ROCK QUARRY, HERNANI**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	Senior Development Planner, Patrick Ridgway	
<b>Attachments</b>	A. MOD2022-0045 Applicants S4.55 report <a href="#">⇨</a> B. MOD2022-0045 Sheridans Quarry consent modification - EPA comments <a href="#">⇨</a> C. MOD2022-0045 TfNSW Response - MOD2022-0045 <a href="#">⇨</a> D. MOD2022-0045 Section 4.55 Amendment Report MOD2020-0039 <a href="#">⇨</a> E. MOD2022-0045 Amended Notice of Determination DA2014-0098 by MOD2016-0035 & MOD2020-0039 Sheridans Hard Rock Quarry <a href="#">⇨</a>	

**SUMMARY**

<i>Applicant</i>	Outline Planning Consultants Pty Ltd
<i>Owner</i>	Matsid Pty Ltd
<i>Address</i>	242 Faheys & Bulgins Road, Hernani NSW 2453 Lot 62 DP752807 & Lot 63 DP752807
<i>Submissions</i>	Nil

Council is in receipt of a third Section 4.55(2) modification application (MOD2022/0045), received on 13 May 2022, to increase the footprint of the quarry by a further 1.95 hectares to the existing approved 5.73 hectares quarry footprint and revise staging of quarry. No other increases in output or activity are proposed.

In accordance with Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*, it is submitted that the modified development is substantially the same as the approved development and will have a satisfactory (and minor) environmental impact.

The original approval for the quarry was approved by the Northern Regional Planning Panel. This modification application is not required to be reported back to the Panel (as per the panel's operational procedures). This report is submitted to Council to consider, provides an assessment of the application and a recommendation for Council consideration.

**OFFICER RECOMMENDATION**

That Council approve the s4.55(2) modification application, being MOD2022/0045 of DA2014/0098, subject to the Draft Modified Conditions contained in Schedule 1.

**MOTION**

Clancy

That Council not approve the s4.55(2) modification application, being MOD2022/0045 of DA2014/0098, due to unknown environmental factors.

Motion LAPSED for want of a seconder.

**COUNCIL RESOLUTION - 07.22.195**

Toms/Novak

**That Council approve the s4.55(2) modification application, being MOD2022/0045 of DA2014/0098, subject to the Draft Modified Conditions contained in Schedule 1.**

**Voting recorded as follows**

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

**Against: Clancy, Pickering**

**CARRIED**



**ITEM 07.22.196 MOD2022/0050 - MODIFICATION OF DA2018/0373 - AMEND THE DWELLING LOT SIZE TO CREATE 197 SITES, INCREASE VISITOR PARKING AND AMEND INTERNAL ROAD DESIGN, LOT 1 DP 568545, CARRS DRIVE, YAMBA**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	Development Planner, Sarah Sozou	
<b>Attachments</b>	A. MOD2022/0050 - Proposed modified plans (Separate Cover) <a href="#">⇒</a> B. MOD2022/0050 - S4.55 Assessment Report <a href="#">⇒</a> C. MOD2022/0050 - Submissions <a href="#">⇒</a>	

## SUMMARY

<i>Applicant</i>	The Trustee For Yamba Land Trust
<i>Owner</i>	Clifton Yamba Land Pty Ltd
<i>Address</i>	Carrs Drive, Yamba, being Lot 1 DP 568545
<i>Submissions</i>	Yes – two (2) objections

Development Application DA2018/0373 approved a 200 dwelling manufactured home estate (MHE), including ancillary community facilities and services. The application was determined by Council at the meeting of 23 April 2019 (Item no. 14.035/19).

This approval was modified under delegated authority on 22 December 2021. The modification application reduced the number of dwelling sites to 193, increased the amount of trailer storage areas, and varied the design of the community facility building and adjoining facilities layout.

The subject s4.55(1a) modification application (MOD2022/0050) has now been lodged for consideration. The current application seeks to vary the previous approvals by amending the dwelling lot size to create 197 dwelling sites (being 4 additional sites from the previous modification), increasing visitor parking, amending the internal road and pedestrian access design, adding a car wash bay and retaining walls, reducing the size of the bowling green, and amending the staging and landscaping plans.

The modification application was notified and advertised. Two (2) submissions were received during the exhibition period. The matters raised in the submissions are discussed under the Key Issues section of this report.

The matter is being reported to Council for determination as the General Manager does not have delegation to determine the application. This report provides an assessment of the application and a recommendation for Council's consideration.

## OFFICER RECOMMENDATION

That Council approve the s4.55(1a) modification application, being MOD2022/0050 of DA2018/0373, subject to the draft Advices and Conditions contained in Schedule 1.

## COUNCIL RESOLUTION - 07.22.196

**Toms/Whaites**

**That Council approve the s4.55(1a) modification application, being MOD2022/0050 of DA2018/0373, subject to the draft Advices and Conditions contained in Schedule 1.**

**Voting recorded as follows**

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

**Against: Novak**

**CARRIED**

**ITEM 07.22.197 MOD2022/0063 - MODIFICATION TO SUB2019/0015 - REDUCE LOT YIELD FROM 15 TO 12 AND AMEND SERVICING REQUIREMENTS - 25 MOOKIN STREET, TUCABIA**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	Development Planner, James Hamilton	
<b>Attachments</b>	A. MOD2022-0063 Notice of Determination and Approved Plans <a href="#">↗</a> B. MOD2022-0063 Proposed Modified Plan <a href="#">↗</a> C. MOD2022-0063 Section 4 55 Amendment Report <a href="#">↗</a>	

**SUMMARY**

<i>Applicant</i>	O'Donohue Hanna & Associates
<i>Owner</i>	Paul Andrew Fuller & Agneta Elisabeth Hansell
<i>Address</i>	25 Mookin Street, Tucabia (being lot 188 DP 751365)
<i>Submissions</i>	Nil

Council has received an application under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* to modify SUB2019/0015 to amend the approved subdivision layout to reduce lot yield from 15 to 12 lots, to change staging and change servicing requirements.

The application was notified and advertised and no submissions were received during the notification period. The application is being reported to Council as the original application was determined by the Council.

This report discusses the key issues with the application and provides a recommendation for Council's consideration.

**OFFICER RECOMMENDATION**

That Council:

1. Accept modification application MOD2022/0063 is substantially the same development as approved under SUB2019/0015; and
2. Approve modification application MOD2022/0063 subject to the Draft Modified Advices and Conditions contained in Schedule 1.

**COUNCIL RESOLUTION - 07.22.197****Novak/Pickering**

That Council:

1. **Accept modification application MOD2022/0063 is substantially the same development as approved under SUB2019/0015; and**
2. **Approve modification application MOD2022/0063 subject to the Draft Modified Advices and Conditions contained in Schedule 1.**

Voting recorded as follows

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

Against: Nil

**CARRIED**

**ITEM 07.22.198 PLANNING PROPOSAL - REZ2021/0007 35 RIVER STREET, PALMERS ISLAND**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	Strategic Planner, Jasmine Oakes	
<b>Attachments</b>	A. REZ2021-0007 Fishing Haven Revised Planning Proposal (Separate Cover) <a href="#">⇒</a> B. REZ2021-0007 BCD recommendation letter <a href="#">⇒</a> C. REZ2021-0007 DPI - Agriculture recommendation letter <a href="#">⇒</a>	

**SUMMARY**

<i>Applicant</i>	Matt Hutchinson
<i>Owner</i>	The Trustee for HUTCHINSON FAMILY TRUST
<i>Address</i>	Part Lot 200 DP1173332 and Part Lot 201 DP 1173332
<i>Submissions</i>	N/A – not yet exhibited.

This report seeks Council endorsement to submit Planning Proposal REZ2021/0007 (**Attachment A**) to the Department of Planning and Environment (DPE) to seek a Gateway determination to permit additional permitted uses at the Fishing Haven Caravan Park in Palmers Island, which is otherwise prohibited under the *Clarence Valley Local Environmental Plan 2011*.

**OFFICER RECOMMENDATION**

That Council:

- As Planning Proposal Authority, endorse the planning proposal REZ2021/0007 (Attachment A) seeking an amendment to the *Clarence Valley Local Environmental Plan 2011*, Schedule 1 - Additional Permitted Use to permit development, with consent for the purpose of:
  - 'caravan park' on part Lot 200 DP 1173332 and part Lot 201 DP 1173332; and
  - 'restaurant and wellness centre' on Lot 201 DP 1173332, River Street, Palmers Island;
- Forward the planning proposal to the Department of Planning and Environment (DPE) requesting a 'Gateway' determination, pursuant to Section 3.34 (1) of the *Environmental Planning and Assessment Act 1979*;
- Note that Council officers consider the current version of the planning proposal REZ2021/0007 to be consistent with Section 5.5.9 of the Grafton and Lower Clarence Flood Risk Management Plan; and
- Note that further investigations, agency referral and consultation requirements regarding the planning proposal will be identified in the Gateway determination, if issued.

**COUNCIL RESOLUTION - 07.22.198****Novak/Pickering**

That Council:

- As Planning Proposal Authority, endorse the planning proposal REZ2021/0007 (Attachment A) seeking an amendment to the *Clarence Valley Local Environmental Plan 2011*, Schedule 1 - Additional Permitted Use to permit development, with consent for the purpose of:**
  - 'caravan park' on part Lot 200 DP 1173332 and part Lot 201 DP 1173332; and**
  - 'restaurant and wellness centre' on Lot 201 DP 1173332, River Street, Palmers Island;**
- Forward the planning proposal to the Department of Planning and Environment (DPE) requesting a 'Gateway' determination, pursuant to Section 3.34 (1) of the *Environmental Planning and Assessment Act 1979*;**
- Note that Council officers consider the current version of the planning proposal REZ2021/0007 to be consistent with Section 5.5.9 of the Grafton and Lower Clarence Flood Risk Management Plan; and**
- Note that further investigations, agency referral and consultation requirements regarding the planning proposal will be identified in the Gateway determination, if issued.**

Voting recorded as follows

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

Against: Nil

**CARRIED****ITEM 07.22.199 HERITAGE GRANTS 2022-2023**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	Senior Strategic Planner, Deborah Wray	
<b>Attachments</b>	A. Heritage Grant Application 2022/23 (Confidential)	

**SUMMARY**

Council has received 20 applications under the 2022-23 Local Places Heritage Grants program. In line with previous rotations of the priority area to different parts of the Clarence Valley, the priority this year is to support works in Grafton and South Grafton. Works to Heritage Items and contributory buildings within Heritage Conservation Areas and to avert serious deterioration are the main focus.

The applications have been sorted into two groups, Group 1 are those which have had no prior funding and Group 2 are those which have had prior funding in the last 5 years or are located outside the priority area. Council is requested to allocate the funding amount of \$32,834.00 in accordance with the recommendations below.

**OFFICER RECOMMENDATION**

That Council:

1. Allocates funding to applicants in accordance with the 'Grant Offer' column in the table at Attachment 1 to this report with each Applicant required to sign a written agreement and comply with any relevant conditions and acquittal requirements; and
2. Delegates authority to the General Manager to reallocate any funding offers that are not taken up to other suitable projects within this financial year.

**COUNCIL RESOLUTION - 07.22.199**

**Novak/Pickering**

That Council:

1. Allocates funding to applicants in accordance with the 'Grant Offer' column in the table at Attachment 1 to this report with each Applicant required to sign a written agreement and comply with any relevant conditions and acquittal requirements; and
2. Delegates authority to the General Manager to reallocate any funding offers that are not taken up to other suitable projects within this financial year.

Voting recorded as follows

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

Against: Nil

**CARRIED**

**CORPORATE & GOVERNANCE****ITEM 07.22.200 DONATION-FEE WAIVER/REDUCTION REQUEST FROM MACLEAN HIGH SCHOOL**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Administration Officer, Christine Bultitude	
<b>Attachments</b>	Nil	

**SUMMARY**

This report presents a request from Maclean High School to be charged at a reduced rate for the hire of the Rocky Mouth building at Maclean Showgrounds as their venue for the 2022 Higher School Certificate exams from 12 October to 4 November.

**OFFICER RECOMMENDATION**

That Council:

1. not approve Maclean High School's request for a fee reduction for the hire of the Rocky Mouth Pavilion at Maclean Showgrounds
2. charge Maclean High School as a category 1 organisation.

Cr Toms left the meeting at 3:45 pm and was not in the chambers for the vote.

**COUNCIL RESOLUTION - 07.22.200**

**Day/Novak**

That Council:

1. Approve Maclean High School's request for a fee reduction for the hire of the Rocky Mouth Pavilion at Maclean Showgrounds reducing the charges payable from \$4320 to \$1116
2. Maclean High School will need to set up/pack down each week.
3. The donation of \$3204 towards this fee for a category 1 donation will be funded from the Community Initiatives Program.

Voting recorded as follows

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

Against: Nil

**CARRIED**

That Council adjourn the meeting for a break at 3:46pm.

That Council recommence the meeting at 4:13pm.

**COUNCIL RESOLUTION**

**Tiley/Johnstone**

That leave of absence be granted for Cr Toms for the remainder of the meeting.

Voting recorded as follows

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

Against: Nil

**CARRIED**

**ITEM 07.22.201 CULTURAL AND SPORTS TRUST FUND**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Administration Officer, Christine Bultitude	
<b>Attachments</b>	Nil	

**SUMMARY**

Requests for assistance from the Clarence Valley Cultural and Sports Trust fund have been received on behalf of Zayden Third, Thomas Beohm and Oscar Woods.

**OFFICER RECOMMENDATION**

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

1. \$300 to assist Zayden Third, who has been selected to represent NSW at the 2022 Hockey Australia U13 National Carnival in Hobart Tas from 28 September to 4 October 2022; and
2. \$300 to assist Thomas Beohm, who has been selected to represent NSW at the 2022 Hockey Australia U13 National Carnival in Hobart Tas from 28 September to 4 October 2022
3. \$300 to assist Oscar Woods, who has been selected to represent NSW at the 2022 Hockey Australia U13 National Carnival in Hobart Tas from 28 September to 4 October 2022

**COUNCIL RESOLUTION - 07.22.201**

**Novak/Day**

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

1. **\$300 to assist Zayden Third, who has been selected to represent NSW at the 2022 Hockey Australia U13 National Carnival in Hobart Tas from 28 September to 4 October 2022; and**
2. **\$300 to assist Thomas Beohm, who has been selected to represent NSW at the 2022 Hockey Australia U13 National Carnival in Hobart Tas from 28 September to 4 October 2022**
3. **\$300 to assist Oscar Woods, who has been selected to represent NSW at the 2022 Hockey Australia U13 National Carnival in Hobart Tas from 28 September to 4 October 2022**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**ITEM 07.22.202 GOVERNANCE REPORT - ANNUAL DISCLOSURES OF INTEREST**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Governance Officer, Bligh Grant	
<b>Attachments</b>	A. 2021-22 Councillors Annual Returns Redacted (Separate Cover) <a href="#">⇒</a> B. August 2022 Exit Returns Redacted (Separate Cover) <a href="#">⇒</a> C. 2021-22 Designated Persons Annual Returns Redacted (Separate Cover) <a href="#">⇒</a>	

**SUMMARY**

This report asks that Council accept the Annual Disclosures of Interest Returns for nine (9) Councillors and thirty-one (31) Designated Persons, and two (2) Exit Returns and that they be published on Council's website.

**OFFICER RECOMMENDATION**

That Council note;

1. The Annual Disclosures of Interest for Councillors ([Attachment A](#)) and publish them on Council's website.
2. The Annual Disclosures of Interest for Designated Persons ([Attachment B](#)) and publish them on Council's website.
3. The exit returns ([Attachment C](#)) and publish them on Council's website.

**COUNCIL RESOLUTION - 07.22.202****Novak/Pickering**

That Council note;

1. The Annual Disclosures of Interest for Councillors ([Attachment A](#)) and publish them on Council's website.
2. The Annual Disclosures of Interest for Designated Persons ([Attachment B](#)) and publish them on Council's website.
3. The exit returns ([Attachment C](#)) and publish them on Council's website.

Voting recorded as follows

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

Against: Nil

**CARRIED**

**ITEM 07.22.203 COMMITTEES REPORT**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Governance Officer, Bligh Grant	
<b>Attachments</b>	Nil	

**SUMMARY**

This report asks that Council progress the formation of three (3) 355 committees and two (2) advisory committees.

**OFFICER RECOMMENDATION**

That Council:

1. accept the nominations for the Iluka War Memorial Hall 355 Committee and the accompanying nominations for Office Bearers.
2. reconstitutes Lanitza/Kungala Community Hall 355 Committee and that it accepts the nominations for the Committee and the accompanying nominations for Office Bearers.
3. accept the nomination of the Ulmarra Campdraft Show Society and the Grafton Pony Club to the Clarence Sports Committee Advisory Committee.
4. appoints a Councillor to sit on the Sports Tourism Decision Making Panel per the Sports Tourism Program Policy V1.0.

**COUNCIL RESOLUTION - 07.22.203**

**Johnstone/Novak**

That Council:

1. **Accept the nominations for the Iluka War Memorial Hall 355 Committee and the accompanying nominations for Office Bearers.**
2. **Reconstitutes Lanitza/Kungala Community Hall 355 Committee and that it accepts the nominations for the Committee and the accompanying nominations for Office Bearers.**
3. **Accept the nomination of the Ulmarra Campdraft Show Society and the Grafton Pony Club to the Clarence Sports Committee Advisory Committee.**
4. **Appoints a Councillor to sit on the Sports Tourism Decision Making Panel per the Sports Tourism Program Policy V1.0.**

Voting recorded as follows

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

Against: Nil

**CARRIED**

**COUNCIL RESOLUTION - 07.22.203a**

**Pickering/Novak**

**That Council appoint a Councillor Johnstone to sit on the Sports Tourism Decision Making Panel per the Sports Tourism Program Policy V1.0.**

Voting recorded as follows

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

Against: Nil

**CARRIED**



**ITEM 07.22.204 POLICY REPORT**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Governance Officer, Bligh Grant	
<b>Attachments</b>	A. Event Sponsorship Policy V3 <a href="#">⇒</a> B. Sports Tourism Program Policy V2.0 <a href="#">⇒</a> C. Councillor Expenses and Facilities Policy V15.0 <a href="#">⇒</a> D. Dangerous Dog Revocation V4.0 <a href="#">⇒</a>	

**SUMMARY**

This report asks Council to adopt two (2) policies, place two (2) policies on exhibition and subject to there being no submissions that change the intent of the policies, they be adopted and rescind one (1) policy.

**OFFICER RECOMMENDATION**

That Council:

1. Note the feedback from the EDTAC for the Event Sponsorship Policy V3.0 (Attachment A) and adopt the policy unchanged.
2. Note the feedback from the EDTAC for the Sports Tourism Program Policy V2.0 (Attachment B) and adopt the policy unchanged.
3. Place the following policies on exhibition and, subject to there being no submissions that change the intent of the policies, that they be adopted:
  - a. Councillor Expenses and Facilities Policy V15.0 (Attachment C)
  - b. Dangerous Dog Revocation V4.0 (Attachment D)
4. Rescind the Councillor Attendance at Conferences Policy V5.0 in the event that the Councillor Expenses and Facilities Policy V15.0 (Attachment C) is adopted.

**COUNCIL RESOLUTION - 07.22.204**

**Pickering/Johnstone**

That Council:

1. Note the feedback from the EDTAC for the Event Sponsorship Policy V3.0 (Attachment A) and adopt the policy unchanged.
2. Note the feedback from the EDTAC for the Sports Tourism Program Policy V2.0 (Attachment B) and adopt the policy unchanged.
3. Place the following policies on exhibition and, subject to there being no submissions that change the intent of the policies, that they be adopted:
  - a. Councillor Expenses and Facilities Policy V15.0 (Attachment C) with item 6.33 amended to become: "Councillors attending conferences approved by Council must report to Council on the proceedings of the conference within two months of attendance. Where more than one Councillor attends one conference, the attending Councillors may provide a combined report to Council."
  - b. Dangerous Dog Revocation V4.0 (Attachment D)
4. Rescind the Councillor Attendance at Conferences Policy V5.0 in the event that the Councillor Expenses and Facilities Policy V15.0 (Attachment C) is adopted.

Voting recorded as follows

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

Against: Nil

**CARRIED**

**ITEM 07.22.205 REPORT ON PETITION: SAVE GRAFTON MEMORIAL POOL**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Governance Officer, Bligh Grant	
<b>Attachments</b>	A. Petition Lodgement - Save Grafton Memorial Pool Redacted <a href="#">⇒</a> B. Petition and Comments - Save Grafton Memorial Pool (Separate Cover) <a href="#">⇒</a> C. Grafton Public School P&C re Closure of Grafton Pool <a href="#">⇒</a>	

**SUMMARY**

This report asks Council to receive and accept a petition, in accordance with Council's Petitions Policy V1.0 (ITEM 07.22.117a).

**OFFICER RECOMMENDATION**

That Council receive and note the petition 'Save Grafton Memorial Pool' and refer it to the General Manager to action accordingly, inclusive of placing the petition on Council's website, in accordance with Council's Petitions Policy V1.0 (ITEM 07.22.117a) noting that the subject of the petition is considered in a separate Report titled Grafton Olympic Pool Update.

**COUNCIL RESOLUTION - 07.22.205****Novak/Whaites**

**That Council receive and note the petition 'Save Grafton Memorial Pool' and refer it to the General Manager to action accordingly, inclusive of placing the petition on Council's website, in accordance with Council's Petitions Policy V1.0 (ITEM 07.22.117a) noting that the subject of the petition is considered in a separate Report titled Grafton Olympic Pool Update.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**ITEM 07.22.206 DECEMBER 2022 MEETING ARRANGEMENTS**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Corporate Support Officer, Karlie Chevalley	
<b>Attachments</b>	Nil	

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**SUMMARY**

This report concerns the setting of dates for the Pre-Briefing Councillors Workshop and Ordinary Council meeting meetings in December 2022.

**OFFICER RECOMMENDATION**

That Council adopt the following adjustments to the meeting cycle dates for the December 2022:

- Friday, 9 December: Pre-Briefing Councillor Workshop
- Tuesday, 13 December: Ordinary Council Meeting

**COUNCIL RESOLUTION - 07.22.206**

**Pickering/Novak**

That Council adopt the following adjustments to the meeting cycle dates for the December 2022:

- Friday, 9 December: Pre-Briefing Councillor Workshop
- Tuesday, 13 December: Ordinary Council Meeting

Voting recorded as follows

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

Against: Nil

**CARRIED**

**ITEM 07.22.207 COUNCIL MEETING CHECKLIST - UPDATE ON ACTIONS TAKEN**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Corporate Support Officer, Karlie Chevalley	
<b>Attachments</b>	A. Outstanding Checklist Items (Separate Cover) <a href="#">⇒</a> B. Completed Checklist Items (Separate Cover) <a href="#">⇒</a> C. Rolling Checklist from Feb 22 (Separate Cover) <a href="#">⇒</a>	

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**SUMMARY**

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

**OFFICER RECOMMENDATION**

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

**COUNCIL RESOLUTION - 07.22.207****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 07.22.208 ITEMS FOR INFORMATION**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	General Manager	
<b>Attachments</b>	A. Lower Clarence Sports Committee Minutes May 2022 <a href="#">⇨</a> B. Access Committee Meeting Minutes (Separate Cover) <a href="#">⇨</a> C. Floodplain Risk Management Committee Meeting Minutes (Separate Cover) <a href="#">⇨</a> D. Lower Clarence Sports Committee Minutes August 2022 <a href="#">⇨</a> E. Clarence Sports Committee Minutes August 2022 <a href="#">⇨</a> F. NSW Local Government Grants Commission - FAGS Grant allocation (Separate Cover) <a href="#">⇨</a> G. Arts North Coast Minutes (Separate Cover) <a href="#">⇨</a> H. Clarence Valley Coast and Estuary Management Committee (Separate Cover) <a href="#">⇨</a>	

**SUMMARY**

Correspondence and minutes attached are for noting.

**OFFICER RECOMMENDATION**

That Council note the following Items for Information:

- Lower Clarence Sports Committee Minutes: 16 May 2022.
- Access Committee Meeting Minutes: 20 July 2022.
- Floodplain Risk Management Committee Meeting Minutes: 9 August 2022.
- Lower Clarence Sports Committee Minutes: 15 August 2022
- Clarence Sports Committee Minutes: 15 August 2022
- Letter from the Local Government Grants Commission: 16 August 2022.
- Arts North Coast Minutes: 26 August 2022.
- Clarence Valley Coast and Estuary Management Committee Minutes: 9 September

**COUNCIL RESOLUTION - 07.22.208****Pickering/Novak**

That Council note the following Items for Information:

- Lower Clarence Sports Committee Minutes: 16 May 2022.
- Access Committee Meeting Minutes: 20 July 2022.
- Floodplain Risk Management Committee Meeting Minutes: 9 August 2022.
- Lower Clarence Sports Committee Minutes: 15 August 2022
- Clarence Sports Committee Minutes: 15 August 2022
- Letter from the Local Government Grants Commission: 16 August 2022.
- Arts Northern Rivers Minutes: 26 August 2022.
- Clarence Valley Coast and Estuary Management Committee Minutes: 9 September

Voting recorded as follows

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

Against: Nil

**CARRIED**

**ITEM 07.22.209 CR WHAITES - NSW ALGWA CONFERENCE 2022**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	General Manager	
<b>Attachments</b>	Nil	

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**OFFICER RECOMMENDATION**

That Council note the information provided by Councillor Whaites after attending the NSW ALGWA conference.

**COUNCIL RESOLUTION - 07.22.209**

**Novak/Pickering**

That Council note the information provided by Councillor Whaites after attending the NSW ALGWA conference.

**Voting recorded as follows**

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

**Against:** Nil

**CARRIED**

**ITEM 07.22.210 CR WHAITES - NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2022**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	General Manager	
<b>Attachments</b>	Nil	

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**OFFICER RECOMMENDATION**

The Council note the information provided by Councillor Whaites after attending the National General Assembly of Local Government 2022.

**COUNCIL RESOLUTION - 07.22.210**

**Day/Smith**

The Council note the information provided by Councillor Whaites after attending the National General Assembly of Local Government 2022.

Voting recorded as follows

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

Against: Clancy

**CARRIED**

**ITEM 07.22.211 MONTHLY INVESTMENT REPORT - AUGUST 2022**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Finance Officer (Treasury), Heather Sydenham	
<b>Attachments</b>	A. Movement of Funds Between Months - August 2022 <a href="#">⇒</a>	

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**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 August 2022 be noted.

**COUNCIL RESOLUTION - 07.22.211**

**Novak/Pickering**

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

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**



**ITEM 07.22.212 2022/2023 MONTHLY FINANCIAL REPORT - AUGUST 2022**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Manager Finance & Systems, Kate Maginnity	
<b>Attachments</b>	A. Monthly Income & Expenditure Statements By Service - August 2022 <a href="#">⇒</a> B. Monthly Grant Application Summary - August 2022 <a href="#">⇒</a>	

**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 impact the General Fund end of year result by \$60,000. The reserve fund variations identified in this report will decrease the balance of the Financial Reserves by \$930,000.

**OFFICER RECOMMENDATION**

That Council:

1. note the monthly financial information report for August 2022 attached to this report.
2. endorse the proposed General Fund variations as set out in this report totalling \$60,000, for inclusion in the September Quarterly Budget Review Statement to be reported in October 2022.
3. endorse the proposed variations, which decrease the Financial Reserves by \$930,000 which will be included in the September Quarterly Budget Review Statement to be reported in October 2022.
4. note and endorse the grant applications as identified in Attachment B.

**COUNCIL RESOLUTION - 07.22.212**

**Whaites/Clancy**

That Council:

1. **Note the monthly financial information report for August 2022 attached to this report.**
2. **Endorse the proposed General Fund variations as set out in this report totalling \$60,000, for inclusion in the September Quarterly Budget Review Statement to be reported in October 2022.**
3. **Endorse the proposed variations, which decrease the Financial Reserves by \$930,000 which will be included in the September Quarterly Budget Review Statement to be reported in October 2022.**
4. **Note and endorse the grant applications as identified in Attachment B.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

## ITEM 07.22.213 ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEE RECOMMENDATIONS

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Manager Cultural, Community & Industry, Justin Putze	
<b>Attachments</b>	A. EDTAC meeting minutes 2 Aug 2022 <a href="#">⇒</a>	

### SUMMARY

The report details the recommendations of the Economic Development and Tourism Advisory Committee (EDTAC) meeting held 02 August 2022.

### OFFICER RECOMMENDATION

That Council

1. quarantine the profits from the sale of the former South Grafton Visitor Information Centre for future Economic Development and Tourism Projects.
2. consult EDTAC in development of any program of activity prior to expenditure of these funds.

### COUNCIL RESOLUTION - 07.22.213

**Smith/Day**

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

**Voting recorded as follows**

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

**Against: Clancy, Novak, Pickering, Whaites**

**Casting Vote For/Against: Cr Tiley**

### FORESHADOWED MOTION

Pickering

That this item be deferred to a Councillor Workshop.

**ITEM 07.22.214 SPECIAL EVENT SPONSORSHIP PROGRAM - GRAFTON BRIDGE TO BRIDGE SKI CLASSIC**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Event Development Officer, Alicia Savelloni	
<b>Attachments</b>	Nil	

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**SUMMARY**

Request for sponsorship for the 2022 Grafton Bridge to Bridge Ski Classic to be held in Grafton on 1 - 2 October 2022.

**OFFICER RECOMMENDATION**

That Council approve sponsorship of \$9,000 for the 2022 Grafton Bridge to Bridge Ski Classic to be held in Grafton on 1- 2 October 2022.

**COUNCIL RESOLUTION - 07.22.214**

**Smith/Whaites**

**That Council approve sponsorship of \$9,000 for the 2022 Grafton Bridge to Bridge Ski Classic.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**WORKS & CIVIL****ITEM 07.22.215 PROPOSED TRANSFER OF PART FOUR MILE LANE, SWAN CREEK, FROM CROWN LANDS TO COUNCIL**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Coordinator Property, Eloise Casson	
<b>Attachments</b>	Nil	

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**SUMMARY**

This report is to consider the transfer of part of Four Mile Lane, Swan Creek, from Crown Lands to Council. The proposed transfer of this portion of road will allow for the completion of the re-construction of Wilcox Bridge, which was damaged by the March 2022 flood.

**OFFICER RECOMMENDATION**

That Council apply to Crown Lands to transfer the remaining length of Four Mile Lane, located between the intersections with Finlaysons Road and Swan Lane, at Swan Creek (depicted dark blue in Figure 1) to Council.

**COUNCIL RESOLUTION - 07.22.215****Novak/Pickering**

**That Council apply to Crown Lands to transfer the remaining length of Four Mile Lane, located between the intersections with Finlaysons Road and Swan Lane, at Swan Creek (depicted dark blue in Figure 1) to Council.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**ITEM 07.22.216 MASTERPLAN - HAWTHORNE RODEO PARK, SOUTH GRAFTON**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Senior Parks & Recreation Officer, Rachelle Passmore	
<b>Attachments</b>	A. Hawthorne Rodeo Park Masterplan <a href="#">⇒</a>	

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**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 seeks endorsement of the masterplan for Hawthorne Rodeo Park, South Grafton.

**OFFICER RECOMMENDATION**

That Council adopt the Hawthorne Rodeo Park Masterplan.

**COUNCIL RESOLUTION - 07.22.216**

**Novak/Whaites**

**That Council**

- 1. Defer this item to the October meeting**
- 2. This matter be discussed at the October workshop.**
- 3. An onsite inspection be offered to Councillors prior to the October workshop and invite the user groups to attend.**
- 4.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**ITEM 07.22.217 COUNCIL HONOUR BOARDS**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Manager Open Spaces & Facilities, Peter Birch	
<b>Attachments</b>	Nil	

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**SUMMARY**

This report is responding to the Notice of Motion from the July Ordinary meeting [Item 05.22.014] relating to the location and preservation of honour boards of the former Councils in the Clarence Valley.

**OFFICER RECOMMENDATION**

That Council endorse the donation of the former Ulmarra Shire Council and Grafton City Council Councillor and staff honour boards to Schaeffer House Museum in Grafton.

**COUNCIL RESOLUTION - 07.22.217****Novak/Pickering**

**That Council endorse the donation of the former Ulmarra Shire Council and Grafton City Council Councillor and staff honour boards to Schaeffer House Museum in Grafton.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**ITEM 07.22.218 LOCAL TRAFFIC COMMITTEE**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Support Officer (Operations), Julie Wilks; Road Safety Officer, Alana Brooks	
<b>Attachments</b>	A. Local Traffic Committee Meeting Minutes 7/09/22 (Separate Cover) <a href="#">⇒</a>	

**SUMMARY**

This report lists the recommendations made at the 7 September 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 7 September 2022 meeting be adopted by Council.

**COUNCIL RESOLUTION - 07.22.218**

**Johnstone/Novak**

**That the recommendations of the Local Traffic Committee included in the Minutes of the 7 September 2022 meeting be adopted by Council.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**ITEM 07.22.219 ULMARRA SEWER SURVEY**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Manager Water Cycle, Greg Mashiah	
<b>Attachments</b>	Nil	

**SUMMARY**

At the ordinary meeting of 23 August 2022 Council resolved to, *defer this item to explore the matters raised in regards to sewerage Ulmarra as soon as practicable.*

Having explored the matters at the Councillor workshop on 6<sup>th</sup> September, the report is again presented to Council.

Surveys were sent to 209 Ulmarra property owners to determine if they would like Council to examine options to sewer the Ulmarra village with the following results.

- 39 (18.7% of properties) indicated they would like Council to examine options for sewerage Ulmarra,
- 29 (13.9% of properties) indicating that they would like Council to examine options for sewerage Ulmarra if they did not have to pay a contribution towards the capital cost of the scheme,
- 46 (22.0% of properties) indicated they did not wish Council to investigate sewerage Ulmarra, and
- 95 (45.4% of properties) did not submit a response.

**OFFICER RECOMMENDATION**

That Council notes the responses from the Ulmarra Sewerage Survey.

**COUNCIL RESOLUTION - 07.22.219**

**Pickering/Whaites**

**That Council**

1. **Engage a suitable qualified independent contractor to carry out investigation of all options for sewerage Ulmarra, including existing sites, potential new sites and possible site specific units to facilitate water reuse options and any other innovative options not already considered.**
2. **Endorse the allocation of up to \$100,000 from Sewer Fund Reserve to undertake investigation, be shown as a variation in the Q2 Quarterly Business Review Statement to be tabled in October 2022.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**



**ITEM 07.22.220 NORTH GRAFTON SEWAGE TREATMENT PLANT**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Manager Water Cycle, Greg Mashiah	
<b>Attachments</b>	Nil	

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**SUMMARY**

At the ordinary meeting of 22 August 2022 Council resolved:

*“That acceptance of the report be deferred to September Ordinary Council meeting pending a workshop to consider the history of the decision to upgrade North Grafton STP.”*

Having considered the history of the project at the Councillor workshop held on 6 September 2022, the report enabling a review of Council’s decision to construct a new sewage treatment plant (STP) on the existing site of the North Grafton STP is again presented to Council.

**OFFICER RECOMMENDATION**

That the report on the North Grafton Sewage Treatment Plant be noted.

**COUNCIL RESOLUTION - 07.22.220**

**Novak/Smith**

**That the report on the North Grafton Sewage Treatment Plant be noted.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

## ITEM 07.22.221 COASTAL MANAGEMENT PROGRAM - STAGE 1 (ESTUARY) SCOPING STUDY AND PILOT HILL GEOTECHNICAL STUDIES

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Manager Water Cycle, Greg Mashiah; Coast & Estuary Coordinator, Peter R Wilson	
<b>Attachments</b>	A. Clarence River Estuary Coastal Management Program Stage 1: Scoping Study Executive Summary <a href="#">↗</a>	

### SUMMARY

Under the *Coastal Management Act 2016*, existing estuary management plans need to be replaced after 2023 by a certified Coastal Management Program (CMP) if Council wishes to seek financial assistance under the State Government's Coast and Estuary Program for implementing works. When certified, CMPs will be valid for 10 years.

Due to the size of the Clarence coastline, separate CMPs are being prepared for the coastline and the estuary. The Coastline CMP Stage 1 (Scoping study) was completed in March 2021 and the Coastline Stage 2 Hazard assessment is currently being undertaken by consultants Hydrosphere. Hydrosphere was also engaged to prepare the Estuary CMP Stage 1 (Scoping Study), which was considered by the Coast and Estuary Committee (C&EC) at its meeting of 9 September 2022. The C&EC recommends that the Estuary CMP Stage 1 Scoping Study be adopted, and Council proceed with Stages 2 to 4 (subject to financial assistance). The C&EC also recommends that, as part of the Coastline Stage 2 Hazard Assessment, Council undertake additional geotechnical investigations at Pilot Hill Yamba.

### OFFICER RECOMMENDATION

That Council:

1. Adopt the *Clarence River Estuary Coastal Management Program Stage 1 Scoping Study* and proceed with Stages 2, 3 and 4 (subject to grant funding).
2. Consider the allocation of Council's funding contribution to the Stage 2,3 and 4 study in preparation of the 2022/2023 draft budget.
3. Adopt the following short-term options for Pilot Hill Yamba as recommended by FSG (geotechnical consultants), subject to grant funding:
  - a) Review and repair existing instrumentation
  - b) Review monitoring program
  - c) Additional geotech investigations
  - d) Update slope stability analysis and risk assessment
  - e) Undertake stormwater and landscaping improvements where recommended
4. Include funding of the matching contribution for the Pilot Hill Yamba investigations as one of the projects within the Category D Local Government Recovery – Local Council Support “Improved drainage and flood immunity initiatives” allocation resolved at the August Meeting.

**COUNCIL RESOLUTION - 07.22.221**

Pickering/Day

That Council:

1. Adopt the *Clarence River Estuary Coastal Management Program Stage 1 Scoping Study* and proceed with Stages 2, 3 and 4 (subject to grant funding).
2. Consider the allocation of Council's funding contribution to the Stage 2,3 and 4 study in preparation of the 2022/2023 draft budget.
3. Adopt the following short-term options for Pilot Hill Yamba as recommended by FSG (geotechnical consultants), subject to grant funding:
  - a. Review and repair existing instrumentation
  - b. Review monitoring program
  - c. Additional geotech investigations
  - d. Update slope stability analysis and risk assessment
  - e. Undertake stormwater and landscaping improvements where recommended
4. Include funding of the matching contribution for the Pilot Hill Yamba investigations as one of the projects within the Category D Local Government Recovery – Local Council Support “Improved drainage and flood immunity initiatives” allocation resolved at the August Meeting.
5. Investigate the feasibility of releasing land risk zoned properties from this study if they are zoned LRZ2 “acceptable/tolerable risk” and these properties have submitted their own current geotechnical reports to Council and report back to Council.

Voting recorded as follows

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

Against: Nil

**CARRIED**

**ITEM 07.22.222 GRAFTON AIRPORT WATER MAIN**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Manager Water Cycle, Greg Mashiah	
<b>Attachments</b>	Nil	

**SUMMARY**

As reported to the 22 March 2022 Council meeting, Council was successful in obtaining \$1.542 million in funding from the Australian Government under the Black Summer Bushfire Recovery Grant (BSBRG) program to support aerial firefighting activities by constructing a nominal 150mm diameter watermain from the Clarence Correctional Centre to the Clarence Valley Regional airport and a 200kL reservoir at the airport. Land directly west of the Clarence Valley Regional Airport has been nominated as future employment land (Grafton Airport Investigation Area) and is identified as such in the North Coast Regional Plan 2036 and the draft North Coast Regional Plan 2041. A nominal 200mm diameter watermain is required to provide sufficient capacity for aerial firefighting duties at the airport, future opportunities on land at the airport and possible future employment land near the airport. The BSBRG funding is insufficient to construct a 200mm watermain.

**OFFICER RECOMMENDATION**

That Council:

1. Construct a 200mm watermain from the Clarence Correctional Centre to the Clarence Valley Regional Airport to provide capacity for future employment land.
2. Allocate an additional \$930,000 from the Water Fund Reserve to PJ905229 (Water Supply Grafton Airport) to be shown as a variation in the Q2 Quarterly Business Review Statement to be tabled in October 2022.

**COUNCIL RESOLUTION - 07.22.222**

**Novak/Whaites**

That Council:

1. **Construct a 200mm watermain from the Clarence Correctional Centre to the Clarence Valley Regional Airport to provide capacity for future employment land.**
2. **Allocate an additional \$930,000 from the Water Fund Reserve to PJ905229 (Water Supply Grafton Airport) to be shown as a variation in the Q2 Quarterly Business Review Statement to be tabled in October 2022.**

**Voting recorded as follows**

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

**Against: Clancy**

**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. 08.22.006 Calypso Holiday Park Redevelopment Project Status - On Crown land - 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**

**Johnstone/Smith**

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

**08.22.006 Calypso Holiday Park Redevelopment Project Status - On Crown land - 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, Whaites

Against: Nil

**CARRIED**

**ITEM 08.22.006 CALYPSO HOLIDAY PARK REDEVELOPMENT PROJECT STATUS - ON CROWN LAND**

<b>Meeting</b>	Council	27 September 2022
<b>Directorate</b>	General Manager	
<b>Prepared by</b>	Manager Open Spaces & Facilities, Peter Birch	
<b>Attachments</b>	A. Yaegl RNTBC response to Council's counter-offer (Confidential) B. Restart Calypso Funding advice (Confidential)	
<b>CONFIDENTIAL</b>	<p><i>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) (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</i></p>	

Council resumed open forum at 5:07pm.

**COUNCIL RESOLUTION**

**Novak/Day**

That Council advocate through the Local Member for Clarence, the Hon Chris Gulaptis MP and the Minister Hon Kevin Anderson MP (Minister for Crown lands) to reallocate Council's current contribution (5%) from the Crown Reserves Improvement Fund (CRIF) to Yaegl RNTBC as part of an Indigenous Land Use Agreement (ILUA) between Council and Yaegl RNTBC.

Voting recorded as follows

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

Against: Nil

**CARRIED**

**9. QUESTIONS WITH NOTICE**

Nil

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

**11. CLOSE OF ORDINARY MEETING**

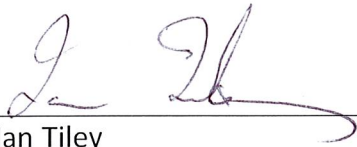
There being no further business the Council Meeting closed at 5:10pm



## CERTIFICATION OF MINUTES

I certify that the preceding 44 pages are the Minutes of the September meeting of Clarence Valley Council held on 27 September 2022.

Signed by:

A handwritten signature in black ink, appearing to read 'Ian Tiley', is written over a horizontal line.

Ian Tiley

Mayor / Chairperson