

Ordinary Council Meeting

Minutes

Maclean - 28 June 2022 - 2:00pm



AGENDA

	Page
01 OPENING OF ORDINARY MEETING	
<ul style="list-style-type: none"> • Affirmation/Prayer • Acknowledgement of Country • Announcement – Recording of Meeting 	
02 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE	
03 DISCLOSURES AND DECLARATIONS OF INTEREST	
04 CONFIRMATION OF MINUTES	
<ul style="list-style-type: none"> • Ordinary Meeting of Council held 24 May 2022 	
05 MAYORAL MINUTES	
05.22.012 Advocate for a Post Flood Behaviour Data Assessment to Inform Decisions about Floodplain Mitigation Asset Improvements	5
06 NOTICE OF MOTIONS	
06.22.006 Councillor Workshop re Advertising & Proposed CVC Quarterly Magazine	6
06.22.007 Naming Local Sports Fields & Open Space	7
06.22.008 Review Former Council's Decision - To Construct New Sewage Treatment Plant on Existing North Grafton STP Site	8
07 REPORTS	
OFFICE OF THE GENERAL MANAGER	
07.22.105 Cr Pickering - Attendance at 29th NSW Coastal Conference	12
ENVIRONMENT & PLANNING	
07.22.106 REV2022/0002 - Division 8.2 Review of DA2021/0303 (Refusal determination) - 5 Carrington Street, Palmers Island	13
07.22.107 DA2021/1343 Demolish existing farmhouse and surrounding buildings and construct a crematorium facility 873 Armidale Road Braunstone	15
07.22.108 DA2021/1345 Application for dwelling at 12 River Road Palmers Island lot 2 DP551579	16
07.22.109 Request for Works in Kind Contribution towards Stormwater and Road Works for Gulmarrad Drainage	18
07.22.110 Community Petition requesting Masterplan and Environmental Impact Statement for West Yamba	20
07.22.111 Community Participation Plan	21
07.22.112 Employment Land Strategy	22
07.22.113 Rural Land Strategy	23
07.22.114 Draft Forest Management Plan (Softwood Plantations and Coastal Hardwood Forests) - Forestry Corporation of NSW	24
07.22.115 Tender for the construction of Landfill Cell 4C	25
CORPORATE & GOVERNANCE	
07.22.116 Remuneration for Mayor, Deputy Mayor and Councillors for 2022/2023	26

07.22.117 Policy Report	27
07.22.118 Committees Report	30
07.22.119 Report on 2021 Council Election	32
07.22.120 Checklist Meeting Schedule - Updates on Actions Taken	33
07.22.121 Items for Information	34
07.22.122 Integrated Planning and Reporting Framework 2022/2023	35
07.22.123 2021/2022 Monthly Financial Report - May 2022	37
07.22.124 Monthly investment report - May 2022	38
07.22.125 Request from Account 2045565 for Consideration to Waiver the Sewer Discharger on Water Account due to Theft	39
07.22.126 2022/2023 Rates and Charges	40
07.22.127 Rates Bad/Doubtful Debts Review and Write Off	51
07.22.128 RFT22-010 River St Community Precinct Maclean Phase 1 Re-tender	52
07.22.129 Maclean Community Precinct Project Update	53
07.22.130 Development Application Fee Waiver Request - Clarence Family Day Care	55
07.22.131 2022/2023 Special Event Sponsorship Round 1	56
07.22.132 2022/2023 Community Initiatives Program - Round 1	57
07.22.133 Clarence Regional Library Agreement 2022	58

WORKS & CIVIL

07.22.134 Scope & Design Rushforth Road 32ML Replacement Reservoir	59
07.22.135 Draft North Coast and Border Rivers Regional Water Strategies - Council submissions	61
07.22.136 Local Traffic Committee	62

08 CONFIDENTIAL BUSINESS

09 QUESTIONS WITH NOTICE

Nil

10 LATE ITEMS OF BUSINESS AND MATTERS ARISING

11 CLOSE OF ORDINARY MEETING

1. OPENING OF ORDINARY MEETING

MINUTES of the ORDINARY MEETING of the CLARENCE VALLEY COUNCIL at Maclean, 28 June 2022 commencing at 2:00pm and closing at x.yy am/pm .

AFFIRMATION – Cr Novak delivered the Affirmation.

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

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

COUNCIL RESOLUTION

Tiley/Day

That letters of condolence be sent to the family of the late Isabel May (Jo) Wingfield.

Voting recorded as follows

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

Against: Nil

CARRIED

ANNOUNCEMENT – The A/General Manager delivered the Announcement.

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

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

PRESENT

Cr 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 (Laura Black), Director Environment & Planning (Adam Cameron), A/Director Corporate & Governance (Alex Moar), Director Works & Civil (Jamie Fleeting), Minutes Secretary (Karlle Chevalley) and Minutes Secretary (Lee Boon) were in attendance.

2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Nil

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

Name	Item	Nature of Interest, Action and Reason
Cr Smith	07.22.107	<ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Remain in the Meeting ▪ Acquaintance of Objectors

Cr Novak	07.22.110	<ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Remain in the Meeting ▪ I live in Yamba
Cr Novak	07.22.122	<ul style="list-style-type: none"> ▪ Pecuniary – Remain in the Meeting ▪ I am a contractor of Council Managed Crown Lands
Cr Toms	07.22.117	<ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Remain in the Meeting ▪ Director of JKT & Sons P/L Contract Manager of Clarence Coast Holiday Park
Cr Toms	07.22.122	<ul style="list-style-type: none"> ▪ Pecuniary – Leave the Chambers ▪ Point 3 – Fees and Charges 2022/23 - Director of JKT & sons P/L contract, Manger of Clarence Coast Holiday Park
Cr Tiley	07.22.134	<ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Remain in the Meeting ▪ CEO of H2O has worked with me in the past.

4. CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

Pickering/Whaites

That the Minutes of Ordinary Meeting of Council dated 24 May 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

5. MAYORAL MINUTES

**ITEM 05.22.012 MAYORAL MINUTE
ADVOCATE FOR A POST FLOOD BEHAVIOUR DATA ASSESSMENT TO INFORM
DECISIONS ABOUT FLOODPLAIN MITIGATION ASSET IMPROVEMENTS**

Meeting	Council	28 June 2022
Submitted by	Cr Ian Tiley	
Attachments	Nil	

SUMMARY

This Minute seeks the support of the State Government for inclusion of Clarence Valley Council and the Clarence River in any post 2022 flood and storm event studies and assessments conducted across the Northern Rivers by State Government departments.

PROPOSED MOTION

That Council advocate through the NSW Premier, the Minister for Emergency Services and Resilience, the Minister for Environment and Heritage and Member for Clarence, the Hon Chris Gulaptis, that Clarence Valley Council and the Clarence River be included:

1. In post flood data behaviour assessments undertaken by the Department of Planning and Environment, Environment Heritage Group, and
2. In any other post 2022 flood and storm event studies and assessments undertaken across the Northern Rivers by the State.

COUNCIL RESOLUTION - 05.22.012

Tiley

That Council advocate through the NSW Premier, the Minister for Emergency Services and Resilience, the Minister for Environment and Heritage and Member for Clarence, the Hon Chris Gulaptis, that Clarence Valley Council and the Clarence River be included:

1. **In post flood data behaviour assessments undertaken by the Department of Planning and Environment, Environment Heritage Group, and**
2. **In any other post 2022 flood and storm event studies and assessments undertaken across the Northern Rivers by the State.**

Voting recorded as follows

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

Against: Nil

CARRIED

6. NOTICES OF MOTION

**ITEM 06.22.006 NOTICE OF MOTION
COUNCILLOR WORKSHOP RE ADVERTISING & PROPOSED CVC QUARTERLY
MAGAZINE**

Meeting	Council	28 June 2022
Submitted by	Cr William Day	
Attachments	Nil	

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

SUMMARY

CVC ceased advertising Development Applications in printed local newspapers when the Daily Examiner ceased printing, yet many local people are either unable, or do not prefer to access this information electronically.

PROPOSED MOTION

1. That a workshop be arranged for councillors to review current CVC advertising policies and expenditures and consider advertising DAs and other appropriate items in the highest circulating free, printed, local, weekly newspaper 'The Clarence Valley Independent'.
2. That all details of the proposed CVC quarterly magazine be included in this review and that further work on this project be suspended prior to this workshop.

COUNCIL RESOLUTION - 06.22.006**Day/Pickering**

1. That a workshop be arranged for councillors to review current CVC advertising policies and expenditures and consider advertising DAs and other appropriate items in the highest circulating free, printed, local, weekly newspaper 'The Clarence Valley Independent'.
2. That all details of the proposed CVC quarterly magazine be included in this review and that further work on this project be suspended prior to this workshop.
3. That this workshop be held as soon as possible but within 30 days.
4. That the results of the workshop be submitted to Council as a report.
5. That the report be put as an agenda item to the Economic and Tourism Advisory Committee.

Voting recorded as follows

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

Against: Novak, Toms

CARRIED

**ITEM 06.22.007 NOTICE OF MOTION
NAMING LOCAL SPORTS FIELDS & OPEN SPACE**

Meeting	Council	28 June 2022
Submitted by	Cr William Day	
Attachments	Nil	

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

SUMMARY

Naming a local sports facility after a local person who is still living.

PROPOSED MOTION

Council immediately adopt the name "Tom Hancock Athletics Throwing Area" for the small area with 3 concrete pads behind the netball courts at Wherrett Park in Maclean.

COUNCIL RESOLUTION - 06.22.007**Day/Toms**

Council immediately adopt the name "Tom Hancock Athletics Throwing Area" for the small area with 3 concrete pads behind the netball courts at Wherrett Park in Maclean.

Voting recorded as follows

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

Against: Nil

CARRIED

**ITEM 06.22.008 NOTICE OF MOTION
REVIEW FORMER COUNCIL'S DECISION - TO CONSTRUCT NEW SEWAGE
TREATMENT PLANT ON EXISTING NORTH GRAFTON STP SITE**

Meeting	Council	28 June 2022
Submitted by	Councillor, Karen Toms	
Attachments	Nil	

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

SUMMARY

This report seeks agreement from Council to review the decision to construct a new sewage treatment plant on the existing site of the North Grafton Sewage Treatment Plant. Minute 14.009-15 SEWAGE TREATMENT PLANT STRATEGY FINAL REPORT

1. The North Grafton STP Detailed Concept Strategy, as exhibited, be adopted without amendment.

2. The strategy's recommended option of a new sewage treatment plant being constructed on the existing North Grafton STP site be adopted

3. The upper limit fee proposal from Public Works Advisory for Project Management of the Environmental Approval phase of North Grafton STP upgrade of \$43,840.50 (ex gst) be accepted, to be funded from North Grafton-EPA Licence Requirements (PJ910108) Cost Centre 892

PROPOSED MOTION

That

1. Council seek a report to be tabled no later than the August 2022 Ordinary Council Meeting that enables a review of Council's decision to construct a new sewage treatment plant on the existing site of the North Grafton STP, point 2 of Item 14.009.15
2. The report include a comparative consideration of the risks, advantages and disadvantages of both the North Street and the Clarenza sites for the purpose of informing a decision
3. The report include the following information about the proposed North Street Grafton STP site:
 - (a) the flood impact/constraints on the North Street site
 - (b) all current day construction costs, including any escalation estimates
 - (c) all valuations and/or estimated financial costs associated with property acquisitions required for constructions at the North Street site and any other residences within the buffer zone outlined in the GHD North Grafton STP Replacement EIS, 2219410, that experience loss amenity
 - (d) what actions have been taken to formally advise any property owners that their property is impacted and /or required by council for construction of the new North Street Sewage Treatment location
 - (e) any consequences associated with time delays for compulsory acquisitions

COUNCIL RESOLUTION - 06.22.008

Toms/Whaites

That

1. Council seek a report to be tabled no later than the August 2022 Ordinary Council Meeting that enables a review of Council's decision to construct a new sewage treatment plant on the existing site of the North Grafton STP, point 2 of Item 14.009.15
2. The report include a comparative consideration of the risks, advantages and disadvantages of both the North Street and the Clarenza sites for the purpose of informing a decision
3. The report include the following information about the proposed North Street Grafton STP site:
 - (a) the flood impact/constraints on the North Street site
 - (b) all current day construction costs, including any escalation estimates
 - (c) all valuations and/or estimated financial costs associated with property acquisitions required for constructions at the North Street site and any other residences within the buffer zone outlined in the GHD North Grafton STP Replacement EIS, 2219410, that experience loss amenity

-
- (d) what actions have been taken to formally advise any property owners that their property is impacted and /or required by council for construction of the new North Street Sewage Treatment location
 - (e) any consequences associated with time delays for compulsory acquisitions

Voting recorded as follows

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

Against: Nil

CARRIED

VOTE BY EXCEPTION - 07.22.105**Whaites/Toms**

That the following items be adopted by consent:

07.22.105

07.22.109

07.22.111

07.22.112

07.22.114

07.22.115

07.22.118

07.22.119

07.22.120

07.22.121

07.22.123

07.22.124

07.22.125

07.22.126

07.22.127

07.22.128

07.22.130

07.22.131

07.22.132

07.22.133

07.22.134

07.22.136

Voting recorded as follows

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

Against: Nil

CARRIED

7. REPORTS

OFFICE OF THE GENERAL MANAGER

ITEM 07.22.105 CR PICKERING - ATTENDANCE AT 29TH NSW COASTAL CONFERENCE

Meeting	Council	28 June 2022
Directorate	General Manager	
Attachments	Nil	

SUMMARY

The 29th NSW Coastal Conference was held at Kingscliff at Mantra on Salt Beach from Monday 30th May to Thursday 2nd June 2022. The key theme to this year's conference was Living with Uncertainty. This report is presented to Council in accordance with requirement 3.5 of the Councillor Attendance at Conferences Policy.

OFFICER RECOMMENDATION

That Council note that information provided by Councillor Pickering after attending the 29th NSW Coastal Conference.

COUNCIL RESOLUTION - 07.22.105**Whaites/Toms**

That Council note that information provided by Councillor Pickering after attending the 29th NSW Coastal Conference.

Voting recorded as follows

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

Against: Nil

CARRIED

ENVIRONMENT & PLANNING**ITEM 07.22.106 REV2022/0002 - DIVISION 8.2 REVIEW OF DA2021/0303 (REFUSAL DETERMINATION) - 5 CARRINGTON STREET, PALMERS ISLAND**

Meeting	Council	28 June 2022
Directorate	Environment & Planning	
Prepared by	Development Planner, James Hamilton	
Attachments	A. REV2022-0002 - Proposed Plans ⇨ B. REV2022-0002 - Shadow Diagrams ⇨ C. REV2022-0002 - Submission ⇨ D. REV2022-0002 - Applicants Justification for Dwelling Location ⇨ E. REV2022-0002 - Section 4.15 Assessment ⇨	

SUMMARY

<i>Applicant</i>	Tim Berry Building Design & Drafting
<i>Owner</i>	Gay Marsden
<i>Address</i>	5 Carrington Street, Palmers Island, being Lot 20 & 21 Section 2 DP 2107
<i>Submissions</i>	Yes – one (1) objection

The subject site is located in the R2 Low Density zone and subject to the Riverbank Erosion Planning Map under the Clarence Valley Local Environmental Plan 2011 (the LEP). Development Application DA2021/0303 for a two (2) storey dwelling at 5 Carrington Street, Palmers Island was refused by Council at the meeting of 28 September 2021 (Item No. 6b.21.064) as the development did not comply with the riverbank erosion controls under Clause 7.6 of the LEP, Clause T7.3 of the Clarence Valley Residential Zones Development Control Plan (the DCP) and was considered to have adverse impacts to adjoining properties at 3 and 7 Carrington Street, Palmers Island.

The applicant submitted a Division 8.2 Application (REV2022/0002) requesting a review of Council's decision to refuse the application. As a result of the refusal, the application has been amended to provide:

- an increased setback from 1.5m to 5m to the dwelling from the rear boundary; and
- changes to the design and materials of the ground level from masonry construction to lightweight construction, with the building able to be removed from site if a significant erosion event occurs.

The review application was placed on notification and one (1) submission was received during the notification period. The matters raised in the submission are discussed in detail under the Key Issues section of this report.

This report provides an assessment of the application and a recommendation for Council's consideration.

OFFICER RECOMMENDATION

That Council approve the Development Application DA2021/030 under the Division 8.2 Review REV2022/0002 subject to the draft Advices and Conditions contained in Schedule 1.

MOTION

That Council approve the Development Application DA2021/030 under the Division 8.2 Review REV2022/0002 subject to the draft Advices and Conditions contained in Schedule 1.

MOTION

Toms/Whaites

That

1. Council approve the Development Application DA2021/030 under the Division 8.2 Review REV2022/0002 subject to the draft Advices and Conditions contained in Schedule 1; and
2. Privacy screens as shown on the approved plans shall be erected on the northern and southern side of the deck to provide privacy for both deck users and the neighbouring properties prior to the issue of the Occupation Certificate. The timber battens are to be angled vertical louvers to maintain views and breeze whilst restricting the views. The screen is to be of substantial construction to withstand strong winds be included as Condition 23.

Voting recorded as follows

For: Novak, Toms, Whaites

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

The Motion was put and declared LOST

COUNCIL RESOLUTION - 07.22.106

Day/Johnstone

That Council refuse REV2022/0002 - Division 8.2 Review of DA2021/0303 (Refusal determination) - 5 Carrington Street, Palmers Island on the basis of points:

1. **Previous recommended refusal by Council staff supported by Council**
2. **Objections by neighbours**
3. **LEP & DCP (Clause T7 3c) designed to ensure maximum distance from the riverbank in the designated Palmers Island "Erosion Zone"**
4. **Climate Change issues have intensified locally since this "Erosion Zone" was established**
5. **Front setback should better align with others houses in this streetscape and also minimise distance for provision of power and other services.**

Voting recorded as follows

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

Against: Novak, Toms, Whaites

CARRIED

ITEM 07.22.107 DA2021/1343 DEMOLISH EXISTING FARMHOUSE AND SURROUNDING BUILDINGS AND CONSTRUCT A CREMATORIUM FACILITY 873 ARMIDALE ROAD BRAUNSTONE

Meeting	Council	28 June 2022
Directorate	Environment & Planning	
Prepared by	Senior Development Planner, Patrick Ridgway	
Attachments	<ul style="list-style-type: none"> A. Statement of Environmental Effects DA2021-1343 ⇒ B. Proposed Plans - DA2021-1343 ⇒ C. General Information on Joule Cremator DA2021-1343 ⇒ D. Social Impact Assessment report DA2021-1343 ⇒ E. Qualitative Air Quality Assessment DA2021-1343 ⇒ F. Section 4.15 Assessment Report DA2021-1343 ⇒ G. Submissions DA2021-1343 Crematorium redacted ⇒ 	

SUMMARY

<i>Applicant</i>	A. Fletcher & Associates Pty Ltd
<i>Owner</i>	Daniel Kelly
<i>Address</i>	873 Armidale Road Braunstone NSW 2460, being Lot 17 DP817400
<i>Submissions</i>	9 submissions and a petition signed by 20 people

Council has received Development Application DA2021/1343 for a crematoria facility at 873 Armidale Road, Braunstone, being Lot 17 DP817400. The facility will include an office, bathroom, two chimney stacks and an area for delivery and transfer. The subject site is within the RU2 Rural Landscape Zone and the facility will be located over a leased area of 10,580m² on the 103.9 hectare property.

During the exhibition period, nine (9) submissions and a petition signed by twenty (20) people objecting to the proposal was received. The majority of the submissions raised concerns as to the compatibility of the proposal with the surrounding area and impacts on amenity. The matters raised are discussed in detail in the Key Issues section of this report. Through limitations on the use to a maximum of three (3) days per week and the limited hours of operation, prohibiting advertising signage, as well as a requirement to provide landscape screening, the development is recommended for approval subject to the imposition of the draft Advices and Conditions contained within Schedule 1.

This report provides an assessment of the application and a recommendation for Council's consideration.

OFFICER RECOMMENDATION

That DA2021/1343 be approved subject to the draft Advices and Conditions contained in Schedule 1

COUNCIL RESOLUTION - 07.22.107

Whaites/Toms

That DA2021/1343 be approved subject to the draft Advices and Conditions contained in Schedule 1

Voting recorded as follows

For: Day, Tiley, Toms, Whaites

Against: Clancy, Johnstone, Novak, Pickering, Smith

The Motion was put and declared LOST

ITEM 07.22.108 DA2021/1345 APPLICATION FOR DWELLING AT 12 RIVER ROAD PALMERS ISLAND LOT 2 DP551579

Meeting	Council	28 June 2022
Directorate	Environment & Planning	
Prepared by	Senior Development Planner, Patrick Ridgway	
Attachments	<ul style="list-style-type: none"> A. DA2021-1345 Architectural Plans 12 River Road PALMERS ISLAND ⇨ B. DA2021-1345 Salients Riverbank Erosion Report - 12 River Road PALMERS ISLAND NSW 2463 ⇨ C. Restriction on use of Land AK867690 ⇨ D. DA2021-1345 Additional Information Received 12 River Road PALMERS ISLAND NSW 2463 ⇨ E. Section 4.15 Assessment Report DA2021-1345 ⇨ F. Palmers Island Bank Stability assessment 2000 PBP report (Separate Cover) ⇨ 	

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
<i>Submissions</i>	Nil

Council is in receipt of a Development Application for a proposed dwelling at 12 River Road, Palmers Island, being Lot 2 DP 551579. The lot is within an area identified as being at risk from riverbank erosion and the former dwelling on the lot was removed under a voluntary buyback scheme under 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.

A restriction on title 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 has applied for development approval for a new dwelling on the lot, is requesting that Council remove the restriction on title and that access be allowed over the section of road reserve for the proposed dwelling.

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 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, and
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 conflicts with Clauses 5.21, 7.5 & 7.6 of the Clarence Valley Local Environment Plan 2011;
 - c. 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;
 - d. Suitable road access is not available to the land as per Clause 7.8 of the Clarence Valley Local Environment Plan 2011 and Clause C8 - Provision of Essential Services of Council's Rural Zones Development Control Plan;
 - e. Inconsistency with the coastal risk management controls of Part P - Palmers Island Riverbank Controls of Council's Rural Zones Development Control Plan;

- f. The development application is inconsistent with the Disaster Resilience Framework which provides strategies, actions and recommendations for Council's planning and decision-making; and
- g. 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.

MOTION

That Council:

1. Refuse any variation or modification of the restriction 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, and
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 conflicts with Clauses 5.21, 7.5 & 7.6 of the Clarence Valley Local Environment Plan 2011;
 - c. 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;
 - d. Suitable road access is not available to the land as per Clause 7.8 of the Clarence Valley Local Environment Plan 2011 and Clause C8 - Provision of Essential Services of Council's Rural Zones Development Control Plan;
 - e. Inconsistency with the coastal risk management controls of Part P - Palmers Island Riverbank Controls of Council's Rural Zones Development Control Plan;
 - f. The development application is inconsistent with the Disaster Resilience Framework which provides strategies, actions and recommendations for Council's planning and decision-making; and
 - g. 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.

COUNCIL RESOLUTION - 07.22.108

Pickering/Novak

That Council defer consideration to no later than the August 2022 Ordinary Meeting, of any variation or modification of the restriction 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, pending further advice from the applicant.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.109 REQUEST FOR WORKS IN KIND CONTRIBUTION TOWARDS STORMWATER AND ROAD WORKS FOR GULMARRAD DRAINAGE

Meeting	Council	28 June 2022
Directorate	Environment & Planning	
Prepared by	A/Development Services Coordinator, Carmen Landers	
Attachments	A. Request from Applicant for Works in Kind Contribution ⇒ B. Council Calculations for Culvert and Road Link Costs ⇒ C. Council Minutes August 2011 - Gulmarrad Drainage ⇒	

SUMMARY

<i>Applicant</i>	P and D Pty Ltd
<i>Owner</i>	P and D Pty Ltd
<i>Address</i>	70 Rosella Road, Gulmarrad
<i>Submissions</i>	Nil

This report considers a request from the developers of a subdivision (SUB2009/0038) at 70 Rosella Road, Gulmarrad (being Lot 14 DP1243952) seeking a Works in Kind Contribution towards the cost of drainage infrastructure and road works to service the Gulmarrad area.

The request has been considered under the Gulmarrad Stormwater Management Contributions Plan 1997 (remains in effect), the Development Controls for Gulmarrad in Part S of the Residential Zones Development Control Plan (the DCP) and Stormwater Management Plan Background Report prepared as part of the Gulmarrad DCP for the former Maclean Shire Council (Final Report) by Greg Alderson and Associates August 1997.

An assessment of the request and a recommendation for Council's consideration is detailed throughout the report.

OFFICER RECOMMENDATION

That Council:

1. Accept the cost of the works in kind as \$237,514.89 to provide necessary stormwater infrastructure to the Gulmarrad area in accordance with the Part S of the Residential Zones DCP, Gulmarrad Stormwater Management Contributions Plan 1997 and Condition 18 of SUB2009/0038.
2. Note the refund amount of \$237,514.89 will be from the Gulmarrad Stormwater Management contributions fund which currently has a balance of \$567,773.28 as of 30 April 2022.
3. Retain part of the funds and allocate to the respective Drainage and Road Contributions funds to enable the release of 16 lots for SUB2009/0038 as follows:

Rural Roads	\$1,933.67 x 15 lots =	\$29,005.05
Gulmarrad Drainage	\$1,945.90 x 15 lots =	<u>\$29,188.50</u>
TOTAL		\$58,193.55

4. Refund the amount of **\$179,321.34** (\$237,514.89 - \$58,193.55) from the Gulmarrad Drainage Section 7.11 fund to the developer as a works in kind contribution towards Gulmarrad stormwater infrastructure.

COUNCIL RESOLUTION - 07.22.109

Whaites/Toms

That Council:

1. **Accept the cost of the works in kind as \$237,514.89 to provide necessary stormwater infrastructure to the Gulmarrad area in accordance with the Part S of the Residential Zones DCP, Gulmarrad Stormwater Management Contributions Plan 1997 and Condition 18 of SUB2009/0038.**
2. **Note the refund amount of \$237,514.89 will be from the Gulmarrad Stormwater Management contributions fund which currently has a balance of \$567,773.28 as of 30 April 2022.**

3. Retain part of the funds and allocate to the respective Drainage and Road Contributions funds to enable the release of 16 lots for SUB2009/0038 as follows:

Rural Roads	\$1,933.67 x 15 lots =	\$29,005.05
Gulmarrad Drainage	\$1,945.90 x 15 lots =	<u>\$29,188.50</u>
TOTAL		\$58,193.55

4. Refund the amount of \$179,321.34 (\$237,514.89 - \$58,193.55) from the Gulmarrad Drainage Section 7.11 fund to the developer as a works in kind contribution towards Gulmarrad stormwater infrastructure.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.110 COMMUNITY PETITION REQUESTING MASTERPLAN AND ENVIRONMENTAL IMPACT STATEMENT FOR WEST YAMBA

Meeting	Council	28 June 2022
Directorate	Environment & Planning	
Prepared by	Manager Development & Land Use Planning, Murray Lane	
Attachments	A. Petition - Valley Watch - West Yamba Master Plan and Environmental Impact Statement (Separate Cover) ⇒	

SUMMARY

Council has received a petition from Valley Watch Inc. entitled 'Community expectations demand completion of a Master Plan and Environmental Impact Statement for West Yamba before any further subdivision approval is considered'. The petition is dated 29 May 2022 and is signed by 1,540 people. The petition includes specific reference to the importance of a master plan to properly plan and manage the impacts about flooding and stormwater within the West Yamba Urban Release Area.

OFFICER RECOMMENDATION

The Council:

1. Note the Petition from Valley Watch stating that community expectations demand completion of a Master Plan and Environmental Impact Statement for West Yamba before any further subdivision approval is considered;
2. Note the 26 April 2022 Council resolution (06.22.004) to prepare an information document about the planning assessment framework for West Yamba Urban Release Area;
3. Note that making any Council resolution to delay decisions about development applications in the West Yamba Urban Release Area would expose Council and the community to legal and financial risks.
4. Endorse the preparation and publication of a quarterly newsletter about planning and development in West Yamba Urban Release Area to improve communication with our community about how development is being managed in accordance with the established planning assessment framework

COUNCIL RESOLUTION - 07.22.110

Clancy/Day

The Council:

1. **Note the Petition from Valley Watch stating that community expectations demand completion of a Master Plan and Environmental Impact Statement for West Yamba before any further subdivision approval is considered;**
2. **Note the 26 April 2022 Council resolution (06.22.004) to prepare an information document about the planning assessment framework for West Yamba Urban Release Area and acknowledge that it will be presented to the August Ordinary Council Meeting;**
3. **Note that making any Council resolution to delay decisions about development applications in the West Yamba Urban Release Area would expose Council and the community to legal and financial risks.**
4. **Endorse the preparation and publication of a quarterly newsletter about planning and development in West Yamba Urban Release Area to improve communication with our community about how development is being managed in accordance with the established planning assessment framework**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.111 COMMUNITY PARTICIPATION PLAN

Meeting	Council	28 June 2022
Directorate	Environment & Planning	
Prepared by	Strategic Planner, Jasmine Oakes	
Attachments	A. Community Participation Plan June 2022 ⇒	

SUMMARY

The purpose of this report is to seek endorsement from Council to adopt the Community Participation Plan (**Attachment A**).

OFFICER RECOMMENDATION

That Council:

1. Note that no submissions were received regarding the draft Community Participation Plan during the public exhibition period;
2. Adopt the Community Participation Plan (Attachment A) and publish on Council's website and the NSW Government Planning Portal; and
3. Delegate authority to the General Manager to make any minor amendments to the Community Participation Plan for publishing purposes.

COUNCIL RESOLUTION - 07.22.111

Whaites/Toms

That Council:

1. **Note that no submissions were received regarding the draft Community Participation Plan during the public exhibition period;**
2. **Adopt the Community Participation Plan (Attachment A) and publish on Council's website and the NSW Government Planning Portal; and**
3. **Delegate authority to the General Manager to make any minor amendments to the Community Participation Plan for publishing purposes.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.112 EMPLOYMENT LAND STRATEGY

Meeting	Council	28 June 2022
Directorate	Environment & Planning	
Prepared by	Coordinator Strategic Planning, Stephen Timms	
Attachments	A. Submissions Analysis and Recommendations ⇨ B. Submissions ⇨	

SUMMARY

At its April 2022 meeting, Council resolved (07.22.067) to publicly exhibit the draft Employment Land Strategy (the Strategy). The draft Strategy was publicly exhibited between 5 May and 2 June 2022 (28 days), and late submissions were accepted until 14 June 2022. A total of 31 submissions were received and broadly supported the draft Strategy.

The Strategy is a deliverable in our current Operational Plan 2021/2022. Ensuring Industrial and Business land is serviced and available for sustainable development is important to support a growing economy, job opportunities and resilient communities. The approach set out in the Strategy and Background Study is supported by our planning framework and Council policies and strategies, including the Minister's Local Planning Directions, the North Coast Regional Plan 2036, our Community Strategic Plan – the Clarence 2027, our Local Strategic Planning Statement 2020 and the Clarence Valley Regional Economic Development Strategy 2018/2022.

The Strategy has been developed through targeted and wider consultation with Clarence Valley industry groups, State Government agencies, the community and across Council.

OFFICER RECOMMENDATION

That Council:

1. Adopt the Employment Land Strategy and supporting Employment Lands Background Study;
2. Delegate authority to the A/General Manager to make any minor amendments to the Employment Land Strategy and Employment Lands Background Study for publishing purposes;
3. Issue the final Employment Land Strategy to the Department of Planning and Environment for endorsement and publish on Council's website and the NSW Government Planning Portal; and
4. Note the submissions received, publicly thank those that took time to make a submission and note the resulting improvements made to the strategy.

COUNCIL RESOLUTION - 07.22.112

Whaites/Toms

That Council:

1. **Adopt the Employment Land Strategy and supporting Employment Lands Background Study;**
2. **Delegate authority to the A/General Manager to make any minor amendments to the Employment Land Strategy and Employment Lands Background Study for publishing purposes;**
3. **Issue the final Employment Land Strategy to the Department of Planning and Environment for endorsement and publish on Council's website and the NSW Government Planning Portal; and**
4. **Note the submissions received, publicly thank those that took time to make a submission and note the resulting improvements made to the strategy.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.113 RURAL LAND STRATEGY

Meeting	Council	28 June 2022
Directorate	Environment & Planning	
Prepared by	Coordinator Strategic Planning, Stephen Timms	
Attachments	A. Submissions analysis and recommendations ⇨ B. Submissions ⇨	

SUMMARY

At its February 2022 meeting, Council resolved to publicly exhibit the draft Rural Land Strategy (07.22.009). Due to the recent floods, public exhibition of the Strategy was extended to a total of ten (10) weeks. Nineteen (19) submissions were received, with strong support for the Strategy and the initiative shown by Council to recognise the importance of agriculture and the rural landscape to the economy, community and natural environment of the Clarence Valley. Some aspects of the Strategy have been enhanced and Actions further refined in response to submissions, as explained below.

The Rural Land Strategy (the Strategy) is a deliverable outlined in the 2021-2022 Operational Plan. It is an important Strategy to inform future land use planning and resource allocation. The Strategy helps to implement the North Coast Regional Plan 2017, Clarence Valley Council Community Strategic Plan – 2027, Clarence Valley Local Strategic Planning Statement 2020 (LSPS), Biodiversity Strategy 2020-2025, and the Clarence Valley Regional Economic Development Strategy 2018-2022.

OFFICER RECOMMENDATION

That Council:

1. Adopt the Clarence Valley Council Rural Land Strategy – June 2022 and Background Paper;
2. Delegate authority to the A/General Manager to make any minor amendments to the Rural Land Strategy for publishing purposes;
3. Issue the final Clarence Valley Council Rural Land Strategy – June 2022 to the Department of Planning and Environment for endorsement and publish on Council's website and the NSW Government Planning Portal; and
4. Note the submissions received, publicly thank those that took time to make a submission and note the resulting improvements made to the strategy.

COUNCIL RESOLUTION - 07.22.113

Novak/Whaites

That Council:

1. **Adopt the Clarence Valley Council Rural Land Strategy – June 2022 and Background Paper;**
2. **Delegate authority to the A/General Manager to make any minor amendments to the Rural Land Strategy for publishing purposes;**
3. **Issue the final Clarence Valley Council Rural Land Strategy – June 2022 to the Department of Planning and Environment for endorsement and publish on Council's website and the NSW Government Planning Portal; and**
4. **Note the submissions received, publicly thank those that took time to make a submission and note the resulting improvements made to the strategy.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.114 DRAFT FOREST MANAGEMENT PLAN (SOFTWOOD PLANTATIONS AND COASTAL HARDWOOD FORESTS) - FORESTRY CORPORATION OF NSW

Meeting	Council	28 June 2022
Directorate	Environment & Planning	
Prepared by	Manager Environment & Regulatory Services, Scott Lenton	
Attachments	Nil	

SUMMARY

Forestry Corporation of NSW have issued a draft Forest Management Plan (FMP) for softwood plantations and hardwood forests. Council is requested to make a submission to the FMP to promote improved forest operational management practices to reduce harm to the Clarence Valley environment given Council's interest in improved environmental and water management in the LGA.

The draft FMP is available on the Forestry Corporations website via this link - https://www.forestrycorporation.com.au/_data/assets/pdf_file/0006/1404825/fmp-draft-for-consultation.pdf.

OFFICER RECOMMENDATION

That Council make a written submission on the draft Forest Management Plan for softwood plantations and hardwood forests 2022-2027 to the Forestry Corporation of NSW highlighting the items included in the Key Issues section of this report.

COUNCIL RESOLUTION - 07.22.114**Whaites/Toms**

That Council make a written submission on the draft Forest Management Plan for softwood plantations and hardwood forests 2022-2027 to the Forestry Corporation of NSW highlighting the items included in the Key Issues section of this report.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.115 TENDER FOR THE CONSTRUCTION OF LANDFILL CELL 4C

Meeting	Council	28 June 2022
Directorate	Environment & Planning	
Prepared by	Waste & Sustainability Coordinator, Ken Wilson	
Attachments	A. Confidential Tender Recommendation Report (Confidential)	

SUMMARY

Council has invited, and now received, tenders from experience companies to construct a new cell (known as Cell 4C) and a new leachate storage dam at the Grafton Regional Landfill. This report details the evaluation of the three (3) tenders and makes a recommendation to accept the tender that provides the most value to Council.

OFFICER RECOMMENDATION

That Council accept the tender from Valley Earthworks P/L for Tender No T22/016 for the construction of Cell 4C and an additional leachate storage dam at the Grafton Regional Landfill in the amount of \$4,174,128.38 (GST exclusive).

COUNCIL RESOLUTION - 07.22.115

Whaites/Toms

That Council accept the tender from Valley Earthworks P/L for Tender No T22/016 for the construction of Cell 4C and an additional leachate storage dam at the Grafton Regional Landfill in the amount of \$4,174,128.38 (GST exclusive).

Voting recorded as follows

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

Against: Nil

CARRIED

CORPORATE & GOVERNANCE**ITEM 07.22.116 REMUNERATION FOR MAYOR, DEPUTY MAYOR AND COUNCILLORS FOR 2022/2023**

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Coordinator Corporate & Customer Experience, Lynette Burley	
Attachments	A. Local Government Remuneration Tribunal Annual Report and Determination 20 April 2022 ↗ B. OLG Circular 22-14 23 May 2022 ↗	

SUMMARY

The Local Government Remuneration Tribunal has determined an increase of 2% to mayoral and councillor fees payable for the 2022/2023 financial year, with effect from 1 July 2022.

OFFICER RECOMMENDATION

That

1. Council note the determination of the Tribunal.
2. Fees payable to the elected members increase by 2% for the 2022/2023 financial year.
3. The Deputy Mayor's allowance be \$7,140 plus 2% to be funded from the Mayor's allowance.

Point of Order

Cr Novak against Cr Pickering

- Cr Novak: Point of Order, Councillor Pickering has said Councillors using social media, I haven't put one single thing on facebook about any of this at all.
- Mayor: I accept your point of order.

The Mayor upheld the Point of Order

- Mayor to Cr Pickering: I ask you to refrain from talking about social media.

COUNCIL RESOLUTION - 07.22.116

Whaites/Novak

That

1. Council note the determination of the Tribunal.
2. Fees payable to the elected members not increase from the amount adopted in 2021/22.
3. The Deputy Mayor's allowance remain the approved allowance that was adopted in 2021/22.

Voting recorded as follows

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

Against: Clancy, Day, Tiley

CARRIED

COUNCIL RESOLUTION

Tiley/Toms

That Council adjourn the meeting for a 10 minute break.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.117 POLICY REPORT

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Governance Officer, Bligh Grant	
Attachments	<ul style="list-style-type: none"> A. Privacy Statement and Management Plan 8.0 ⇨ B. CRL Circulation and Membership Policy V5.0 ⇨ C. Liquid Waste Management Policy V5.0 ⇨ D. Pet Friendly Clarence Coast Holiday Parks Policy V3.0 ⇨ E. Petitions Policy V1.0 ⇨ F. Ex Gratia Payments Policy V1.0 ⇨ G. Sports Tourism Program V2.0 ⇨ H. Event Sponsorship Policy V3.0 ⇨ I. Code of Meeting Practice V14.0 ⇨ J. Internal Reporting and Public Interest Disclosures Policy V1.0 ⇨ K. Managing Unreasonable Conduct by Complainants Policy V3.0 ⇨ L. Access to Council Documents V4.0 ⇨ M. Excluding Abusive or Disruptive Customers from Council Premises V3.0 ⇨ N. Flag Raising V4.0 ⇨ 	

SUMMARY

This report requests (1) that Council endorse updates to four existing Council policies to be placed on public exhibition; (2) that Council consider the introduction of two new Council policies to be placed on public exhibition; (3) that Council consider minor amendments to two existing policies and adopts them; (4) that Council adopt three policies that have received feedback during public exhibition, and (5) that Council rescinds three existing Council policies that are now covered by Government Guidelines or have been superseded by new Council policy.

OFFICER RECOMMENDATION

That:

1. The following four (4) Council policies be placed on public exhibition and, subject to feedback that changes the policy's intent, they be adopted.
 - a) Privacy Statement and Management Plan 8.0 (Attachment A)
 - b) CRL Circulation and Membership V5.0 (Attachment B)
 - c) Liquid Trade Waste Management V5.0 (Attachment C)
 - d) Pet Friendly Clarence Coast Holiday Parks V3.0 (Attachment D).
2. The following two (2) new Council policies be placed on public exhibition and, subject to feedback that changes the intent of the policy, they be adopted.
 - e) Petitions V1.0 (Attachment E)
 - f) *Ex Gratia* Payments V1.0 (Attachment F)
3. Council adopt the following two (2) policies that have been subject to minor updates:
 - g) Sports Tourism Program V2.0 (Attachment G)
 - h) Event Sponsorship Policy V3.0 (Attachment H)
4. Council adopt the following three (3) policies for which submissions have been received as noted in the body of the report
 - i) Code of Meeting Practice V14.0 (Attachment I)
 - j) Internal Reporting and Public Interest Disclosures V1.0 (Attachment J)
 - k) Managing Unreasonable Conduct by Complaints V3.0 (Attachment K).
5. Council rescinds:
 - l) Access to Council Documents V4.0 (Attachment L)
 - m) Excluding Abusive or Disruptive Customers from Council Premises V3.0 (Attachment M)
 - n) Flag Raising V4.0 (Attachment N)

COUNCIL RESOLUTION - 07.22.117

Johnstone/Day

That:

1. The following four (4) Council policies be placed on public exhibition and, subject to feedback that changes the policy's intent, they be adopted.
 - a) Privacy Statement and Management Plan 8.0 (Attachment A)
 - b) CRL Circulation and Membership V5.0 (Attachment B)
 - c) Liquid Trade Waste Management V5.0 (Attachment C)
 - d) Pet Friendly Clarence Coast Holiday Parks V3.0 (Attachment D).

Voting recorded as follows

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

Against: Nil

CARRIED

COUNCIL RESOLUTION - 07.22.117a

Pickering/Johnstone

2. The following two (2) new Council policies be placed on public exhibition and, subject to feedback that changes the intent of the policy, they be adopted.
 - e) Petitions V1.0 (Attachment E) subject to implementation of a unique identifier for email addresses included in online petitions.
 - f) *Ex Gratia* Payments V1.0 (Attachment F)

Voting recorded as follows

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

Against: Nil

CARRIED

COUNCIL RESOLUTION - 07.22.117b

Smith/Whaites

3. Council refer the following two (2) policies to the Economic Development and Tourism Advisory Committee before reporting back to Council.
 - g) Sports Tourism Program V2.0 (Attachment G)
 - h) Event Sponsorship Policy V3.0 (Attachment H)

Voting recorded as follows

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

Against: Nil

CARRIED

COUNCIL RESOLUTION - 07.22.117c

Johnstone/Toms

4. Council adopt the following three (3) policies for which submissions have been received as noted in the body of the report
 - i) Code of Meeting Practice V14.0 (Attachment I) subject to the rescission of the following Local Policy at section 3.6.3 of the Code of Meeting Practice "A councillor may submit no more than 2 notices of motion to be considered at each monthly meeting cycle of the council", and that the OLG Councillor Handbook (p47) statement that "The number of motions put forward by a councillor cannot be limited. As long as notice and other procedures are followed, a councillor can put forward as many motions as they wish" prevail as the practice of Council.

Voting recorded as follows

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

Against: Nil

CARRIED

MOTION - WITHDRAWN

Day/Tiley

4. Council adopt the following three (3) policies for which submissions have been received as noted in the body of the report
- k) Managing Unreasonable Conduct by Complainants V3.0 (Attachment K). subject to the following amendment:
- Under section 8.1 of the draft policy (Right of Appeal) add the following place of the last paragraph of 8.1; "Complainants who wish to appeal and seek a review should respond to the General Manager who will refer the appeal to the senior staff member as outlined (above). This appeal will be held within 30 days and will include 14 days notice to the complainant (as outlined in section 10.2). The complainant will be notified as to the outcome of any appeal/review within 7 days of the conclusion of the appeal/review.
 - All applications of the UCC by staff will be advised, in confidence and with appropriate redactions for privacy purposes, to Council on a monthly basis.
 - All public submissions received during the public display of the draft UCC will be included, with appropriate redactions, within meeting attachments as records of this Council meeting.
 - The Mayor send a letter of apology to local citizens Lynne and Bob Cairns, Shane Powell and John Hagger advising that the previous UCC was incorrectly invoked and restrictions were improperly imposed upon them. That a copy of this apology be placed on Council files for these citizens including Electronic Content Management (ECM) records.

COUNCIL RESOLUTION - 07.22.117d

Pickering/Toms

5. Council rescinds:
- j) Access to Council Documents V4.0 (Attachment L)
- k) Excluding Abusive or Disruptive Customers from Council Premises V3.0 (Attachment M)
6. Intention to rescind the Flag Raising V4.0 (Attachment N) Policy be advertised and responses reported to the August Ordinary Meeting.

Voting recorded as follows

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

Against: Nil

CARRIED

COUNCIL RESOLUTION - 07.22.117e

Novak/Clancy

7. Defer Internal Reporting and Public Interest Disclosures V1.0 (Attachment J) and Managing Unreasonable Conduct by Complainants V3.0 (Attachment K) to be referred to a Cr workshop for discussion prior to reporting back to Council.

8.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.118 COMMITTEES REPORT

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Governance Officer, Bligh Grant	
Attachments	A. Minutes for Jackadgery Hall Management Committee Meeting 12 March 2022 ↔	

SUMMARY

This report asks Council to progress the establishment of five advisory committees by considering the recommendations of Council officers for appointment to those committees. The Report also asks Council to accept the Minutes of the Jackadgery Hall Management Committee meeting held 12 March 2022.

OFFICER RECOMMENDATION

That Council:

1. Endorse representatives from the following groups to the Clarence Sports Committee: Grafton Pistol Club; Rushforth Park Town Clubs; Grafton Athletics Club; Coutts Crossing Recreation Incorporated; Grafton Dragon Boat Club; Grafton Supa Oldie Soccer Club; Grafton Basketball Association; Hawthorne Park Equestrian User Group; Grafton Netball Association; Junction Hill Tennis Club; Clarence Valley BMX Club; Coutts Crossing Croquet Club; Grafton Touch Football; Grafton Vintage Motor Vehicle Club; Grafton Hockey Association; Clarence River Yacht Club; Clarence River Sailing Club; Coutts Crossing Football Club Inc; Grafton Rowing Club; North Coast Football; Clarence River Cricket Association; Clarence River Junior Cricket Association; Grafton Ghosts Rugby League Football Club; Grafton City Tennis Club; Grafton Tigers AFL Club.
2. Endorse representatives from the following sporting groups to the Lower Clarence Sports Committee: Big River Sailing Club; Clarence Coast Dragon Boat Club; Clarence Coast Magpies JNR RLFC; Clarence River U3A Croquet Group; Harwood Cricket Club; Iluka Cricket Club; Iluka Football Club; Lawrence Golf & Sports Club; Lawrence Rodeo; Lower Clarence Cricket Association; Lower Clarence Magpies RLFC; Lower Clarence Netball Association; Lower Clarence Pony Club; Lower Clarence Tennis Association; Maclean Dirt Bike Club; Maclean Football Club; Maclean Show Society; Maclean Mantra Swimming Club; Yamba Dog Sports Training Group; Yamba Football Club; Yamba Buccaneers Rugby Club; Yamba Cycling Club Yamba Touch Football.
3. Endorse the following representatives for the Clarence Valley Economic Development and Tourism Committee: Robin Gibb (South Grafton Progress Association); Kerrie Dimattia Grafton Jacaranda Festival); Scott Graham; Mark Blackadder (Grafton Jacaranda Festival); Tania Williams (TAFE NSW); Marie Howlett; Steve Tranter (Clarence River Historical Society); Graeme Nicholson; Annie Dodd; Liza Bloomer; Christine Tyler (Maclean Business Chamber); Robert Cook; Angela Carroll, Ling Gazzard and Adam Gordan.
4. Endorse the following representatives for the Water Efficiency Working Group Advisory Committee: Leonie Blain (Clarence Valley Conservation Coalition); John Edwards (Clarence Environment Centre Inc.); Tina Young and Rhonda Coleman.
5. Endorse the following representatives for the Biodiversity Advisory Committee: John Edwards (Clarence Environment Centre Inc.); Barbara Lindley (Lions Club of Clarence-Environmental and Landcare Representative); Joanne Cunningham (Blicks Community Inc.); Linda Wright; Peter Lake; Laura Noble; Adrian Deville; Phil Redpath.
6. Endorse a recommendation that Jennifer O'Brien be appointed to the Clarence Valley Access Committee.
7. Accept the Minutes of the Jackadgery Hall Management Committee meeting held 12 March 2022.

COUNCIL RESOLUTION - 07.22.118

Whaites/Toms

That Council:

1. Endorse representatives from the following groups to the Clarence Sports Committee: Grafton Pistol Club; Rushforth Park Town Clubs; Grafton Athletics Club; Coutts Crossing Recreation Incorporated; Grafton Dragon Boat Club; Grafton Supa Oldie Soccer Club; Grafton Basketball Association; Hawthorne Park Equestrian User Group; Grafton Netball Association; Junction Hill Tennis Club; Clarence Valley BMX Club; Coutts Crossing Croquet Club; Grafton Touch Football; Grafton Vintage Motor Vehicle Club; Grafton Hockey Association; Clarence River Yacht Club; Clarence River Sailing Club; Coutts Crossing Football Club Inc; Grafton Rowing Club; North Coast Football; Clarence River Cricket Association; Clarence River Junior Cricket Association; Grafton Ghosts Rugby League Football Club; Grafton City Tennis Club; Grafton Tigers AFL Club.
2. Endorse representatives from the following sporting groups to the Lower Clarence Sports Committee: Big River Sailing Club; Clarence Coast Dragon Boat Club; Clarence Coast Magpies JNR RLFC; Clarence River U3A Croquet Group; Harwood Cricket Club; Iluka Cricket Club; Iluka Football Club; Lawrence Golf & Sports Club; Lawrence Rodeo; Lower Clarence Cricket Association; Lower Clarence Magpies RLFC; Lower Clarence Netball Association; Lower Clarence Pony Club; Lower Clarence Tennis Association; Maclean Dirt Bike Club; Maclean Football Club; Maclean Show Society; Maclean Mantra Swimming Club; Yamba Dog Sports Training Group; Yamba Football Club; Yamba Buccaneers Rugby Club; Yamba Cycling Club Yamba Touch Football.
3. Endorse the following representatives for the Clarence Valley Economic Development and Tourism Committee: Robin Gibb (South Grafton Progress Association); Kerrie Dimattia Grafton Jacaranda Festival); Scott Graham; Mark Blackadder (Grafton Jacaranda Festival); Tania Williams (TAFE NSW); Marie Howlett; Steve Tranter (Clarence River Historical Society); Graeme Nicholson; Annie Dodd; Liza Bloomer; Christine Tyler (Maclean Business Chamber); Robert Cook; Angela Carroll, Ling Gazzard and Adam Gordan.
4. Endorse the following representatives for the Water Efficiency Working Group Advisory Committee: Leonie Blain (Clarence Valley Conservation Coalition); John Edwards (Clarence Environment Centre; Inc.); Tina Young and Rhonda Coleman.
5. Endorse the following representatives for the Biodiversity Advisory Committee: John Edwards (Clarence Environment Centre Inc.); Barbara Lindley (Lions Club of Clarence-Environmental and Landcare Representative); Joanne Cunningham (Blicks Community Inc.); Linda Wright; Peter Lake; Laura Noble; Adrian Deville; Phil Redpath.
6. Endorse a recommendation that Jennifer O'Brien be appointed to the Clarence Valley Access Committee.
7. Accept the Minutes of the Jackadgery Hall Management Committee meeting held 12 March 2022.

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

ITEM 07.22.119 REPORT ON 2021 COUNCIL ELECTION

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Governance Officer, Bligh Grant	
Attachments	A. NSW Electoral Commission Invoice for 2021 LG Election ⇒	

SUMMARY

Section 393A of the *Local Government Act 1993* requires that within 6 months after the declaration of an election, the General Manager must provide the Minister with a written report and that the Report must be displayed on Council's website. This item constitutes the Report to the Minister.

OFFICER RECOMMENDATION

That Council considers the details of the report on the 2021 Council Election and approves it being submitted to the Minister and being placed on Council's website.

COUNCIL RESOLUTION - 07.22.119**Whaites/Toms**

That Council considers the details of the report on the 2021 Council Election and approves it being submitted to the Minister and being placed on Council's website.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.120 CHECKLIST MEETING SCHEDULE - UPDATES ON ACTIONS TAKEN

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Corporate Support Assistant, Karlie Chevalley	
Attachments	A. Outstanding Checklist Items (Separate Cover) ⇒ B. Completed Checklist Items (Separate Cover) ⇒ C. Rolling checklist from Feb 2022 (Separate Cover) ⇒	

SUMMARY

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

OFFICER RECOMMENDATION

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

COUNCIL RESOLUTION - 07.22.120

Whaites/Toms

That Council note the schedule of actions taken on resolutions 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 07.22.121 ITEMS FOR INFORMATION

Meeting	Council	28 June 2022
Directorate	General Manager	
Attachments	A. Response from NSW Premier - Redevelopment of Grafton Base Hospital ⇒ B. Agenda & Minutes of Arts Northern Rivers May 2022 Meeting ⇒ C. Clarence Sports Committee Minutes 16 May 2022 ⇒ D. Lower Clarence Sports Committee Minutes 16 May 2022 ⇒ E. IPART Determination Additional Special Variation ⇒	

SUMMARY

Correspondence and minutes attached are for noting.

OFFICER RECOMMENDATION

That Council note the following:

1. A response from the NSW Premier, Dominic Perrottet MP, regarding the redevelopment of the Grafton Base Hospital.
2. Agenda and minutes from the Arts Northern Rivers meeting held 6 May 2022.
3. Minutes of the Clarence Sports Committee meeting held 16 May 2022.
4. Minutes of the Lower Clarence Sports Committee meeting held 16 May 2022.
5. IPART Determination of the Additional Special Variation, dated 20 June 2022.

COUNCIL RESOLUTION - 07.22.121**Whaites/Toms**

That Council note the following:

1. A response from the NSW Premier, Dominic Perrottet MP, regarding the redevelopment of the Grafton Base Hospital.
2. Agenda and minutes from the Arts Northern Rivers meeting held 6 May 2022.
3. Minutes of the Clarence Sports Committee meeting held 16 May 2022.
4. Minutes of the Lower Clarence Sports Committee meeting held 16 May 2022.
5. IPART Determination of the Additional Special Variation, dated 20 June 2022.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.122 INTEGRATED PLANNING AND REPORTING FRAMEWORK 2022/2023

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Manager Finance & Systems, Kate Maginnity	
Attachments	A. IP&R Delivery Program submission ⇨	

SUMMARY

Each year Council prepares a draft Operational Plan and accompanying documentation under the Integrated Planning and Reporting Framework (IP&R), which is enacted under the Local Government Act 1993 and supported by the Integrated Planning and Reporting Guidelines issued by the Office of Local Government.

The documentation underpins the activities of the Council, achieves the direction set by the elected members in the Delivery Program and the aspirations identified by the community in the Community Plan, Clarence 2032. The accompanying documentation also includes an annual budget and the resourcing strategy and revenue policy including fees and charges. Public exhibition of the draft documentation has now been completed and post exhibition period adjustments are presented for adoption.

OFFICER RECOMMENDATION

That Council:

1. Note the public exhibition period submissions contained within the report in summary and attached to the report in full.
2. Adopt the following:
 - a) the Community Engagement Strategy
 - b) the Delivery Program 2022/2025
 - c) the Operational Plan 2022/2023
 - d) the Resourcing Strategy incorporating
 - i. the Long Term Financial Plan (2022/2032 to 2031/2032)
 - ii. the Workforce Management Strategy (2022/2023– 2025/2026)
 - iii. the Asset Management Strategy (2022/2023 – 2031/2032)
3. Adopt the 2022/2023 Fees and Charges (Attachment A)

COUNCIL RESOLUTION - 07.22.122

Toms/Novak

That Council

1. Note the public exhibition period submissions contained within the report in summary and attached to the report in full.
2. Consider items 2a, 2b, 2c, 2d, Community Engagement Strategy, Delivery Program, Operational Plan and Resourcing Strategy separately to item 3 fees and charges.

Voting recorded as follows

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

Against: Nil

CARRIED

COUNCIL RESOLUTION - 07.22.122a

Pickering/Toms

That Council:

1. Note the public exhibition period submissions contained within the report in summary and attached to the report in full.
2. Adopt the following:
 - a) the Community Engagement Strategy
 - b) the Delivery Program 2022/2025
 - c) the Operational Plan 2022/2023

- d) the Resourcing Strategy incorporating
- i. the Long Term Financial Plan (2022/2032 to 2031/2032)
 - ii. the Workforce Management Strategy (2022/2023– 2025/2026)
 - iii. the Asset Management Strategy (2022/2023 – 2031/2032)
3. Delegate authority to the A/General Manager to make any minor amendments to the Integrated Planning & Reporting Framework documents for publishing purposes.

Voting recorded as follows

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

Against: Nil

CARRIED

Cr Toms left the meeting at 4:27 pm. Did not participate in debate or voting on the following Motion.

Cr Toms returned to the meeting at 4:30 pm.

COUNCIL RESOLUTION - 07.22.122b

Johnstone/Tiley

Adopt the 2022/2023 Fees and Charges (Attachment A), subject to the following amendment to the reconnection fee following removal of a water limiter “reconnection fee (within 3 working days) – notification by 12:00pm no charge”

UNAN

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.123 2021/2022 MONTHLY FINANCIAL REPORT - MAY 2022

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Management Accounting Coordinator, Christi Brown	
Attachments	A. 2021/2022 Monthly Income & Expenditure Statements by Service - May 2022 ↗ B. Monthly Grant Application Summary - May 2022 ↗ C. 2021/2022 Deferred Project Listing ↗	

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 (\$1,593). The reserve fund variations identified in this report will increase the reserve funds by (\$4,095,050).

OFFICER RECOMMENDATION

That Council:

1. Note the monthly financial information report for May 2022, Attachment A to this report.
2. Endorse the proposed General Fund variations as set out in this report totalling (\$1,593), which will be included in the 2021/2022 General Purpose Financial Statements Refer to Audit report.
3. Endorse the proposed variations, which decrease Financial Reserves by (\$4,095,050) which will be included in the 2021/2022 General Purpose Financial Statements Refer to Audit report.
4. Note and endorse the grant applications as identified in Attachment B.
5. Endorse the proposed list of Deferred Projects in Attachment C.

COUNCIL RESOLUTION - 07.22.123

Whaites/Toms

That Council:

1. **Note the monthly financial information report for May 2022, Attachment A to this report.**
2. **Endorse the proposed General Fund variations as set out in this report totalling (\$1,593), which will be included in the 2021/2022 General Purpose Financial Statements Refer to Audit report.**
3. **Endorse the proposed variations, which decrease Financial Reserves by (\$4,095,050) which will be included in the 2021/2022 General Purpose Financial Statements Refer to Audit report.**
4. **Note and endorse the grant applications as identified in Attachment B.**
5. **Endorse the proposed list of Deferred Projects in Attachment C.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.124 MONTHLY INVESTMENT REPORT - MAY 2022

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Acting Financial Accountant, Kirsty Gooley	
Attachments	A. Movement of Funds Between Months ⇨	

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 May 2022 be noted.

COUNCIL RESOLUTION - 07.22.124

Whaites/Toms

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

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.125 REQUEST FROM ACCOUNT 2045565 FOR CONSIDERATION TO WAIVER THE SEWER DISCHARGER ON WATER ACCOUNT DUE TO THEFT

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Revenue Coordinator, Paula Krahe	
Attachments	Nil	

SUMMARY

A request was received from the owner of Water Account 2045565 on both the 11 May 2022 and the 29 May 2022 regarding waiving the sewer discharge fee associated with stolen water on the property.

Staff do not have any mechanism under which they can assess this request and as such require a resolution from Council.

OFFICER RECOMMENDATION

That Council waive the sewer discharge fee of \$1,583.28 due to the consumption being stolen from the property and not being discharged into Council's sewer main.

COUNCIL RESOLUTION - 07.22.125

Whaites/Toms

That Council waive the sewer discharge fee of \$1,583.28 due to the consumption being stolen from the property and not being discharged into Council's sewer main.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.126 2022/2023 RATES AND CHARGES

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Revenue Coordinator, Paula Krahe	
Attachments	Nil	

SUMMARY

This report contains recommendations regarding the making and levying of the Rates and Charges for 2022/2023.

OFFICER RECOMMENDATION

That Council in accordance with the provisions of Sections 493, 494, 496, 501, 502, 503, 542, 552 and 553 of the Local Government Act of 1993 (NSW) make and levy the following Rates and Charges for the year commencing 1 July 2022 and ending 30 June 2023.

1. Ordinary Rates (Section 494)

- (i) A Residential Rate of point five eight seven seven six zero seven cents (0.5877607c) in the dollar on the Rateable Land Value of all rateable land categorised as Residential with a minimum rate of Six Hundred and Seventy-Six Dollars (\$676.00), in respect of any separate parcel of rateable land. Land that has been identified as "Residential-Flood Prone Land" the minimum rate/base amount will not apply. The Rate to be known as the "Residential Rate".
- (ii) A Residential Rate of point three eight zero six zero seven four cents (0.3806074c) in the dollar on the Rateable Land Value of all rateable land in the coastal villages of Angourie, Brooms Head, Diggers Camp, Iluka, Minnie Water, Sandon River, Wooli and Wooloweyah categorised as Residential, sub-category "A", with a minimum rate of Six Hundred and Seventy-Six Dollars (\$676.00). The rate to be known as the Residential Rate "A".
- (iii) A Residential Rate of point four five seven six four zero five cents (0.4576405c) in the dollar on the Rateable Land Value of all rateable land within the towns of Maclean and Townsend categorised as Residential, sub-category "B", with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 43.58% of the revenue from this rate. The rate to be known as the "Residential Rate B".
- (iv) A Residential Rate of point three three two nine five two three cents (0.3329523c) in the dollar on the Rateable Land Value of all rateable land in the town of Yamba categorised as Residential, sub-category "C", with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 32.38% of the revenue from this rate. The rate to be known as the "Residential Rate C".
- (v) A Residential Rate of point eight two three one two one seven cents (0.8231217c) in the dollar on the Rateable Land Value of rateable land in the city of Grafton and village of Junction Hill categorised as Residential, sub-category "E" with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 36.58% of the revenue from this rate. The rate to be known as the "Residential Rate E".
- (vi) A Business Rate of point six one one four zero three cents (0.611403c) in the dollar on the Rateable Land value of all rateable land with a Base Amount of Five Hundred and Twelve Dollars (\$512.00) for all land categorised as Business. The revenue from the base amount to be approximately 28.43% of the revenue from this rate. The rate to be known as the "Business Rate".
- (vii) A Business Rate of point seven five four eight one cents (0.75481c) in the dollar on the Rateable Land Value of all rateable land in the Maclean CBD categorised as Business, sub-category "B" with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 18.66% of the revenue from this rate. The Rate to be known as the "Business B–Maclean CBD". A map showing this CBD boundary is found in Attachment A.
- (viii) A Business Rate of point seven five four eight one cents (0.75481c) in the dollar on the Rateable Land Value of all rateable land in the Maclean/Townsend area other than the Maclean CBD area, categorised as Business, sub-category "B" with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 18.66% of the revenue from this rate. The Rate to be known as the "Business B

- Maclean/Townsend Other Business”. A map showing this CBD boundary is found in Attachment A.
- (ix) A Business Rate of point six one eight five six four cents (0.618564c) in the dollar on the Rateable Land Value of all rateable land in the Iluka Industrial area categorised as Business, sub-category “C” with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 16.74% of the revenue from this rate. The rate to be known as the “Business Rate C – Iluka Industrial”. A map showing this CBD boundary is found in Attachment A.
 - (x) A Business Rate of point six one eight five six four cents (0.618564c) in the dollar on the Rateable Land Value of all rateable land in the town of Iluka other than the Iluka Industrial area, categorised as Business, sub-category “C” with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 16.74% of the revenue from this rate. The rate to be known as the “Business Rate C – Iluka Other Business”. A map showing this CBD boundary is found in Attachment A.
 - (xi) A Business Rate of point five nine zero zero seven six cents (0.590076c) in the dollar on the Rateable Land Value of all rateable land in the Yamba CBD (including the Treelands Drive business area) categorised as Business, sub-category “D” with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from this base amount to be approximately 16.65% of the revenue from this rate. This rate to be known as “Business Rate D – Yamba CBD”. A map showing this CBD boundary is found in Attachment A.
 - (xii) A Business Rate of point five nine zero zero seven six cents (0.590076c) in the dollar on the Rateable Land Value of all rateable land in the town of Yamba other than the Yamba CBD categorised as Business, sub-category “D” with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from this base amount to be approximately 16.65% of the revenue from this rate. This rate to be known as “Business Rate D – Yamba Other Business”. A map showing this CBD boundary is found in Attachment A.
 - (xiii) A Business Rate of two point one one four zero three one cents (2.114031c) in the dollar on the Rateable Land Value of all rateable land in the Grafton and South Grafton CBD, categorised as Business, sub-category “E” with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 8.54% of the revenue from this rate. The rate to be known as “Business Rate E – Grafton & South Grafton CBD”. A map showing this CBD boundary is found in Attachment A.
 - (xiv) A Business Rate of one point three one zero three one two cents (1.310312c) in the dollar on the Rateable Land Value of all rateable land in the areas of Junction Hill, Trenayr and Koolkhan and the city of Grafton other than the Grafton and South Grafton CBD, categorised as Business, sub-category “F” with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 18.46% of the revenue from this rate. The rate to be known as “Business Rate F – Grafton & South Grafton Other Business”. A map showing the Junction Hill, Trenayr and Koolkhan boundary found in Attachment A
 - (xv) A Business Rate of point five zero eight zero nine two five cents (0.5080925c) in the dollar on the Rateable Land Value of all rateable land categorised as Business where the parcel of rateable land is rated separately and determined as a jetty or pontoon. The minimum/base amount will not apply to this category. The rate is to be known as “Business-Jetties”.
 - (xvi) A Farmland Rate of point two nine three zero three zero one cents (0.2930301c) in the dollar on the Rateable Land Value of all rateable land categorised as Farmland with a Base amount of Three Hundred and Thirty Dollars (\$330.00). The revenue from the base amount to be approximately 19.43% of the revenue from this rate. The rate to be known as Farmland.

2. Sewer Availability Charges (Section 501)

- (i) A Special Charge for all land categorised “Residential” and rateable to a sewerage system, the charge being One Thousand Two Hundred and Eighteen Dollars (\$1,218.00) per land parcel excepting any parcel in respect of land not built upon and not connected to the Council sewerage system in which case the charge shall be Seven Hundred and Four Dollars (\$704.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (ii) A Special Charge for all land parcels categorised “Residential” which have additional connections to a premise which can be subject to separate and permanent occupation. The charge to be calculated by multiplying the occupied charge in Item 2(i) (\$1,218.00) by the number of additional premises in excess of one (1) which can be occupied separately and on a permanent basis.

- (iii) A Special Charge for all land categorised “Residential” and connected to a pressure sewerage system, the charge being One Thousand One hundred and Ninety Three Dollars (\$1,193.00) per land parcel excepting any parcel in respect of land not built upon and not connected to the Council sewerage system in which case the charge shall be Seven Hundred and Four Dollars (\$704.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (iv) A Special Sewer access charge based on water meter size for all land parcels categorised “Business” (i.e. Non-Residential) and connected to a sewerage system prior to 1 July 2021. The charges to be as follows;
- a. A charge of \$704.00 for a 20mm service.
 - b. A charge of \$1,100.00 for a 25mm service.
 - c. A charge of \$1,802.00 for a 32mm service.
 - d. A charge of \$2,816.00 for a 40mm service.
 - e. A charge of \$4,400.00 for a 50mm service.
 - f. A charge of \$11,264.00 for an 80mm service.
 - g. A charge of \$17,600.00 for a 100mm service.
 - h. A charge of \$39,600.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Four Dollars (\$704.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (v) A Special Sewer access charge based on water meter size for all land parcels categorised “Business” (i.e. Non-Residential) that are connected to a pressure sewerage system prior to 1 July 2021. The charges to be as follows;
- a. A charge of \$679.00 for a 20mm service.
 - b. A charge of \$1,075.00 for a 25mm service.
 - c. A charge of \$1,777.00 for a 32mm service.
 - d. A charge of \$2,791.00 for a 40mm service.
 - e. A charge of \$4,375.00 for a 50mm service.
 - f. A charge of \$11,239.00 for an 80mm service.
 - g. A charge of \$17,575.00 for a 100mm service.
 - h. A charge of \$39,575.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Four Dollars (\$704.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (vi) Non-rateable residential properties (under Section 555 of the Local Government Act, 1993) within the Sewerage Access area and connected to the Council sewerage system will be charged the “Residential Sewer Connection Charge” and if the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge (\$1,218.00) by the number of additional premises in excess of one (1) which can be occupied separately and on a permanent basis.
- (vii) Non-rateable residential properties (under Section 555 of the Local Government Act, 1993) that are connected to a pressure sewerage system prior to 1 July 2021 will be charged \$25 less than the “Residential Sewer Connection Charge” and if the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge (\$1,193.00) by the number of additional premises in excess of one (1) which can be occupied separately and on a permanent basis.
- (viii) A Special Sewer access charge based on water meter size for all land parcels categorised “Non Rateable” and excluding non-rateable residential properties, connected to a sewerage system prior to 1 July 2021. The charges to be as follows;
- a. A charge of \$704.00 for a 20mm service.
 - b. A charge of \$1,100.00 for a 25mm service.
 - c. A charge of \$1,802.00 for a 32mm service.
 - d. A charge of \$2,816.00 for a 40mm service.
 - e. A charge of \$4,400.00 for a 50mm service.
 - f. A charge of \$11,264.00 for an 80mm service.
 - g. A charge of \$17,600.00 for a 100mm service.
 - h. A charge of \$39,600.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Four Dollars (\$704.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (ix) A Special Sewer access charge based on water meter size for all land parcels categorised “Non Rateable” and excluding non-rateable residential properties that are connected to a pressure sewerage system prior to 1 July 2021. The charges to be as follows;

- a. A charge of \$679.00 for a 20mm service.
- b. A charge of \$1,075.00 for a 25mm service.
- c. A charge of \$1,777.00 for a 32mm service.
- d. A charge of \$2,791.00 for a 40mm service.
- e. A charge of \$4,375.00 for a 50mm service.
- f. A charge of \$11,239.00 for an 80mm service.
- g. A charge of \$17,575.00 for a 100mm service.
- h. A charge of \$39,575.00 for a 150mm service.

excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Four Dollars (\$704.00) to be known as the "Clarence Valley Council Sewerage Charge".

- (x) A meter installed as a fire service to a property is exempt from availability charges.
- (xi) Onsite Sewerage Management Charge
A Special Charge for all occupied land parcels not receiving a Sewerage service. The charge to be Forty-Four Dollars (\$44.00) for each rateable parcel. The charge to be known as "Residential Onsite Wastewater Management Charge".
- (xii) Backflow Prevention Device Annual Charge
An annual charge of \$62.00 for all properties that have containment backflow prevention devices that are required to be annually tested and certified in accordance with Council's Backflow prevention and cross connection control policy. The charge to be known as "Non Residential Backflow Prevention Device Charge"

3. Sewer Consumption Charges (Section 502)

- (i) A Consumption Charge of Three Dollars and Sixty Nine Cents (\$3.69) per kilolitre will be charged on all Non-Residential and Non-Rateable properties. The charge for Non-Residential properties will be based on water consumption of the previous trimester and affected by a Sewerage Discharge Apportionment Factor. The non-residential sewer charge is the sum of the access charge and the generation charge, with a minimum charge of the residential charge (\$1,218.00 in 2022/23). This charge to be known as the "Sewerage Consumption Charge".
- (ii) The Non-Residential High Consumption Sewerage Generation Charge (for development approved after 1 July 2021) for sewerage generation above 0.74kl/day per billing period in the Grafton, Junction Hill & Coutts Crossing locality be charged a rate of \$5.72/kl.
- (iii) The Non-Residential High Consumption Sewerage Generation (for development approved after 1 July 2021) for sewerage generation above 0.74kl/day per billing period in the Maclean, Townsend, Illarwill, Lawrence, Iluka and Yamba localities be charged a rate of \$7.32/kl

4. Waste Disposal Charges (Section 496 & Section 501)

- (i) Domestic Waste Charge (Excluding Green Waste -2 Bin Service)
An annual charge of Three Hundred and Eight Dollars (\$308.00) per service, for the collection, disposal, recycling and management of Domestic Waste generated on all residential properties including premises which can be subject to separate occupation, receiving or situated in a location where the collection service is available. This charge to be known as "Domestic Waste 2 Bin"
- (ii) Domestic Waste Charge (Including Green Waste - 3 Bin Service)
An annual charge of Three Hundred and Seventy-Five Dollars (\$375.00) per service, for the collection, disposal, recycling and management of waste generated on all residential properties, including premises which can be subject to separate occupation, receiving or situated in a location where the collection service is available. This charge to be known as "Domestic Waste 3 Bin".
- (iii) Non-Residential Waste Charge (Excluding Green Waste – 2Bin Service)
An Annual Charge of Three hundred and Eight Dollars (\$308.00) per service, for the collection, disposal, recycling and management of waste generated on property categorised "Business" receiving a service similar to that provided in (4.i).
- (iv) Non-Residential Waste Charge (Including Green Waste – 3 Bin Service)
An Annual Charge of Three Hundred and Seventy Five Dollars (\$375.00) per service, for the collection, disposal, recycling and management of waste generated on property categorised "Business" receiving a service similar to that provided in (4.ii).
- (v) Domestic Waste Charge (Additional Red Bin service)
An annual charge of Two Hundred Dollars (\$200.00) per additional red bin supplied to a property receiving a 2 Bin or 3 Bin Service but requiring an additional red bin. This charge to be known as "Domestic Waste Additional Red Bin".

- (vi) Domestic Waste Charge (Additional Yellow Bin service)
An annual charge of One hundred and Ten Dollars (\$110.00) per additional yellow bin supplied to a property receiving a 2 Bin or 3 Bin Service but requiring an additional yellow bin. This charge to be known as "Domestic Waste Additional Yellow Bin".
- (vii) Domestic Waste Charge (Additional Green Bin service)
An annual charge of One Hundred and Thirty Five Dollars (\$135.00) per additional green bin supplied to a property receiving a 3 Bin Service but requiring an additional green bin. This charge to be known as "Domestic Waste Additional Green Bin".
- (viii) Domestic Waste Charge – Vacant
An annual charge of Thirty Five Dollars (\$35.00) for all parcels of rateable vacant property which would receive a collection service when becoming occupied or located were the service is available. This charge to be known as "Domestic Waste Vacant".
- (ix) Waste Management levy
An annual charge of Sixty Seven Dollars (\$67.00) for all rateable properties in the Clarence Valley Council area. This charge to be known as "Waste Management Levy".

5. Water Availability Charges (Section 501)

- (i) An annual charge of \$177.00 for all unconnected land which is situated within 225 metres of a Council water main and can be connected to the water main.
- (ii) An annual charge of \$130.00 for all land which has a 20mm connection to the water main.
- (iii) An annual charge of \$203.00 for all land which has a 25mm connection to the water main.
- (iv) An annual charge of \$333.00 for all land which has a 32mm connection to the water main.
- (v) An annual charge of \$520.00 for all land which has a 40mm connection to the water main.
- (vi) An annual charge of \$813.00 for all land which has a 50mm connection to the water main.
- (vii) An annual charge of \$2,080.00 for all land which has an 80mm connection to the water main.
- (viii) An annual charge of \$3,250.00 for all land which has a 100mm connection to the water main.
- (ix) An annual charge of \$7,313.00 for al land which has a 150mm connection to the water main.
- (x) An annual charge of \$65.00 for all land provided with untreated (Raw) water with a 20mm connection to the water main.
- (xi) An annual charge of \$101.50 for all land provided with untreated (Raw) water with a 25mm connection to the water main.

6. Water Consumption Charges (Section 502)

A Water Consumption charge of Two Dollars and Sixty-Five Cents (\$2.65) per kilolitre for all residential properties, applying to the daily average water consumption below 1.233kL/day per billing period.

A Water Consumption charge of Three Dollars and Ninety Eight Cents (\$3.98) for all residential properties with a water consumption category of residential applying to any daily average water consumption exceeding 1.233 kl per day, per billing period.

A Water Consumption charge of Two Dollars and Sixty Five Cents (\$2.65) per kilolitre for all non-residential properties. This charge to be known as the "Water Usage Non-Residential".

A Water Consumption charge of Ten Dollars and Sixty Cents (\$10.60) per kilolitre for all water usage registered on a meter installed as a fire service to the property where the consumption has been for purposes other than for fire service purposes as a disincentive for using the service for incorrect purposes. This charge to be knows as the "Water Usage Fire Service".

A Water Consumption charge of One Dollar and Thirty Three Cents (\$1.33) per kilolitre for all properties connected to Untreated (Raw) Water. This charge to be known as the "Water Usage Untreated (Raw) Water".

A Non-Residential High Consumption charge (for Development approved after 1 July 2021) for average daily water consumption above 1.233kl/day per billing period of Three Dollars and Fifty Five Cents (\$3.55) per kilolitre. This charge to be known as the "Non Residential High Consumption".

7. Interest on overdue rates

That the interest rate on overdue amounts applicable to outstanding rates and charges for 2022/2023 be the maximum rate of 6% for the period 1 July 2022 – 30 June 2023 as set by the Independent Pricing and Regulatory Tribunal (IPART) accruing on a daily basis.

8. Small Balance Rates & Charges write off

That in accordance with Clause 131 of the Local Government (General) Regulations 2005 the General Manager be authorised to approve the write off of small rate balances up to a maximum of \$3.00 per assessment at the conclusion of the rating year.

COUNCIL RESOLUTION - 07.22.126**Whaites/Toms**

That Council in accordance with the provisions of Sections 493, 494, 496, 501, 502, 503, 542, 552 and 553 of the Local Government Act of 1993 (NSW) make and levy the following Rates and Charges for the year commencing 1 July 2022 and ending 30 June 2023.

1. Ordinary Rates (Section 494)

- (i) A Residential Rate of point five eight seven seven six zero seven cents (0.5877607c) in the dollar on the Rateable Land Value of all rateable land categorised as Residential with a minimum rate of Six Hundred and Seventy-Six Dollars (\$676.00), in respect of any separate parcel of rateable land. Land that has been identified as "Residential-Flood Prone Land" the minimum rate/base amount will not apply. The Rate to be known as the "Residential Rate".
- (ii) A Residential Rate of point three eight zero six zero seven four cents (0.3806074c) in the dollar on the Rateable Land Value of all rateable land in the coastal villages of Angourie, Brooms Head, Diggers Camp, Iluka, Minnie Water, Sandon River, Wooli and Wooloweyah categorised as Residential, sub-category "A", with a minimum rate of Six Hundred and Seventy-Six Dollars (\$676.00). The rate to be known as the Residential Rate "A".
- (iii) A Residential Rate of point four five seven six four zero five cents (0.4576405c) in the dollar on the Rateable Land Value of all rateable land within the towns of Maclean and Townsend categorised as Residential, sub-category "B", with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 43.58% of the revenue from this rate. The rate to be known as the "Residential Rate B".
- (iv) A Residential Rate of point three three two nine five two three cents (0.3329523c) in the dollar on the Rateable Land Value of all rateable land in the town of Yamba categorised as Residential, sub-category "C", with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 32.38% of the revenue from this rate. The rate to be known as the "Residential Rate C".
- (v) A Residential Rate of point eight two three one two one seven cents (0.8231217c) in the dollar on the Rateable Land Value of rateable land in the city of Grafton and village of Junction Hill categorised as Residential, sub-category "E" with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 36.58% of the revenue from this rate. The rate to be known as the "Residential Rate E".
- (vi) A Business Rate of point six one one four zero three cents (0.611403c) in the dollar on the Rateable Land value of all rateable land with a Base Amount of Five Hundred and Twelve Dollars (\$512.00) for all land categorised as Business. The revenue from the base amount to be approximately 28.43% of the revenue from this rate. The rate to be known as the "Business Rate".
- (vii) A Business Rate of point seven five four eight one cents (0.75481c) in the dollar on the Rateable Land Value of all rateable land in the Maclean CBD categorised as Business, sub-category "B" with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 18.66% of the revenue from this rate. The Rate to be known as the "Business B-Maclean CBD". A map showing this CBD boundary is found in Attachment A.
- (viii) A Business Rate of point seven five four eight one cents (0.75481c) in the dollar on the Rateable Land Value of all rateable land in the Maclean/Townsend area other than the Maclean CBD area, categorised as Business, sub-category "B" with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 18.66% of the revenue from this rate. The Rate to be known as the "Business B – Maclean/Townsend Other Business". A map showing this CBD boundary is found in Attachment A.
- (ix) A Business Rate of point six one eight five six four cents (0.618564c) in the dollar on the Rateable Land Value of all rateable land in the Iluka Industrial area categorised as Business, sub-category "C" with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 16.74% of the revenue from this rate. The rate to be known as the "Business Rate C – Iluka Industrial". A map showing this CBD boundary is found in Attachment A.

- (x) A Business Rate of point six one eight five six four cents (0.618564c) in the dollar on the Rateable Land Value of all rateable land in the town of Iluka other than the Iluka Industrial area, categorised as Business, sub-category "C" with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 16.74% of the revenue from this rate. The rate to be known as the "Business Rate C – Iluka Other Business". A map showing this CBD boundary is found in Attachment A.
- (xi) A Business Rate of point five nine zero zero seven six cents (0.590076c) in the dollar on the Rateable Land Value of all rateable land in the Yamba CBD (including the Treelands Drive business area) categorised as Business, sub-category "D" with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from this base amount to be approximately 16.65% of the revenue from this rate. This rate to be known as "Business Rate D – Yamba CBD". A map showing this CBD boundary is found in Attachment A.
- (xii) A Business Rate of point five nine zero zero seven six cents (0.590076c) in the dollar on the Rateable Land Value of all rateable land in the town of Yamba other than the Yamba CBD categorised as Business, sub-category "D" with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from this base amount to be approximately 16.65% of the revenue from this rate. This rate to be known as "Business Rate D – Yamba Other Business". A map showing this CBD boundary is found in Attachment A.
- (xiii) A Business Rate of two point one one four zero three one cents (2.114031c) in the dollar on the Rateable Land Value of all rateable land in the Grafton and South Grafton CBD, categorised as Business, sub-category "E" with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 8.54% of the revenue from this rate. The rate to be known as "Business Rate E – Grafton & South Grafton CBD". A map showing this CBD boundary is found in Attachment A.
- (xiv) A Business Rate of one point three one zero three one two cents (1.310312c) in the dollar on the Rateable Land Value of all rateable land in the areas of Junction Hill, Trenayr and Koolkhan and the city of Grafton other than the Grafton and South Grafton CBD, categorised as Business, sub-category "F" with a Base Amount of Five Hundred and Twelve Dollars (\$512.00). The revenue from the base amount to be approximately 18.46% of the revenue from this rate. The rate to be known as "Business Rate F – Grafton & South Grafton Other Business". A map showing the Junction Hill, Trenayr and Koolkhan boundary found in Attachment A
- (xv) A Business Rate of point five zero eight zero nine two five cents (0.5080925c) in the dollar on the Rateable Land Value of all rateable land categorised as Business where the parcel of rateable land is rated separately and determined as a jetty or pontoon. The minimum/base amount will not apply to this category. The rate is to be known as "Business-Jetties".
- (xvi) A Farmland Rate of point two nine three zero three zero one cents (0.2930301c) in the dollar on the Rateable Land Value of all rateable land categorised as Farmland with a Base amount of Three Hundred and Thirty Dollars (\$330.00). The revenue from the base amount to be approximately 19.43% of the revenue from this rate. The rate to be known as Farmland.

2. Sewer Availability Charges (Section 501)

- (i) A Special Charge for all land categorised "Residential" and rateable to a sewerage system, the charge being One Thousand Two Hundred and Eighteen Dollars (\$1,218.00) per land parcel excepting any parcel in respect of land not built upon and not connected to the Council sewerage system in which case the charge shall be Seven Hundred and Four Dollars (\$704.00) to be known as the "Clarence Valley Council Sewerage Charge".
- (ii) A Special Charge for all land parcels categorised "Residential" which have additional connections to a premise which can be subject to separate and permanent occupation. The charge to be calculated by multiplying the occupied charge in Item 2(i) (\$1,218.00) by the number of additional premises in excess of one (1) which can be occupied separately and on a permanent basis.
- (iii) A Special Charge for all land categorised "Residential" and connected to a pressure sewerage system, the charge being One Thousand One hundred and Ninety Three Dollars (\$1,193.00) per land parcel excepting any parcel in respect of land not built upon and not connected to the Council sewerage system in which case the charge shall be Seven Hundred and Four Dollars (\$704.00) to be known as the "Clarence Valley Council Sewerage Charge".

- (iv) A Special Sewer access charge based on water meter size for all land parcels categorised “Business” (i.e. Non-Residential) and connected to a sewerage system prior to 1 July 2021. The charges to be as follows;
- a. A charge of \$704.00 for a 20mm service.
 - b. A charge of \$1,100.00 for a 25mm service.
 - c. A charge of \$1,802.00 for a 32mm service.
 - d. A charge of \$2,816.00 for a 40mm service.
 - e. A charge of \$4,400.00 for a 50mm service.
 - f. A charge of \$11,264.00 for an 80mm service.
 - g. A charge of \$17,600.00 for a 100mm service.
 - h. A charge of \$39,600.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Four Dollars (\$704.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (v) A Special Sewer access charge based on water meter size for all land parcels categorised “Business” (i.e. Non-Residential) that are connected to a pressure sewerage system prior to 1 July 2021. The charges to be as follows;
- a. A charge of \$679.00 for a 20mm service.
 - b. A charge of \$1,075.00 for a 25mm service.
 - c. A charge of \$1,777.00 for a 32mm service.
 - d. A charge of \$2,791.00 for a 40mm service.
 - e. A charge of \$4,375.00 for a 50mm service.
 - f. A charge of \$11,239.00 for an 80mm service.
 - g. A charge of \$17,575.00 for a 100mm service.
 - h. A charge of \$39,575.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Four Dollars (\$704.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (vi) Non-rateable residential properties (under Section 555 of the Local Government Act, 1993) within the Sewerage Access area and connected to the Council sewerage system will be charged the “Residential Sewer Connection Charge” and if the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge (\$1,218.00) by the number of additional premises in excess of one (1) which can be occupied separately and on a permanent basis.
- (vii) Non-rateable residential properties (under Section 555 of the Local Government Act, 1993) that are connected to a pressure sewerage system prior to 1 July 2021 will be charged \$25 less than the “Residential Sewer Connection Charge” and if the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge (\$1,193.00) by the number of additional premises in excess of one (1) which can be occupied separately and on a permanent basis.
- (viii) A Special Sewer access charge based on water meter size for all land parcels categorised “Non Rateable” and excluding non-rateable residential properties, connected to a sewerage system prior to 1 July 2021. The charges to be as follows;
- a. A charge of \$704.00 for a 20mm service.
 - b. A charge of \$1,100.00 for a 25mm service.
 - c. A charge of \$1,802.00 for a 32mm service.
 - d. A charge of \$2,816.00 for a 40mm service.
 - e. A charge of \$4,400.00 for a 50mm service.
 - f. A charge of \$11,264.00 for an 80mm service.
 - g. A charge of \$17,600.00 for a 100mm service.
 - h. A charge of \$39,600.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Four Dollars (\$704.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (ix) A Special Sewer access charge based on water meter size for all land parcels categorised “Non Rateable” and excluding non-rateable residential properties that are connected to a pressure sewerage system prior to 1 July 2021. The charges to be as follows;
- a. A charge of \$679.00 for a 20mm service.
 - b. A charge of \$1,075.00 for a 25mm service.

- c. A charge of \$1,777.00 for a 32mm service.
- d. A charge of \$2,791.00 for a 40mm service.
- e. A charge of \$4,375.00 for a 50mm service.
- f. A charge of \$11,239.00 for an 80mm service.
- g. A charge of \$17,575.00 for a 100mm service.
- h. A charge of \$39,575.00 for a 150mm service.

excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Four Dollars (\$704.00) to be known as the "Clarence Valley Council Sewerage Charge".

- (x) A meter installed as a fire service to a property is exempt from availability charges.
- (xi) **Onsite Sewerage Management Charge**
A Special Charge for all occupied land parcels not receiving a Sewerage service. The charge to be Forty-Four Dollars (\$44.00) for each rateable parcel. The charge to be known as "Residential Onsite Wastewater Management Charge".
- (xii) **Backflow Prevention Device Annual Charge**
An annual charge of \$62.00 for all properties that have containment backflow prevention devices that are required to be annually tested and certified in accordance with Council's Backflow prevention and cross connection control policy. The charge to be known as "Non Residential Backflow Prevention Device Charge"

3. Sewer Consumption Charges (Section 502)

- (i) A Consumption Charge of Three Dollars and Sixty Nine Cents (\$3.69) per kilolitre will be charged on all Non-Residential and Non-Rateable properties. The charge for Non-Residential properties will be based on water consumption of the previous trimester and affected by a Sewerage Discharge Apportionment Factor. The non-residential sewer charge is the sum of the access charge and the generation charge, with a minimum charge of the residential charge (\$1,218.00 in 2022/23). This charge to be known as the "Sewerage Consumption Charge".
- (ii) The Non-Residential High Consumption Sewerage Generation Charge (for development approved after 1 July 2021) for sewerage generation above 0.74kl/day per billing period in the Grafton, Junction Hill & Coutts Crossing locality be charged a rate of \$5.72/kl.
- (iii) The Non-Residential High Consumption Sewerage Generation (for development approved after 1 July 2021) for sewerage generation above 0.74kl/day per billing period in the Maclean, Townsend, Illarwill, Lawrence, Iluka and Yamba localities be charged a rate of \$7.32/kl

4. Waste Disposal Charges (Section 496 & Section 501)

- (i) **Domestic Waste Charge (Excluding Green Waste -2 Bin Service)**
An annual charge of Three Hundred and Eight Dollars (\$308.00) per service, for the collection, disposal, recycling and management of Domestic Waste generated on all residential properties including premises which can be subject to separate occupation, receiving or situated in a location where the collection service is available. This charge to be known as "Domestic Waste 2 Bin"
- (ii) **Domestic Waste Charge (Including Green Waste - 3 Bin Service)**
An annual charge of Three Hundred and Seventy-Five Dollars (\$375.00) per service, for the collection, disposal, recycling and management of waste generated on all residential properties, including premises which can be subject to separate occupation, receiving or situated in a location where the collection service is available. This charge to be known as "Domestic Waste 3 Bin".
- (iii) **Non-Residential Waste Charge (Excluding Green Waste – 2Bin Service)**
An Annual Charge of Three hundred and Eight Dollars (\$308.00) per service, for the collection, disposal, recycling and management of waste generated on property categorised "Business" receiving a service similar to that provided in (4.i).
- (iv) **Non-Residential Waste Charge (Including Green Waste – 3 Bin Service)**
An Annual Charge of Three Hundred and Seventy Five Dollars (\$375.00) per service, for the collection, disposal, recycling and management of waste generated on property categorised "Business" receiving a service similar to that provided in (4.ii).
- (v) **Domestic Waste Charge (Additional Red Bin service)**
An annual charge of Two Hundred Dollars (\$200.00) per additional red bin supplied to a property receiving a 2 Bin or 3 Bin Service but requiring an additional red bin. This charge to be known as "Domestic Waste Additional Red Bin".
- (vi) **Domestic Waste Charge (Additional Yellow Bin service)**

An annual charge of One hundred and Ten Dollars (\$110.00) per additional yellow bin supplied to a property receiving a 2 Bin or 3 Bin Service but requiring an additional yellow bin. This charge to be known as “Domestic Waste Additional Yellow Bin”.

(vii) Domestic Waste Charge (Additional Green Bin service)

An annual charge of One Hundred and Thirty Five Dollars (\$135.00) per additional green bin supplied to a property receiving a 3 Bin Service but requiring an additional green bin. This charge to be known as “Domestic Waste Additional Green Bin”.

(viii) Domestic Waste Charge – Vacant

An annual charge of Thirty Five Dollars (\$35.00) for all parcels of rateable vacant property which would receive a collection service when becoming occupied or located where the service is available. This charge to be known as “Domestic Waste Vacant”.

(ix) Waste Management levy

An annual charge of Sixty Seven Dollars (\$67.00) for all rateable properties in the Clarence Valley Council area. This charge to be known as “Waste Management Levy”.

5. Water Availability Charges (Section 501)

- (i)** An annual charge of \$177.00 for all unconnected land which is situated within 225 metres of a Council water main and can be connected to the water main.
- (ii)** An annual charge of \$130.00 for all land which has a 20mm connection to the water main.
- (iii)** An annual charge of \$203.00 for all land which has a 25mm connection to the water main.
- (iv)** An annual charge of \$333.00 for all land which has a 32mm connection to the water main.
- (v)** An annual charge of \$520.00 for all land which has a 40mm connection to the water main.
- (vi)** An annual charge of \$813.00 for all land which has a 50mm connection to the water main.
- (vii)** An annual charge of \$2,080.00 for all land which has an 80mm connection to the water main.
- (viii)** An annual charge of \$3,250.00 for all land which has a 100mm connection to the water main.
- (ix)** An annual charge of \$7,313.00 for all land which has a 150mm connection to the water main.
- (x)** An annual charge of \$65.00 for all land provided with untreated (Raw) water with a 20mm connection to the water main.
- (xi)** An annual charge of \$101.50 for all land provided with untreated (Raw) water with a 25mm connection to the water main.

6. Water Consumption Charges (Section 502)

A Water Consumption charge of Two Dollars and Sixty-Five Cents (\$2.65) per kilolitre for all residential properties, applying to the daily average water consumption below 1.233kL/day per billing period.

A Water Consumption charge of Three Dollars and Ninety Eight Cents (\$3.98) for all residential properties with a water consumption category of residential applying to any daily average water consumption exceeding 1.233 kl per day, per billing period.

A Water Consumption charge of Two Dollars and Sixty Five Cents (\$2.65) per kilolitre for all non-residential properties. This charge to be known as the “Water Usage Non-Residential”.

A Water Consumption charge of Ten Dollars and Sixty Cents (\$10.60) per kilolitre for all water usage registered on a meter installed as a fire service to the property where the consumption has been for purposes other than for fire service purposes as a disincentive for using the service for incorrect purposes. This charge to be known as the “Water Usage Fire Service”.

A Water Consumption charge of One Dollar and Thirty Three Cents (\$1.33) per kilolitre for all properties connected to Untreated (Raw) Water. This charge to be known as the “Water Usage Untreated (Raw) Water”.

A Non-Residential High Consumption charge (for Development approved after 1 July 2021) for average daily water consumption above 1.233kl/day per billing period of Three Dollars and Fifty Five Cents (\$3.55) per kilolitre. This charge to be known as the “Non Residential High Consumption”.

7. Interest on overdue rates

That the interest rate on overdue amounts applicable to outstanding rates and charges for 2022/2023 be the maximum rate of 6% for the period 1 July 2022 – 30 June 2023 as set by the Independent Pricing and Regulatory Tribunal (IPART) accruing on a daily basis.

8. Small Balance Rates & Charges write off

That in accordance with Clause 131 of the Local Government (General) Regulations 2005 the General Manager be authorised to approve the write off of small rate balances up to a maximum of \$3.00 per assessment at the conclusion of the rating year.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.127 RATES BAD/DOUBTFUL DEBTS REVIEW AND WRITE OFF

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Revenue Coordinator, Paula Krahe	
Attachments	Nil	

SUMMARY

This report presents to Council an outstanding Rate account that is recommended to be written off.

OFFICER RECOMMENDATION

That the outstanding rates debt on PN 122300, totalling \$811.67 as at 30 June 2022 be written off as a bad debt unable to be recovered.

COUNCIL RESOLUTION - 07.22.127**Whaites/Toms**

That the outstanding rates debt on PN 122300, totalling \$811.67 as at 30 June 2022 be written off as a bad debt unable to be recovered.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.128 RFT22-010 RIVER ST COMMUNITY PRECINCT MACLEAN PHASE 1 RE-TENDER

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Manager Cultural, Community & Industry, Justin Putze	
Attachments	A. Maclean RFT22-010 Tender Recommendation Report (Confidential)	

SUMMARY

A selective tender process has been completed for the detailed design of the River Street Community Precinct Maclean Phase 1. The tender period opened on 28 March 2022 and closed on 20 April 2022 with four complying tenders received. The Tender Evaluation Panel considers, having regard to all circumstances, that the tendered fees from Nimbus Architecture and Heritage represent the most advantageous tender and best return for Council and recommends that this tender be accepted.

OFFICER RECOMMENDATION

That Council

1. In accordance with the Local Government (General) Regulation 2021 Section 178 (1)(a), accepts the tender and awards the contract to Nimbus Architecture and Heritage (ABN 71 609 346 965) for RFT22/010 River Street Community Precinct Maclean Phase 1 – for the total amount of \$871,291.47 (GST inclusive) to be funded from PJ 530130.
2. Authorises the Acting General Manager to sign the contract documents.

COUNCIL RESOLUTION - 07.22.128

Whaites/Toms

That Council

1. In accordance with the Local Government (General) Regulation 2021 Section 178 (1)(a), accepts the tender and awards the contract to Nimbus Architecture and Heritage (ABN 71 609 346 965) for RFT22/010 River Street Community Precinct Maclean Phase 1 – for the total amount of \$871,291.47 (GST inclusive) to be funded from PJ 530130.
2. Authorises the Acting General Manager to sign the contract documents.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.129 MACLEAN COMMUNITY PRECINCT PROJECT UPDATE

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Manager Cultural, Community & Industry, Justin Putze	
Attachments	A. Phase 1 Concept Design ⇨	

SUMMARY

This report provides a project update for the Maclean Community Precinct phase 1 and seeks Council's consideration of endorsing Option C as the preferred option and allocating available funds toward the project and further to commence stakeholder engagement.

OFFICER RECOMMENDATION

That Council:

1. Endorse Option C as the preferred option for construction of phase 1 and in doing so acknowledge the project hereon as the 'Clarence Valley Cultural and Community Precinct' given the LGA wide benefits.
2. Allocate the following funds to implementation of Option C as detailed in the body of the report:
 - a. Bushfire Local Economic Recovery Fund - \$4,997,000
 - b. Local Road and Community Infrastructure Program - \$3,000,000
 - c. Clarence Care and Support surplus funds - \$2,700,000
 - d. Proceeds of the sale of 2 Short Street - \$600,000
 - e. Proceeds from the sale of 4 Short Street - \$760,000
 - f. Maclean & District Improvement Reserve - \$600,000
 - g. Sect 7.11 Developer Contribution funds - \$1,529,000
3. commence stakeholder engagement in relation to Option C.

COUNCIL RESOLUTION - 07.22.129**Day/Toms**

That Council:

1. **Endorse Option C as the preferred option for construction of phase 1 and in doing so acknowledge the project hereon as the 'Clarence Valley Cultural and Community Precinct' given the LGA wide benefits.**
2. **Allocate the following funds to implementation of Option C as detailed in the body of the report:**
 - a. **Bushfire Local Economic Recovery Fund - \$4,997,000**
 - b. **Local Road and Community Infrastructure Program - \$3,000,000**
 - c. **Clarence Care and Support surplus funds - \$2,700,000**
 - d. **Proceeds of the sale of 2 Short Street - \$600,000**
 - e. **Proceeds from the sale of 4 Short Street - \$760,000**
 - f. **Maclean & District Improvement Reserve - \$600,000**
 - g. **Sect 7.11 Developer Contribution funds - \$1,529,000**
3. **Commence stakeholder engagement in relation to Option C.**

Voting recorded as follows

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

Against: Nil

CARRIED

AMENDMENT TO MOTION

Novak/Smith

That Council:

1. Endorse Option C as the preferred option for construction of phase 1 and in doing so acknowledge the project hereon as the 'Clarence Valley Cultural and Community Precinct' given the LGA wide benefits.
2. Allocate the following funds to implementation of Option C as detailed in the body of the report:
 - a. Bushfire Local Economic Recovery Fund - \$4,997,000

-
- b. Local Road and Community Infrastructure Program - \$3,000,000
 - c. Clarence Care and Support surplus funds - \$2,700,000
 - d. Proceeds of the sale of 2 Short Street - \$600,000
 - e. Proceeds from the sale of 4 Short Street - \$760,000
 - f. Maclean & District Improvement Reserve - \$600,000
 - g. Sect 7.11 Developer Contribution funds - \$1,529,000
3. Establish a community stakeholder engagement group in relation to Option C.

Voting recorded as follows

For: Johnstone, Novak, Smith, Whaites

Against: Clancy, Day, Pickering, Tiley, Toms

The Amendment to Motion was put and declared LOST

ITEM 07.22.130 DEVELOPMENT APPLICATION FEE WAIVER REQUEST - CLARENCE FAMILY DAY CARE

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Administration Officer, Christine Bultitude	
Attachments	Nil	

SUMMARY

A request received from Clarence Childhood Services Association (t/a Clarence Family Day Care) is seeking to have application fees waived/reduced for their proposed development of street parking along Hoof Street Grafton.

OFFICER RECOMMENDATION

That Council approve the refund \$937.66 to Clarence Family Day Care for fees paid in accordance with the Donations Policy.

COUNCIL RESOLUTION - 07.22.130**Whaites/Toms**

That Council approve the refund \$937.66 to Clarence Family Day Care for fees paid in accordance with the Donations Policy.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.131 2022/2023 SPECIAL EVENT SPONSORSHIP ROUND 1

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Event Development Officer, Alicia Savelloni	
Attachments	A. 2022/23 Special Event Sponsorship Round 1 Assessment ⇨	

SUMMARY

This report presents a summary of submissions received under Round One of the Special Events Sponsorship 2022/23 program, the criteria applied in the assessment of the applications and recommendations for the allocation of funding.

OFFICER RECOMMENDATION

That Council endorse the recommendations for the provision of funding to applicants as listed in the attached schedule to the value of \$52,000 and authorise the processing of these sponsorships in accord with the adopted Event Sponsorship Policy.

COUNCIL RESOLUTION - 07.22.131**Whaites/Toms**

That Council endorse the recommendations for the provision of funding to applicants as listed in the attached schedule to the value of \$52,000 and authorise the processing of these sponsorships in accord with the adopted Event Sponsorship Policy.

Voting recorded as follows

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

Against: Nil

CARRIED**MOTION**

Toms

[<enter text>]

ITEM 07.22.132 2022/2023 COMMUNITY INITIATIVES PROGRAM - ROUND 1

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Community Projects Officer (Community Grants), Sammy Lovejoy	
Attachments	A. Schedule of Recommendations - 2022/23 CIP_R1 ↔	

SUMMARY

This report summarises the assessment of applications received from community organisations for a donation from Council as part of the 2022/2023 Community Initiatives Program - Round 1.

OFFICER RECOMMENDATION

That Council approve donations under the 2022/2023 Community Initiatives Program – Round 1 to the value of \$60,853.85 in accordance with the recommendations set out in the attached schedule.

COUNCIL RESOLUTION - 07.22.132**Whaites/Toms**

That Council approve donations under the 2022/2023 Community Initiatives Program – Round 1 to the value of \$60,853.85 in accordance with the recommendations set out in the attached schedule.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.133 CLARENCE REGIONAL LIBRARY AGREEMENT 2022

Meeting	Council	28 June 2022
Directorate	Corporate & Governance	
Prepared by	Regional Librarian, Kathryn Breward	
Attachments	A. Clarence Regional Library Agreement 2022 DRAFT ↔	

SUMMARY

This report requests the adoption of the updated Clarence Regional Library (CRL) Service Agreement between Clarence Valley Council and Bellingen Shire Council in place for the next four years.

OFFICER RECOMMENDATION

That Council

1. Endorse the amendments made to the Clarence Regional Library Service Agreement as outlined in the document including this agreement be in place for the next four years – June 2026; and
2. Adopt the updated agreement for signing by the members.

COUNCIL RESOLUTION - 07.22.133

Whaites/Toms

That Council

1. **Endorse the amendments made to the Clarence Regional Library Service Agreement as outlined in the document including this agreement be in place for the next four years – June 2026; and**
2. **Adopt the updated agreement for signing by the members.**

Voting recorded as follows

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

Against: Nil

CARRIED

WORKS & CIVIL**ITEM 07.22.134 SCOPE & DESIGN RUSHFORTH ROAD 32ML REPLACEMENT RESERVOIR**

Meeting	Council	28 June 2022
Directorate	Works & Civil	
Prepared by	Manager Water Cycle, Greg Mashiah	
Attachments	A. Hunter H2O Proposal summary (Confidential)	

SUMMARY

Consultants Hunter H2O (HH2O), which prepared the masterplan for the Rushforth Road Water Treatment Plant site, was requested to provide a project management proposal for preparing tender documentation to enable calling “design and construct” (D&C) tenders for the 32ML replacement reservoir.

The 32ML reservoir replacement and construction of a chlorine contact tank is the first stage of implementing the masterplan. It is proposed that these works be procured via a “Design & Construct” (D&C) tender, and to ensure Council gets the best outcome from the tender process a reference design will need to be prepared for inclusion in the D&C contract documents.

There are two options to prepare the D&C documentation – a single consultant prepares all the documentation including the reference designs, or the documentation and reference design are prepared by different consultants. Proposals have been requested from HH2O for both options due to their familiarity of the site from preparing the master plan.

There are significant project management cost and time savings if HH2O were to undertake both the reference design and preparation of D&C tender documentation. As the engagement value exceeds the amount specified in the Local Government Act for calling of tenders, awarding a single invitation engagement to HH2O needs a Council resolution.

OFFICER RECOMMENDATION

That Council:

- Notes that due to the specific site knowledge Hunter H2O has gained by preparing the Rushforth Road Water Treatment Plant Master Plan and the cost and time savings from a single consultant preparing both the reference design and tender documentation, extenuating circumstances exist under Section 55(i) of the Local Government Act in that a satisfactory result would not be achieved by inviting tenders for undertaking the Reference Design and Project Management Support for the Rushforth Road Water Treatment Plant Reservoir Upgrade.
- Accepts the proposal from Hunter H2O to undertake the Rushforth Road 32ML reservoir replacement Reference Design and Project Management Support in the amount of \$329,048.50 (including GST), to be funded from Financial Project 950571 (Scope & Design Rushforth Road 32ML replacement reservoir).

COUNCIL RESOLUTION - 07.22.134

Whaites/Toms

That Council:

- Notes that due to the specific site knowledge Hunter H2O has gained by preparing the Rushforth Road Water Treatment Plant Master Plan and the cost and time savings from a single consultant preparing both the reference design and tender documentation, extenuating circumstances exist under Section 55(i) of the Local Government Act in that a satisfactory result would not be achieved by inviting tenders for undertaking the Reference Design and Project Management Support for the Rushforth Road Water Treatment Plant Reservoir Upgrade.**
- Accepts the proposal from Hunter H2O to undertake the Rushforth Road 32ML reservoir replacement Reference Design and Project Management Support in the amount of \$329,048.50 (including GST), to be funded from Financial Project 950571 (Scope & Design Rushforth Road 32ML replacement reservoir).**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.135 DRAFT NORTH COAST AND BORDER RIVERS REGIONAL WATER STRATEGIES - COUNCIL SUBMISSIONS

Meeting	Council	28 June 2022
Directorate	Works & Civil	
Prepared by	Manager Water Cycle, Greg Mashiah	
Attachments	<ul style="list-style-type: none"> A. Draft Northern Rivers Regional Water Strategy - Executive Summary ⇨ B. November 2021 submission to draft Borders River Regional Strategy long list ⇨ C. April 2021 Submission to draft Northern Rivers Regional Water Strategy long list ⇨ D. Proposed Submission to draft Northern Rivers Regional Water Strategy short list ⇨ E. Proposed Submission to draft Border Rivers Regional Water Strategy short list ⇨ F. Item 6c.21.044 - 27 April 2021 Council report on draft North Coast Regional Water Strategy ⇨ G. Draft Border Rivers Regional Water Strategy extract ⇨ 	

SUMMARY

The Department of Planning & Environment (DPE) has recently released Draft Regional Water Strategies for the North Coast and Border Rivers for comment. The draft strategies contain a “short list” of option portfolios. Council previously made submissions to the “long list” of options, and it is recommended that Council make submissions to the current draft strategies.

OFFICER RECOMMENDATION

That Council:

1. Notes the draft *North Coast Regional Water Strategy* and the draft *Border Rivers Regional Water Strategy*.
2. Endorses the submissions to the strategies.

COUNCIL RESOLUTION - 07.22.135

Novak/Toms

That Council:

1. Notes the draft *North Coast Regional Water Strategy* and the draft *Border Rivers Regional Water Strategy*.
2. Endorses the submissions to the strategies.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.22.136 LOCAL TRAFFIC COMMITTEE

Meeting	Council	28 June 2022
Directorate	Works & Civil	
Prepared by	Support Officer (Operations), Julie Wilks	
Attachments	A. Item 008/22 - Yamba Cycling Club Season Courses 2022/2023 ⇨ B. Item 008/22 - Event Management Plan ⇨ C. Item 008/22 - Traffic Management Plan Woodford Island 2022 ⇨ D. Item 008/22 - Traffic Management Plan Yamba 2022 ⇨	

SUMMARY

This report details a Local Traffic Committee item- Yamba Cycling Club 2022/2023 season courses. This item was circulated to the Committee via email, outside of normal meeting cycle.

OFFICER RECOMMENDATION

That Council endorse the recommendation of the Local Traffic Committee regarding the proposed Yamba Cycling Club 2022/2023 season courses.

COUNCIL RESOLUTION - 07.22.136**Whaites/Toms**

That Council endorse the recommendation of the Local Traffic Committee regarding the proposed Yamba Cycling Club 2022/2023 season courses.

Voting recorded as follows

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

Against: Nil

CARRIED**7. CONFIDENTIAL BUSINESS****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 4.42pm



clarence
VALLEY COUNCIL

CERTIFICATION OF MINUTES

I certify that the preceding 62 pages are the Minutes of the June meeting of Clarence Valley Council held on 28 June 2022.

Signed by:

Ian Tiley

Mayor / Chairperson