

Ordinary Council Meeting

Business Paper

Maclean - 24 October 2023 - 3:00pm



AGENDA

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- Acknowledgement of Country
- Announcement – Recording of Meeting
- Statement of Ethical Obligations

02 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

03 DISCLOSURES AND DECLARATIONS OF INTEREST

04 CONFIRMATION OF MINUTES

- Ordinary Meeting of Council held 26 September 2023

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06 NOTICE OF MOTIONS

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Nil

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Nil

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Nil

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OFFICE OF THE GENERAL MANAGER

ITEM 07.23.185 COUNCILLOR REPRESENTATIVE FOR THE AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC)

Meeting	Council	24 October 2023
Directorate	General Manager	
Reviewed by	General Manager, Laura Black	
Prepared by	Internal Audit Officer, Kallet Ward	
Attachments	Nil	

SUMMARY

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

OFFICER RECOMMENDATION

That Council appoint a councillor representative as an observer to the Audit, Risk, and Improvement Committee for the term of the council.

LINKAGE TO OUR COMMUNITY PLAN

Theme Leadership

Objective We will have a strong, accountable and representative Government

KEY ISSUES

One of the requirements that the Local Government Regulation prescribes in relation to the membership and operations of councils' audit, risk and improvement committees is:

Councils may appoint one councillor as a non-voting member of its audit risk and improvement committee. Councillors appointed as a non-voting member of an audit, risk and improvement committee must satisfy the following eligibility criteria for councillor members of committees:

- an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- a good understanding of one or more of the following: risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of a councillor member of an audit, risk and improvement committee, and
- preparedness to undertake any training on the operation of audit, risk and improvement committees recommended by the chair based on their assessment of the skills, knowledge and experience of the councillor member.

The mayor cannot be appointed as a councillor member of a council's audit, risk and improvement committee.

BACKGROUND

The Local Government Act (section 428A) requires each council to establish an Audit, Risk and Improvement Committee to continuously review and provide independent advice to the general manager and the governing body of the council on:

- whether the council is complying with all necessary legislation, regulations and other legal requirements
- the adequacy and effectiveness of the council's risk management framework, fraud and corruption prevention activities, financial management processes, and the council's financial position and performance
- the council's governance arrangements
- the achievement by the council of the goals set out in the council's community strategic plan, delivery program, operational plan and other strategies
- how the council delivers local services and how it could improve the performance of its functions more generally
- the collection of performance measurement data by the council, and
- any other matters prescribed by the Local Government Regulation (including internal audit).

The Committee meets four times throughout the year (additional extra-ordinary meetings may be called from time to time) and consists of three independent members (one of which is the chair) and 1 non-voting councillor (optional)

Councillor members of committees act as an important link between the governing body and the committee. Their role is to:

- relay to the committee any concerns the governing body may have regarding the council and issues being considered by the committee
- provide insights into local issues and the strategic priorities of the council that would add value to the committee's consideration of agenda items
- advise the governing body (as necessary) of the work of the committee and any issues arising from it, and
- assist the governing body to review the performance of the committee each council term.

COUNCIL IMPLICATIONS

Budget/Financial

N/A

Asset Management

N/A

Policy and Regulation

Local Government Act and Regulation (section 428A)

Consultation

General Manager, ARIC members

Legal and Risk Management

The primary role of the ARIC is to provide independent assurance to Council in regarding to risk management.

Climate Change

N/A

ITEM 07.23.186 2023 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS

Meeting	Council	24 October 2023
Directorate	General Manager	
Prepared by	Cr Steve Pickering	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	Nil	

SUMMARY

The Australian Local Government Association (ALGA) hosted the 2023 National Local Roads and Transport Congress in Canberra at the Kamrbi Cultural Centre, Australian National University, from 5 to 7 September 2023. Council was represented by Cr Allison Whaites and Cr Steve Pickering. This report is presented to Council in accordance with section 6.7.5 of the Councillor Expenses and Facilities Policy V16.0. We thank council for providing the opportunity to attend this conference. We met some remarkable people who work in these areas and look forward to learning more in the future and implementing the knowledge we have gained.

OFFICER RECOMMENDATION

That Council note that information provided by Councillor Steve Pickering after attending the 2023 National Local Roads and Transport Congress.

LINKAGE TO OUR COMMUNITY PLAN

Theme Leadership

Objective We will have a strong, accountable and representative Government

KEY ISSUES

The conference began with a technical tour hosted by Queanbeyan-Palerang Council, the tour included a site visit to the Googong Water Recycling Plant and Queanbeyan-Palerang Regional Sports Complex, which is currently under construction.

The conference welcome reception commenced at 5 pm and included the Exhibition Opening.

The conference's official welcome and opening ceremony began at 9 a.m. on September 6th. A Welcome to Country was provided by Aunty Violet Sheridan followed by the ALGA President Opening Address by Cr Linda Scott, President of the Australian Local Government Association.

The remainder of Wednesday included a keynote by Natasha Bradshaw, Associate, Grattan Institute's Transport and Cities Program, Towards a sustainable road funding model for local government. Afterwards Natasha Bradshaw, Associate, Grattan Institute's Transport and Cities Program, The Hon David Elliott, CEO, IPWEA (NSW & ACT) and Mayor Matt Burnett, Vice President, ALGA then hosted a panel discussion on Roads, transport, and infrastructure for local governments in a rapidly changing world.

Johan Cronje, Portfolio Leader from the National Transport Research Organisation (NTRO) and Mornington Peninsula Council presented Safer, sustainable, resilient transport assets through data-driven solutions session.

The conference was addressed by Senator the Hon Carol Brown, Assistant Minister for Infrastructure and Transport.

The Keynote address by Mr Simon Buxton, Manager of Heavy Vehicle Access at the Department of State Growth in Tasmania was titled Certainty and Sustainability. Simon is the architect of the world-leading Tasmanian Heavy Vehicle Access Management System (HVAMS) he discussed the fully automated access system for restricted access vehicles, which is a first for Australia. A panel discussion followed, Preparing for automated access - data collection, infrastructure assessments and telematics. The discussion was hosted by Simon Buxton, Manager, Heavy Vehicle Access, Department of State Growth, Tasmania, Dr Sarah Jones, Managing Director, Driven, John Gordon, Manager, Strategic Development, Transport Certification Australia and Steve Verity, Principal Advisor, Institute of Public Works Engineering Australasia (IPWEA). The

afternoon provided the opportunity to attend one of three break-out sessions, Cr Whaites attended Stronger Communities - Managing Local Government Infrastructure with Increasing Natural Disasters presented by Rohit Srivastava, Director, Infrastructure, Berrigan Shire Council and Dr Jeremy Smith, ANU Institute for Climate, Energy and Disaster Solutions. Cr Pickering attended Safer Communities - Local Government Innovations in Active Transport which was hosted by Associate Professor Ben Beck, Head of Sustainable Mobility and Safety Research, School of Public Health and Preventive Medicine (SPHPM), Monash University, Stuart Outhred, Head of Strategy & Research, Amy Gillett Foundation and Michael Jollon, Transport Planning Manager, City of Parramatta. A presentation on Navigating federal disaster recovery and response arrangements followed which was hosted by Brendan Moon, Coordinator-General, of the National Emergency Management Agency (NEMA). Wednesday wrapped up with closing remarks by Cr Linda Scott, President, ALGA. The Congress Dinner was held at the National Arboretum where Minister for Local Government, The Hon Kristy McBain MP addressed conference attendees.

Thursday, September 7th began with a Local Government Climate Change Roundtable Breakfast, hosted by ALGA with an address by Federal Minister for Climate Change and Energy, the Hon Chris Bowen MP. During the presentation, Mr Bowen announced the guidelines for the Government's new \$100 million Community Energy Upgrades Fund, expected to be released in December, with councils able to apply for funding from January 2024. Following breakfast Senator Bridget McKenzie, Shadow Minister for Infrastructure, Transport and Regional Development presented the Shadow Minister's Address. Mr Charlie Emery, Managing Director, Soilco Pty Ltd presented a keynote; Developments in waste and recycling where he spoke about organics recycling services.

A panel discussion on Collaborating for climate-ready infrastructure was hosted by Adrian Milne, Director of Infrastructure Services, Lachlan Shire, Kelly Gee, Policy Lead Western Sydney Regional Organisation of Councils and David Atkins, Assistant Secretary, Industrial and Buildings Energy Efficiency Branch, Department of Climate Change, Energy, the Environment and Water. The conference delegates then received an Update on Federal Government infrastructure policy and programs from Shane Wilson, Targeted Infrastructure Programs Branch, Dr Jennie Hood, Regional Programs Branch and Vicki Buchbach, Office of Road Safety Branch.

The afternoon on Thursday once again provided the option of attending one of three breakout sessions. Cr Whaites attended the Delivering Affordable Housing session; three-panel speakers spoke about their experiences and what they are experiencing in their hometowns. Maree Wachope CEO of Barunga West Council started in 2020 and the major point of difference was supporting first home buyers in their LGA by subsidizing the council land rates \$500 each year discount for the first two years of ownership. This has encouraged the younger generation to remain in their LGA and not move away and supported the older generation to buy their first home. Feedback and Q&A from around the room were all LGAs are hurting right now with a housing shortage and house prices rising. Maree Wachope's council has also supported a small township to put sewer throughout at minimal owners' cost to boost that area. Cr Pickering attended Safer Communities - Telecommunications Infrastructure hosted by Warren Sharpe OAM, Director, Warren Sharpe Strategic Services Pty Ltd, Christina Cawkell, Regional Engagement Manager, Telstra and Jennifer Medway, Manager, Regional Tech Hub. The breakout session was followed by a keynote by Dr Ian Faulks, Partner, Safety and Policy Analysis International; Practical solutions for improving road safety on local roads. Thursday's panel sessions concluded with a panel discussion on Building road safety into precincts and road design hosted by Dr Ian Faulks, Partner, Safety and Policy Analysis International, Tracey Norberg, Road Safety & Traffic Officer, Goulburn Mulwaree Council and Associate Professor Ben Beck, Head of Sustainable Mobility and Safety Research, School of Public Health, and Preventive Medicine (SPHPM), Monash University. The conference concluded with remarks by Cr Linda Scott, President, ALGA and a Communique was drafted outlining conference discussions. The 2023 National Local Roads, Transport and Infrastructure Congress Communique is included with this report as an attachment

BACKGROUND

Approval for Cr Allison Whaites and Cr Steve Pickering to attend this conference was provided by Council at its 25th July 2023 Ordinary Meeting Item 07.23.116.

COUNCIL IMPLICATIONS

Budget/Financial

N/A

Asset Management

N/A

Policy and Regulation

Councillor Expenses and Facilities Policy V16.0

Consultation

N/A

Legal and Risk Management

N/A

Climate Change

N/A

ENVIRONMENT & PLANNING**ITEM 07.23.187 OUTCOME OF CONSULTATION - CALL TO PHASE OUT NATIVE FOREST LOGGING ON PUBLIC LAND**

Meeting	Council	24 October 2023
Directorate	Environment & Planning	
Prepared by	Natural Resource Management & Projects Coordinator, Reece Luxton	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	A. Logging Submissions (Separate Cover) ⇒ B. Letter Templates ↓	

SUMMARY

Comment has been sought from the timber industry and the wider community to inform Council's consideration of a recommendation relating to native forest logging activity in State-owned forests that was considered by Council at its meeting on 27 June 2023.

Nearly 2500 submissions have been received and the issue is reconsidered in accordance with Council's resolution (Item No 07.23.092) and considering the submissions presented to Council.

OFFICER RECOMMENDATION

That Council:

1. recognise the significant interest and effort made to present a range of feedback to Council from the timber/forestry industry, timber/forestry workers, interest groups and the wider community in relation to the Council's consideration of native forest logging activity in State-owned forest estate and the recommendation to transition away this practice;
2. write to the NSW Government Ministers, and relevant Shadow Ministers, responsible for forestry activities, biodiversity, tourism, finance, employment, climate mitigation and water management to request:
 - a. urgent development of a plan for the just transition of the native forest timber industry operating in State-owned forests, to an ecologically sustainable plantation base; and
 - b. enactment of the plan to manage our State Forests, in partnership with North Coast communities, including but not limited to the timber/forestry industry, for their nature-based tourism assets, recreational opportunities, biodiversity values and for carbon sequestration; and
3. write to Local Government NSW to seek advice on the status of their advocacy following adoption of Motion 100 moved by Shoalhaven City Council at the November 2022 Local Government NSW Conference, "That Local Government NSW advocates for the ending of logging in NSW (public) Native Forests".

LINKAGE TO OUR COMMUNITY PLAN

Theme Environment

Objective We will preserve and enhance our natural environment

KEY ISSUES

This report addresses the requirement of the Council resolution to Item No 07.23.092, dated 27 June 2023, to prepare a report for the October Ordinary Council meeting. This report presents the feedback received in response to an invitation from Council for nominated timber businesses, relevant NSW Government agencies, interest groups and the wider community to have their say in relation to the native forest logging subject considered at the June 2023 meeting.

A workshop with Councillors was completed on Tuesday 10 October 2023 in accordance with Council's June resolution. Key issues relevant to this matter are presented below.

Consultation with timber industry and community

In accordance with Council's resolution (Item No 07.23.092) (refer to details in 'Background' section of this report) Council has invited comment from nominated timber businesses, relevant NSW Government agencies, interest groups and the wider community.

Feedback on this issue was requested via direct correspondence with entities nominated in the Council resolution. In addition, a media release was issued on 3 August 2023 welcoming feedback from the community. The original closing date for submissions was specified as 14 August 2023 and this was subsequently extended to 28 August 2023 to provide further opportunity for feedback to be provided.

Submissions received

A total of 2464 submissions have been made to Council in response to the invitation provided by Council.

The majority (2358 submissions) demonstrated their clear support for the timber/logging industry and are in the form of one of six template letters as summarised below:

- As a resident I support native forestry in the Clarence Valley Council area
- Our business supports native forestry in the Clarence Valley Council area
- As a timber sector customer I support native forest harvesting on public land
- As a customer of the timber industry I support native forestry in the Clarence Valley Council area
- As a family member of a timber sector employee I support native forestry on public land
- As an employee in the timber industry I support native forestry in the Clarence Valley Council area

A further 106 submissions (refer to attachments) offer written feedback in a free format with 65 submissions indicating they favour phasing out native forest logging and 41 submissions supporting the current forestry industry.

Some of the key points from the 41 written submissions supporting the timber industry were:

- The timber industry provides economic benefit and jobs;
- Native forest harvesting is already heavily regulated, selective harvesting occurs;
- Sustainable native forests store more carbon and wildlife thrives post-harvest while forests regrow; and;
- Request that Councillors receive a balance and informative scientific data from on-ground real life results

Some of the key points from the 65 written submissions supporting the recommendation to the June 2023 Council meeting were:

- Forestry activities are poorly managed by government agencies and logging occurs in marginal areas (eg steep slopes and within riparian zones);
- Recognise that Council has no power to end native forest logging, however it does have a responsibility to act in the best interests of majority of ratepayers and consider the health of catchment areas.
- State forest logging is not profitable and the forest/timber resource is depleted to a point where unsustainable operations are occurring; and
- Native forest logging on public land in NSW is contributing to a biodiversity loss crisis.

To gauge the full breadth and context of the feedback the submissions have been included as an attachment to this report.

A delegation of timber industry representatives and supporters met the then Mayor, Councillor Ian Tiley, outside Council's Prince Street offices on Monday 28 August 2023 to deliver boxes of letters of support for the timber industry. These letters comprised most of the 2358 template letters mentioned earlier.

Other media

In response to Council's June 2023 resolution there has been a variety of media coverage seeking comment from both the timber industry and Council. This has broadened community knowledge of Council's interest in, and consideration of, the matter.

BACKGROUND

In response to a request from the Council's Biodiversity Advisory Committee regarding native forest logging activity on public-owned land the Council was presented with a report (Item No 07.23.092) at the Ordinary Meeting on Tuesday 27 June 2023. The Officers Recommendation and Council resolution is provided below:

OFFICER RECOMMENDATION

That Council:

1. *make a submission to the NSW Government Ministers, and relevant Shadow Ministers, responsible for forestry activities, biodiversity, tourism, finance, employment, climate mitigation and water management to requesting:*
 - a. *urgent development of a plan for the just transition of the native forest timber industry operating in state-owned forests, to an ecologically sustainable plantation base; and*
 - b. *enactment of the plan to manage our State Forests, in partnership with all North Coast communities and local councils, for their nature-based tourism assets, recreational opportunities, biodiversity values and for carbon sequestration;*
2. *seeks advice from Local Government NSW on the status of their advocacy following adoption of Motion 100 moved by Shoalhaven City Council at the November 2022 Local Government NSW Conference, "That Local Government NSW advocates for the ending of logging in NSW (public) Native Forests"; and*
3. *in making the above resolutions, notes the following:*
 - a. *the growing evidence that native forest logging by Forestry Corporation of NSW (FCNSW) in our State Forests is both economically and environmentally unsustainable;*
 - b. *that logging in our State Forests is incompatible with our region's investment in nature-based tourism enterprises, climate change mitigation (including Australia's international commitments to emissions reduction), the CVC's Biodiversity Management Strategy's aim to protect biodiversity, and the CVC's responsibility to provide quality drinking water to its residents;*
 - c. *that Eurobodalla, Bellingen and Mid Coast Councils have passed motions asking the NSW government to phase out logging in state forests in their respective shires;*
 - d. *that both the Western Australian and Victorian State Governments have announced such transitions and have provided end dates for native forest logging;*
 - e. *that the North East Forest Alliance, the North Coast Environment Council, the NSW Nature Conservation Council, the National Parks Association, the Clarence Environment Centre, and other NGO's, have long advocated for an end to logging in publicly owned State Forests and the creation of the Great Koala National Park;*
 - f. *the serious threats posed by climate change, and the urgent need for carbon sequestration, and to protect threatened species habitat; and*
 - g. *the supporting notes provided with the Biodiversity Advisory Committee's recommendation.*

COUNCIL RESOLUTION - 07.23.092**Novak/Pickering****That Council**

1. Defer ITEM 07.23.092 – Call to Phase out Native Forest Logging on Public Land till the October 2023 ordinary Council meeting.
2. Request the general manager prepare a report with their recommendation for ITEM 07.23.092 for the October 2023 ordinary Council meeting.
3. Invite written feedback on ITEM 07.23.092 from the following industry groups: NSW CFMEU (Manufacturing), NSW Forestry Corporation, Big River Timbers, Mashall Notaras & Sons Pty Ltd, Koppers Australia, Coffs Harbour Hardwood, Local Land Services, EPA and Timber NSW (Chairperson Andrew Hurford) and other interested parties and the wider Clarence Valley community via a media release.
4. Discuss the ITEM 07.23.092 – Call to Phase Out Native Logging on Public Land at a council workshop to be held before the October meeting.

Voting recorded as follows**For:** Clancy, Day, Johnstone, Novak, Pickering, Smith, Tiley, Whaites**Against:** Toms**CARRIED****COUNCIL IMPLICATIONS****Budget/Financial**

No budget implication as any action will be covered by recurrent staffing allocations

Asset Management

Not applicable

Policy and Regulation

Clarence Valley Biodiversity Strategy 2020-2025

Council does not have any ability to establish or amend legislation or policy that directly impacts forestry activity on State-owned Forest estate. However, Council can request change through lobbying the NSW Government and associated agencies.

Consultation

Refer to 'Key Issues' of this report and Attachments.

Legal and Risk Management

No significant or direct implications for Council.

Climate Change

Forests absorb, and retain, carbon dioxide from the atmosphere. Sustainable management of forestry activities in State-owned forests should appropriately consider how to limit the effects on climate change as well as the effects of climate change on such activities. The Officers Recommendation is compatible with this.

LETTER OF EMPLOYEE SUPPORT

Mr Reece Luxton
Coordinator NRM and Projects
Clarence Valley Council
[Redacted]

Dear Mr Luxton,

AS AN EMPLOYEE IN THE TIMBER INDUSTRY I SUPPORT NATIVE FORESTRY IN THE CLARENCE VALLEY COUNCIL AREA

We refer to your media release of 3 August 2023 , sent in accordance with Council resolution (item 07.23.092 – 27 June 2023), seeking feedback on the *Call to Phase out Native Forest Logging on Public Land* report (the Report).

As a resident of Clarence Valley LGA, with this letter we add our voice to the chorus of strong and enduring community support for native forestry in the Clarence Valley Council area.

The native timber industry is a critical industry for our community.

We ask our elected representatives on the Clarence Valley Council to listen to the voices of their community and vote to support native forestry in the Clarence Valley region.

I would be happy to participate in further widespread consultation.

NAME	✓ [Redacted]
ADDRESS	[Redacted]
SIGNED	[Redacted]
DATE	[Redacted]



Letter of Support for Timber Sector Employees

Mr Reece Luxton
Coordinator NRM and Projects
Clarence Valley Council

Dear Mr Luxton,

As a FAMILY MEMBER OF A TIMBER SECTOR EMPLOYEE, I SUPPORT NATIVE FORESTRY on PUBLIC LAND

We refer to your media release of 3 August 2023, sent in accordance with Council resolution (item 07.23.092 – 27 June 2023), seeking feedback on the *Call to Phase out Native Forest Logging on Public Land* report (the Report).

As a family member of a Pentarch Forestry employee, I call on the Clarence Valley Council to REJECT the recommendation in the Report to call for the phasing out of native forestry.

We have seen devastating impacts on people like us in Victoria and Western Australia where the native timber industry was suddenly shut down and I worry for my job and my family.

As a family member of a worker in the timber sector, I know firsthand how timber is sourced and used, and I am proud that they work in an industry that provides renewable, carbon-storing timber products.

I ask the elected representatives on the Clarence Valley Council to **listen** to the **voices of the people** whose jobs rely on native forestry and support us by rejecting the recommendations in the Report.

NAME	✓ [REDACTED]
ADDRESS	[REDACTED]
SIGNED	[REDACTED]
DATE	[REDACTED]

LETTER OF CUSTOMER SUPPORT

Mr Reece Luxton
Coordinator of NRM and Projects
Clarence Valley Council



Dear Mr Luxton,

**AS A CUSTOMER OF THE TIMBER INDUSTRY,
I SUPPORT NATIVE FORESTRY
IN THE CLARENCE VALLEY COUNCIL AREA**

We refer to your media release of 3 August 2023, sent in accordance with Council resolution (item 07.23.092 - 27 June 2023), seeking feedback on the Call to Phase out Native Forest Logging on Public Land report (the Report).

As a customer of the Timber Industry in the Clarence Valley LGA, with this letter we add our voice to the chorus of strong and enduring community support for native forestry in the Clarence Valley Council area.

The native timber industry is a critical industry for the clarence valley community.

We ask the elected representatives on the Clarence Valley Council to listen to the voices of their community and vote to support native forestry in the Clarence Valley region.

I would be happy to participate in further widespread consultation.

Name	[Redacted]
Address	[Redacted]
Signature	[Redacted]
Date	[Redacted]

Letter of support for Pentarch Forestry

Mr Reece Luxton
Coordinator NRM and Projects
Clarence Valley Council
[Redacted]

Dear Mr Luxton,

AS A TIMBER SECTOR CUSTOMER, I SUPPORT NATIVE FOREST HARVESTING ON PUBLIC LAND

We refer to your media release of 3 August 2023, sent in accordance with Council resolution (item 07.23.092 – 27 June 2023), seeking feedback on the *Call to Phase out Native Forest Logging on Public Land* report (the Report).

Our business is a customer of Pentarch Forestry which relies on timber sourced from our native forests, and they have our full support.

We believe:

- Native timber is harvested under the world’s strictest Code of Practice.
- The 0.06% of the forest estate which is harvested each year is regrown according to law.
- Carbon is stored in wood products and more carbon is absorbed in regrowing forests.
- Wildlife thrives in forests regrowing after harvest as much as it does in forest reserves.
- The native timber sector provides significant economic value to NSW.

The timber sector has been a part of the fabric of the Grafton area for more than 100 years and if those who oppose the industry are to be believed, there would be no forests here. Instead, we see forests which are rich in biodiversity which proves the timber sector is renewable and sustainable.

At a socio-economic level, our business contributes to the \$3 billion gross revenue for NSW each year and provides employment and direct economic benefit to the Clarence Valley LGA.

We therefore add our voice of support for the native timber sector and call on the Clarence Valley Council to ignore the anti-forestry ideology and look at the science and socio-economic facts.

NAME	✓ [Redacted]
ADDRESS	[Redacted]
SIGNED	[Redacted]
DATE	[Redacted]

LETTER OF COMMUNITY SUPPORT

Mr Reece Luxton
Coordinator NRM and Projects
Clarence Valley Council

Dear Mr Luxton,

OUR BUSINESS SUPPORTS NATIVE FORESTRY IN THE CLARENCE VALLEY COUNCIL AREA

We refer to your letter of 17 July 2023 to Timber NSW, sent in accordance with Council resolution (item 07.23.092 – 27 June 2023), seeking feedback on the *Call to Phase out Native Forest Logging on Public Land* report (the Report).

As a business operating in the region, with this letter we add our voice to the chorus of strong and enduring community support for native forestry in the Clarence Valley Council area.

The native timber industry is a critical industry for our community.

Our business relies on the native timber industry for our customer base.

We also support the work of Timber NSW, which has been the representative organisation of the timber and forest products industry in NSW since 1906.

We ask our elected representatives on the Clarence Valley Council to listen to the voices of their community and provide continuing support for native forestry in the Clarence Valley region.

I would be happy to participate in further widespread industry consultation.

BUSINESS NAME		
LOCATION		
YOUR NAME		
TITLE		
SIGNED		
DATE		

<h1 style="margin: 0;">LETTER OF COMMUNITY/RESIDENT SUPPORT</h1>
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Mr Reece Luxton
 Coordinator NRM and Projects
 Clarence Valley Council



Dear Mr Luxton,

AS A RESIDENT I SUPPORT NATIVE FORESTRY IN THE CLARENCE VALLEY COUNCIL AREA

We refer to your media release of 3 August 2023 , sent in accordance with Council resolution (item 07.23.092 – 27 June 2023), seeking feedback on the *Call to Phase out Native Forest Logging on Public Land* report (the Report).

As a resident of Clarence Valley LGA, with this letter we add our voice to the chorus of strong and enduring community support for native forestry in the Clarence Valley Council area.

The native timber industry is a critical industry for our community.

We ask our elected representatives on the Clarence Valley Council to listen to the voices of their community and vote to support native forestry in the Clarence Valley region.

I would be happy to participate in further widespread consultation.

NAME		
ADDRESS		
SIGNED		
DATE		

ITEM 07.23.188 DA2023/0259 - RECREATION AREA (TWO PICKLEBALLS COURTS AND COVERED SEATING AREA) - 1 ORION DRIVE, YAMBA

Meeting	Council	24 October 2023
Directorate	Environment & Planning	
Prepared by	Acting Coordinator Development Services, James Hamilton	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	A. DA2023 0259 - Architectural Plans ↓ B. DA2023 0259 - Statement of environmental effects ↓ C. DA2023 0259 - Biodiversity Development Assessment Report (Separate Cover) ⇌ D. DA2023 0259 - Submissions (Separate Cover) ⇌ E. DA2023 0259 - Section 4.15 Assessment (Separate Cover) ⇌	

SUMMARY

Development Application DA2023/0259 seeks approval for a recreation area (Two pickleball courts and covered seating area) at 1 Orion Drive, Yamba, being lot 7 DP 833711.

<i>Applicant</i>	Palm Lakes Resort Pty Ltd
<i>Owner</i>	Palm Lakes Resort Pty Ltd
<i>Address</i>	1 Orion Drive Yamba being Lot 7 DP 833711
<i>Submissions</i>	Twenty-one Submissions (all against)

The proposed development was advertised and notified in accordance with the Community Participation Plan. A total of 21 submissions were received during the exhibition period for the proposal which raised concerns regarding the impacts to the environment, amenity, flooding and the suitability of the development. The matters raised are discussed in detail in the Key Issues section of this report.

The application is referred to Council for determination due to the public interest in the proposal. The report provides an assessment of the application and a recommendation for Council's consideration.

OFFICER RECOMMENDATION

That Council approve Development Application DA2023/0259 subject to the draft Advices and Conditions contained in Schedule 1.

LINKAGE TO OUR COMMUNITY PLAN

Theme Leadership

Objective We will have a strong, accountable and representative Government

KEY ISSUES**Site Description**

The site comprises an area of 7.46ha of R2 Low Density Residential zoned land under the *Clarence Valley Local Environmental Plan 2011* (the LEP). The site is relatively flat, with a slight fall to the eastern boundary and is mapped as being subject to a 1 in 100 year flood event. The site is located in an existing residential locality and forms part of an existing manufactured home estate for seniors.

Proposed Development

The Applicant is seeking development consent for a recreation area (Two pickleball courts and covered seating area) - refer to proposed plans at **Attachment A**. It is proposed that the area is only available for use by residents within the existing Palm Lakes Resort. The proposal will result in the clearing of 17 trees to facilitate the development.

Assessment Summary

Planning Controls

The subject land is zoned R2 Low Density Residential the LEP (**Figure 1**). The proposed recreation area is permissible with consent in the in the R2 zone. The lot contains an area mapped as coastal wetland. The location of the proposal is outside of the wetland however is located within the 100 metre buffer (**Figure 2**).

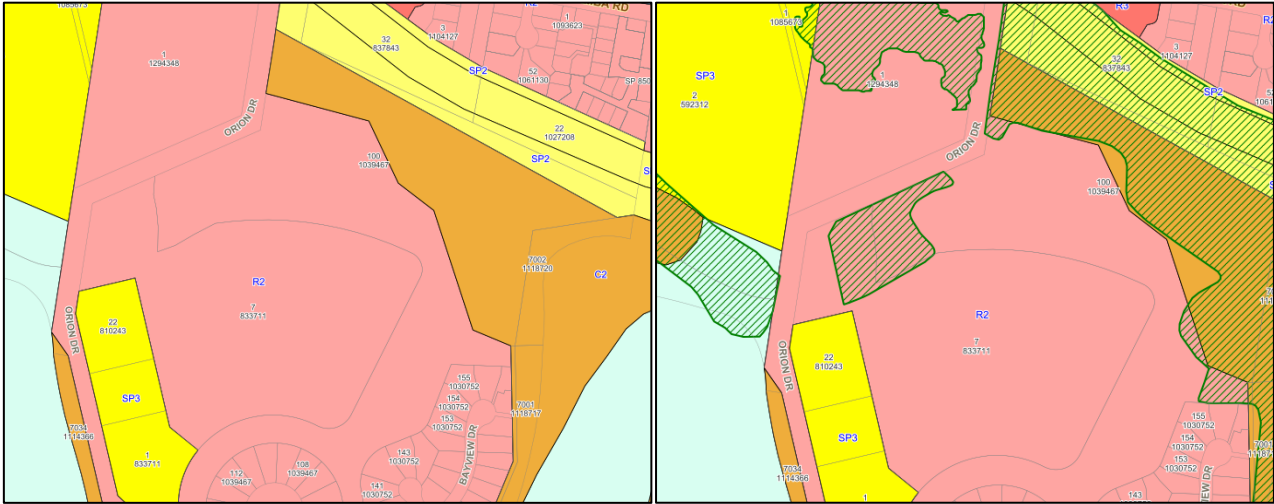


Figure 1 on left shows zoning of the subject land and Figure 2 on right shows coastal wetland mapping overlay.

On balance the proposed development does not conflict with objectives and complies with the standards of State Environmental Planning Policy (Resilience and Hazards) 2021, the LEP and Residential Zones Development Control Plan (the DCP). Refer to Section 4.15 Assessment, **Attachment E**, for the full assessment of the application.

Issues Raised in Submissions

Council has received 21 submissions regarding this application during the exhibition period (refer to **Attachment D**). The Key Issues raised in the objections relating to the subdivision are detailed below. Please refer to Part 9 of the Section 4.15 Assessment (**Attachment E**) for a full summary.

Removal of Vegetation

The key concern raised in the majority of submissions received relates to the adverse impacts on the natural environment as a result of clearing proposed as part of the development.

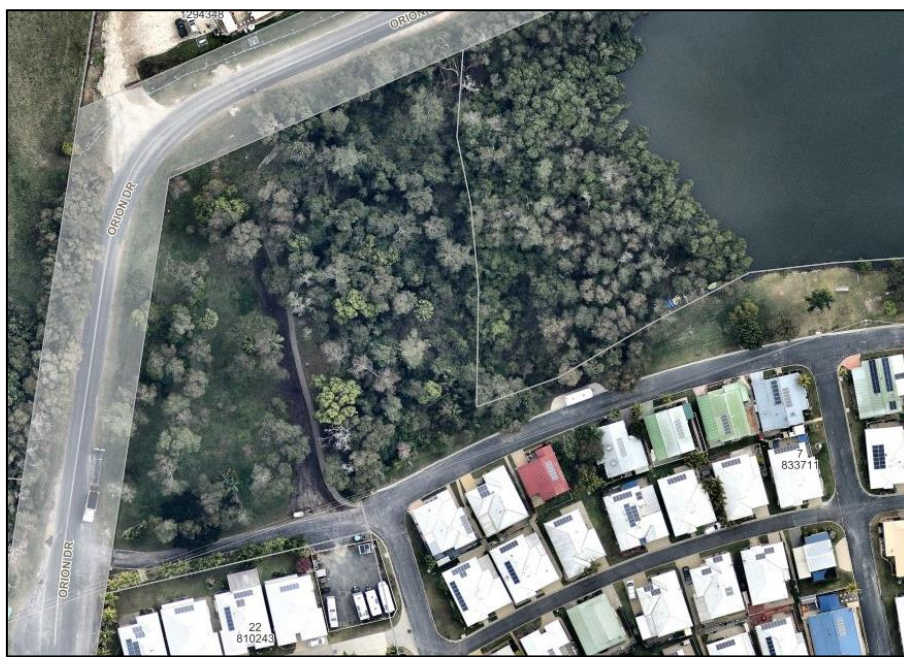


Figure 3 - Aerial photo of development site in bottom right corner.

Comment: The proposal will result in the clearing of 17 trees to facilitate the development, with an approximate impact area of 650m². Species proposed to be removed by the proponent include:

- 13 *Casuarina glauca* (Swamp Oak);
- 1 *Cupaniopsis anacardioides* (Tuckeroo);
- 2 *Livistona australis* (Cabbage Palm); and
- 1 *Commersonia bartramia* (Brown Kurrajong).

The area of impact does not trigger entry into the Biodiversity Offset Scheme under *the Biodiversity Conservation Act 2016*. Further, the controls under Part Y Biodiversity and Habitat Controls of the DCP do not apply to R2 Low Density Residential zoned land. The applicant has demonstrated that the proposal has avoided (and minimised) clearing as the development site is located wholly outside of the mapped coastal wetland and has been located in a predominantly cleared area of the site. Any vegetation outside of the development footprint will be retained and protected during construction works.

The applicant has submitted a Biodiversity Impact Assessment (**Attachment C**) which undertakes a Five Part Test of Significant to assesses the impact of the development. The assessment concludes that the proposal occurs in an area of highly modified Swamp Oak Floodplain Forest with a high portion of the footprint being managed lawns and other exotic species. The outcome of the 5 (five) Part Test contends that the development does not have a significant impact on endangered species or endangered ecological communities.

As Part Y of the DCP does not apply to the subject land, Council's Biodiversity Offset Policy cannot apply to the development despite the proposed removal of native vegetation. However, the Applicant accepts providing landscaping along the southern end of the courts as a condition of consent. Plantings are to occur at a ratio of 2:1 of species removed and provide a voluntary environment offset on site.

Stormwater and flooding

Concern is raised that the proposed development will have an impact on flooding and stormwater management.

Comment: The plans indicate that the development will comprise the erection of a slab above the existing ground level which may involve some minor earthworks to strip grass/top soil. The applicant is not proposing to import any fill for the project. It is therefore considered that the proposed development will have a negligible impact on flood behaviour in the locality.

The proposal will result in an increase in hardstand area and triggers the requirements of the Part H Sustainable Water Controls of the DCP. A stormwater management plan will need to be prepared and submitted for approval with the application for a Building Construction certificate demonstrating how the DCP controls for stormwater will be met.

Impacts to Amenity

Concerns were raised in the submissions that use of the pickleball courts will have adverse impacts on the amenity of residents due to increased traffic, parking of vehicles, noise and lighting generated by the development.

Comment: The pickleball courts are proposed to only be available for residents of the existing Palm Lakes Resort that adjoins the development site. It is therefore considered that the proposal will not generate any additional car parking or traffic impacts associated with the existing use of the recreation area.

The applicant has advised that as the courts are for private use by residents, times for usage of the court will be arranged once operational to minimise the potential for offensive noise to be generated. Additionally, no lighting is proposed as typically pickleball is only played during daylight hours where it is offered in their other resorts.

Suitability of the Proposal

Submissions received raised concern with regard to the suitability of the development given it is used by residents of the resort to exercise and walk their dogs, existing available communal facilities in the resort and at sporting facilities in Yamba.

Comment: The area of the proposed development is dedicated for community use under the original approvals for the Manufactured Home Estate. The pickleball courts will alter the type of recreation space in

the park however it will remain as community use for residents only. The change of use will not result in non-compliance with existing development consents or approval to operate a MHE issued by Council.

BACKGROUND

Application History

Development Application DA2023/0259 was submitted on 22 May 2023 proposing a Recreation area (Two pickleball courts and covered seating area). The proposed development was notified and advertised between 22 August and 11 September 2023 in accordance with the Community Participation Plan. 21 submissions were received during the exhibition period.

Site History

The subject site is currently operated as a manufactured home estate. Former Maclean Shire Council approved the following applications relating to the current use of the site:

1. DA82/337 (14 September 1983) – Caravan Park and Campground – later converted to a holiday home park for mobile homes in September 1984
2. DA87/1206 (22 September 1987) – 154 site Caravan Park (later converted to Manufactured Home Estate September 1990)

COUNCIL IMPLICATIONS

Budget/Financial

There may be financial costs to Council should the applicant appeal Council's decision. The application was accompanied by all fees required to be paid by Council's Fees and Charges. Assessment of the application has been completed by staff utilising recurrent staffing budgets.

Asset Management

N/A.

Policy and Regulation

- Environmental Planning and Assessment Act, 1979
- Biodiversity Conservation Act 2016
- Environmental Planning and Assessment Regulation 2000
- Clarence Valley Local Environmental Plan 2011
- Residential Zones Development Control Plan (DCP)

Consultation

The proposed development did not trigger the requirement to refer the application to external agencies. The following sections of Council were consulted during the assessment of the application

<i>Internal Section or Position</i>	<i>Comment</i>
Development Engineer	No objections raised with conditions provided.
Building Surveyor	No objections raised with conditions provided.

Legal and Risk Management

Should the applicant be dissatisfied with Council's determination they may appeal to the Land and Environment Court in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*.

Climate Change

The development is consistent with the Disaster Resilience Framework which provides strategies, actions and recommendations for Council's planning and decision-making, taking advantage of informed scientific research; the Climate Change Impact Assessment report, climate forecasting, climate change modelling predictions, lessons learned, and ongoing expert consultation. No new assets are being constructed as a result of the subdivision that would be subject to natural disasters.

Schedule 1
Draft Conditions of Consent for DA2023/0259

Conditions

1. The development being completed in conformity with the Environmental Planning & Assessment Act, 1979, the Regulations thereunder, the Building Code of Australia (BCA) and being generally in accordance with the following plan(s) as amended in red, or where modified by any conditions of this consent.

Plan Title	Drawn by	Plan Date	Sheet No	Revision
Site Plan	Palm Lakes Works	-	-	-
Proposed Pickleball Courts	Palm Lakes Works	18/04/2023	1	A
Covered Seating Area	Palm Lakes Works	18/04/2023	1	A

2. Any activity to be carried out on any part of the road reservation requires the prior approval of Council under the NSW Roads Act 1993.
3. The pickleball courts are not to be used by the general public without prior written approval of Council.
4. A landscape plan, prepared by a person competent in the field is to be submitted to Council for approval prior to the issue of a Construction Certificate. Plantings are to occur at a ratio of 2:1 of species removed from the site.
- The plan shall indicate the mature height, location, quantity and species of all plantings. Species used must be like for like replacement of removed species or alternatively local endemic species
5. No construction is to be commenced until a Construction Certificate has been issued.
6. The building shall comply with the Australian Building Codes Board Standard for Construction of Buildings in Flood Hazard Areas. A Structural Engineers certificate shall be submitted prior to issue of the construction certificate to verify the building will withstand the likely forces imposed on it by a 1:100 year flood event including hydrostatic, hydrodynamic, debris, wave, erosion and scour actions.
7. All stormwater falling on the property is to be collected within the property and discharged in accordance with the relevant parts of the applicable Clarence Valley Council Development Control Plans. A Stormwater Management Plan must be prepared to reflect these standards and guidelines.
- Design details of the drainage system and point of discharge must be submitted with the Stormwater Management Plan for approval by Council and/or accredited private certifier prior to issue of the Building Construction Certificate. Connection to the public drainage system requires the approval of Council under the NSW Local Government Act.
- On-site detention (OSD) and water quality control systems for the development must be provided prior to issue of an Occupation Certificate.
8. Prior to work commencing on a development the applicant must give notice to

Council of their intention to commence work. Such notice shall be in the form of a Notice of Commencement form and must be submitted to Council at least two (2) business days before work commences.

9. Vegetation cleared during clearing activities should be mulched for use in erosion and sediment control during construction and re-use on site following completion of works.
10. While site or building work is being carried out, the applicant must maintain all required tree protection measures in good condition in accordance with the Construction Site Management Plan required under this consent, the relevant requirements of *AS 4970-2009 Protection of Trees on Development Sites* and any Arborist's report approved under this consent.

This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.
11. Where possible, any felled trees should be placed on the ground as habitat features and not removed.
12. Before the issue of a Construction Certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the principal certifier
 - a) Council's development control plan,
 - b) the guidelines set out in the NSW Department of Housing, and manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time),
13. All erosion and sediment control measures are to be installed and maintained in accordance with the approved plan until an Occupation Certificate is issued.
14. Prior to commencement of works, a sign must be erected in a prominent position on any work site on which work is being carried out:
 - a) Stating that unauthorised entry to the work site is prohibited;
 - b) Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside of working hours, and
 - c) Showing the name, address and telephone number of the principal certifier for the work.

Any such sign is to be removed when the work has been completed.

15. **Site Safety Management Building** equipment and/or materials shall be contained wholly within the site and shall not be stored or operated on the footpath or roadway, unless specific written approval has been obtained from Council beforehand.

All excavations and back filling associated with the erection and demolition of a building must be executed safely and in accordance with appropriate professional standards and must be properly guarded and protected to prevent them from being dangerous to life or property.
16. All excavated materials must be treated in general accordance with the Management Guidelines detailed within the "Acid Sulfate Soil Manual, Acid Sulfate Soil Management Advisory Committee, August 1998". Agricultural Lime must be applied (and incorporated into the soil) at a rate of 50kg/m³ of soil.
17. **Adjoining Building Work** A person who causes an excavation that extends below the level of the base of the footings of a building on an adjoining allotment of land shall, at their own expense and where necessary:
 - a) Preserve and protect the building from damage; and

- b If necessary, underpin and support the building in an approved manner, details of which are to be submitted with the application for the Construction Certificate and certified by a professional engineer or an accredited certifier.

The person who causes this excavation must, at least seven (7) days before commencing this work, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to this owner of the proposed work. (Note: An adjoining allotment of land includes a public road and any other public place. A building includes a fence).

- 18. **Working/Construction Hours** Working hours on construction or demolition shall be limited to the following:

7.00 am to 6.00 pm Monday to Friday

8.00 am to 1.00 pm Saturdays

No work permitted on Sundays and public holidays

The builder is responsible to instruct and control sub contractors regarding the hours of work and the requirements of the Protection of the Environment Operations Act 1997 and Regulations.

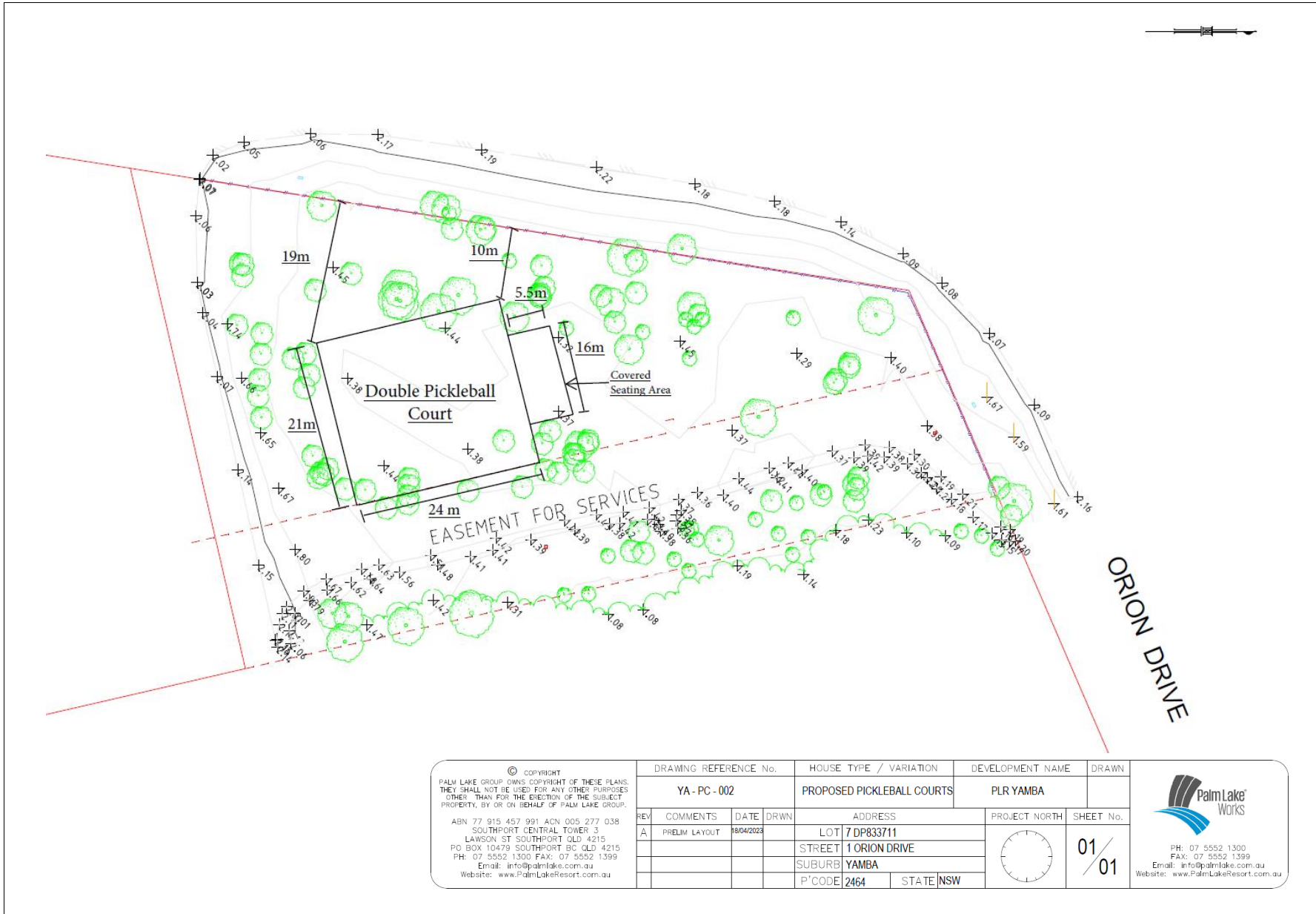
- 19. The development is not to be occupied or used until such time as an Occupation Certificate has been issued.
- 20. All landscaping works are to be completed in accordance with the approved plan prior to the Occupation Certificate being issued.
- 21. The onsite landscaping is to be maintained on a regular basis, to comply with the approved plans.



SITE PLAN

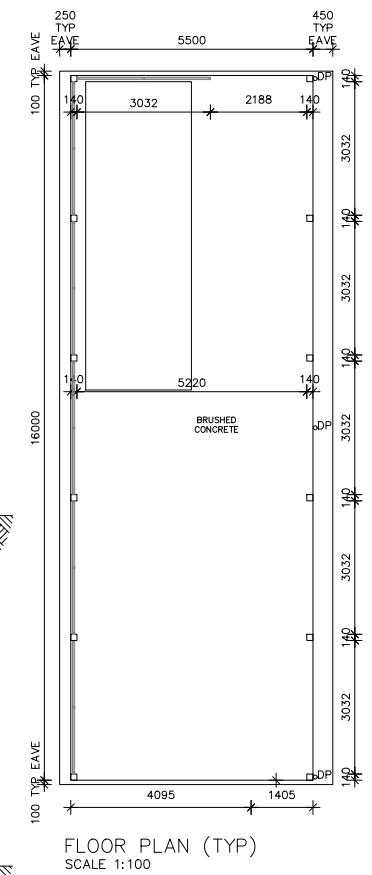
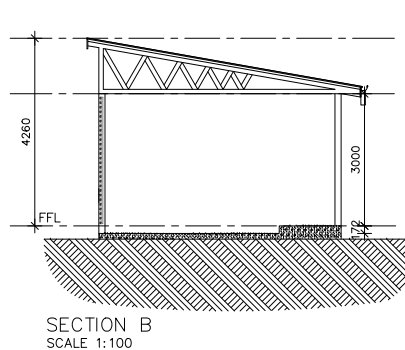
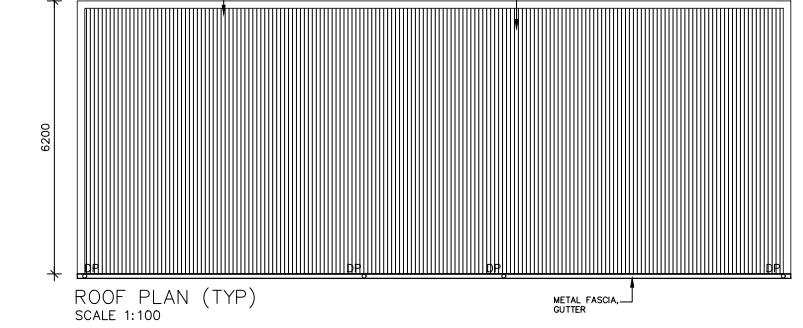
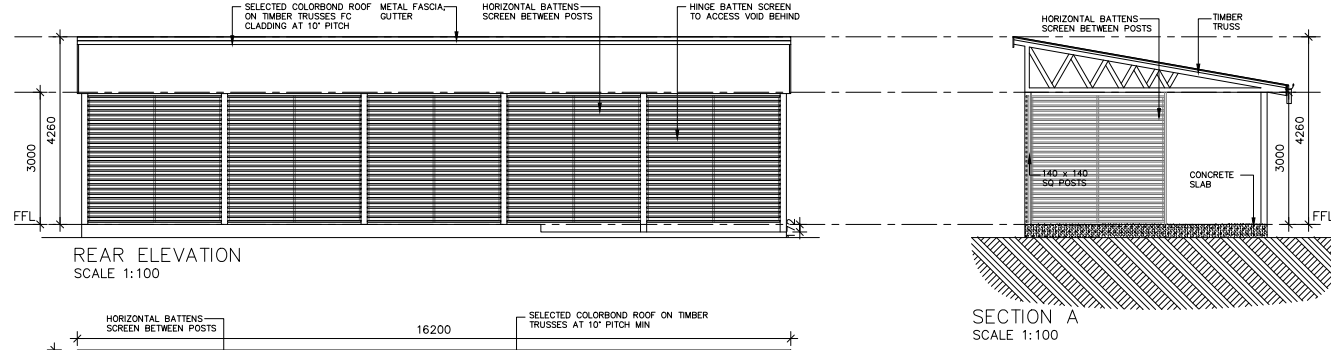
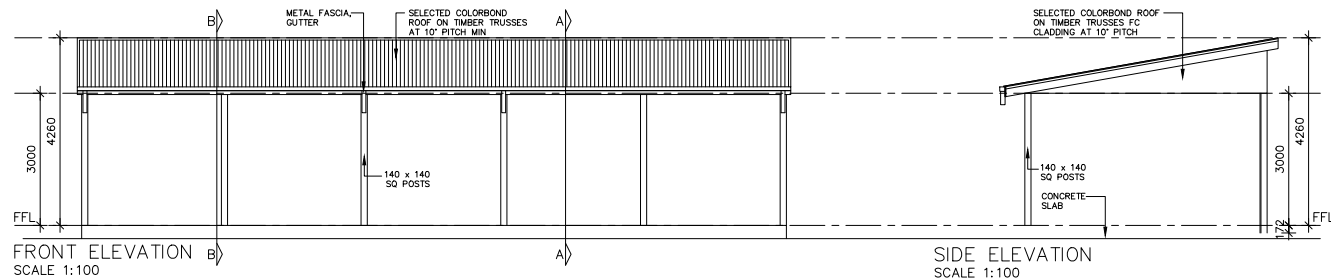
PROPOSED RECREATION AREA (PICKLEBALL COURTS) AT 1 ORION DRIVE, YAMBA – LOT 7 ON DP833711





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				YA - PC - 002		PROPOSED PICKLEBALL COURTS		PLR YAMBA			
REV	COMMENTS	DATE	DRWN	ADDRESS			PROJECT NORTH	SHEET No.			
A	PRELIM LAYOUT	18/04/2023		LOT 7 DP833711				01 / 01			
				STREET 1 ORION DRIVE							
				SUBURB YAMBA							
				P'CODE 2464	STATE NSW						

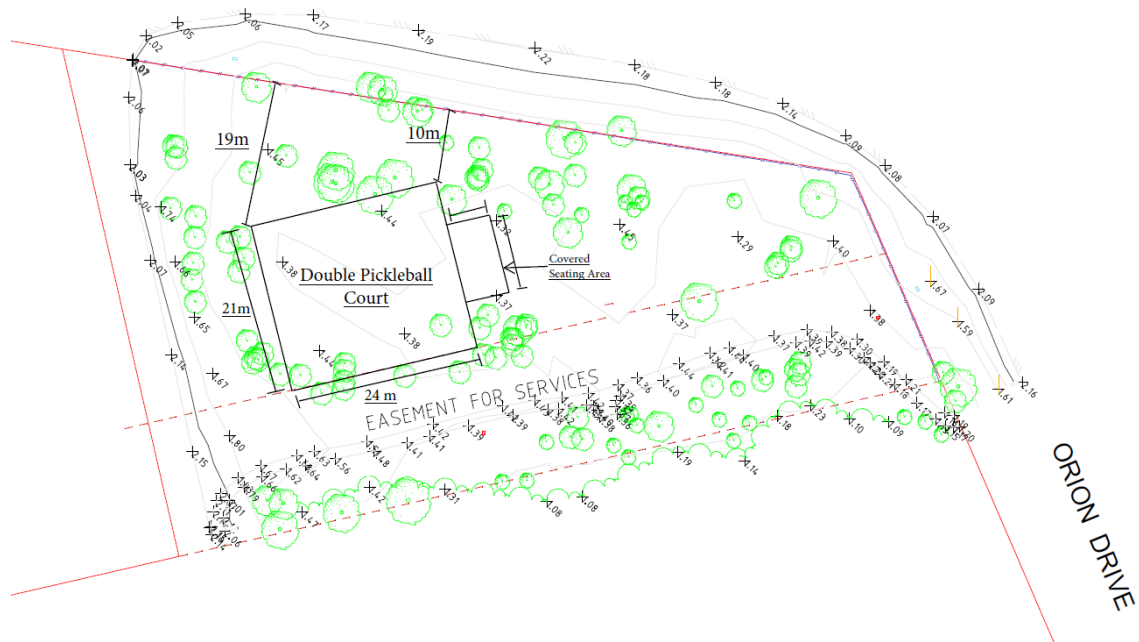
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Website: www.PalmLakeResort.com.au

DRAWING REFERENCE No.		HOUSE TYPE / VARIATION		DEVELOPMENT NAME		DRAWN	
YA - PC - 001		COVERED SEATING AREA		PLR YAMBA			
REV	COMMENTS	DATE	DRWN	ADDRESS		PROJECT NORTH	SHEET No.
A	PRELIM LAYOUT	18/04/2023		LOT	7 DP833711		01 / 01
				STREET	1 ORION DRIVE		
				SUBURB	YAMBA		
				P'CODE	2464	STATE	NSW

PH: 07 5552 1300
FAX: 07 5552 1399
Email: info@palmlake.com.au
Website: www.PalmLakeResort.com.au



STATEMENT OF ENVIRONMENTAL EFFECTS

Application for Recreational Area (Pickleball Courts)

1 Orion Drive Yamba
Lot 7 on DP833711

April 2023





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List of Appendices

- Appendix A – Landowners Consent
- Appendix B – Proposal Plans



Application Snapshot

Address:	1 Orion Drive, Yamba
Real Property Description:	Lot 7 on DP 833711
Current Site Area:	8.24 hectares
Application type:	Recreation Area (2 x Pickleball Courts and seating area)
Local Government Area:	Clarence Valley Council
Zone Designation:	R2: Low Density Residential
Land Owner:	Palm Lake Resort Pty Ltd
Applicant:	Palm Lake Works Pty Ltd
Applicant's Address:	PO Box 10479 Southport BC QLD 4215
Contact Person:	Matilda Kaveney
Phone:	(07) 5552 1324
Email:	matildak@palllake.com.au



1. Introduction

This Statement of Environmental Effects (SEE) has been prepared by Palm Lake Works Pty Ltd to seeking Development Consent from Clarence Valley Council for a Recreational Area (two Pickleball Courts) and adjoining covered seating area. The subject application relates to Lot 7 on DP833711 at 1 Orion Drive in Yamba.

This Statement of Environmental Effects supports the establishment of a new recreational area for the purposes of establishing two new pickleball courts and associated covered seating area.

This report includes a brief description of the subject site, an overview of the proposed development, providing justification and detailed commentary to demonstrate compliance with relevant provisions.

The proposed development is considered to comply with all the relevant planning provisions. The proposed development is considered to be complaint and warrants Clarence Valley Council's support for approval.

2. Current Land Use

The subject site currently features an over 50's lifestyle estate known as Palm Lake Resort Yamba. The development has been established for several decades and is occupied by long term residents with most in their retirement.

The subject site features an area of land in the north western corner that is undeveloped other than providing a footpath connection to Orion Drive. This land area is approximately 7,400m² and features scattered vegetation throughout.

The purpose of this application is to establish additional facilities, being two pickleball courts on the western side of the established footpath to provide additional activity to the Palm Lake's residential community.

The proposed development is described in detail in Section 4 of this report.

3. Site and Surrounding Locality

3.1. Site Details

The subject site is located at 1 Orion Drive on Lot 7 DP833711 within the locality of Yamba. The details of the site are provided in the below table:

Table 1 – Site Details

Street Address	Lot Description	Land Area (m ²)	Zone	Current Use	Proposed Use
1 Orion Drive, Yamba	Lot 7 on DP833711	82377m ² (8.24ha)	R2 – Low Density Residential	Vacant Land	Over 50's Manufactured Home Estate

The below aerial image (Figure 1) depicts the current development over the subject site.

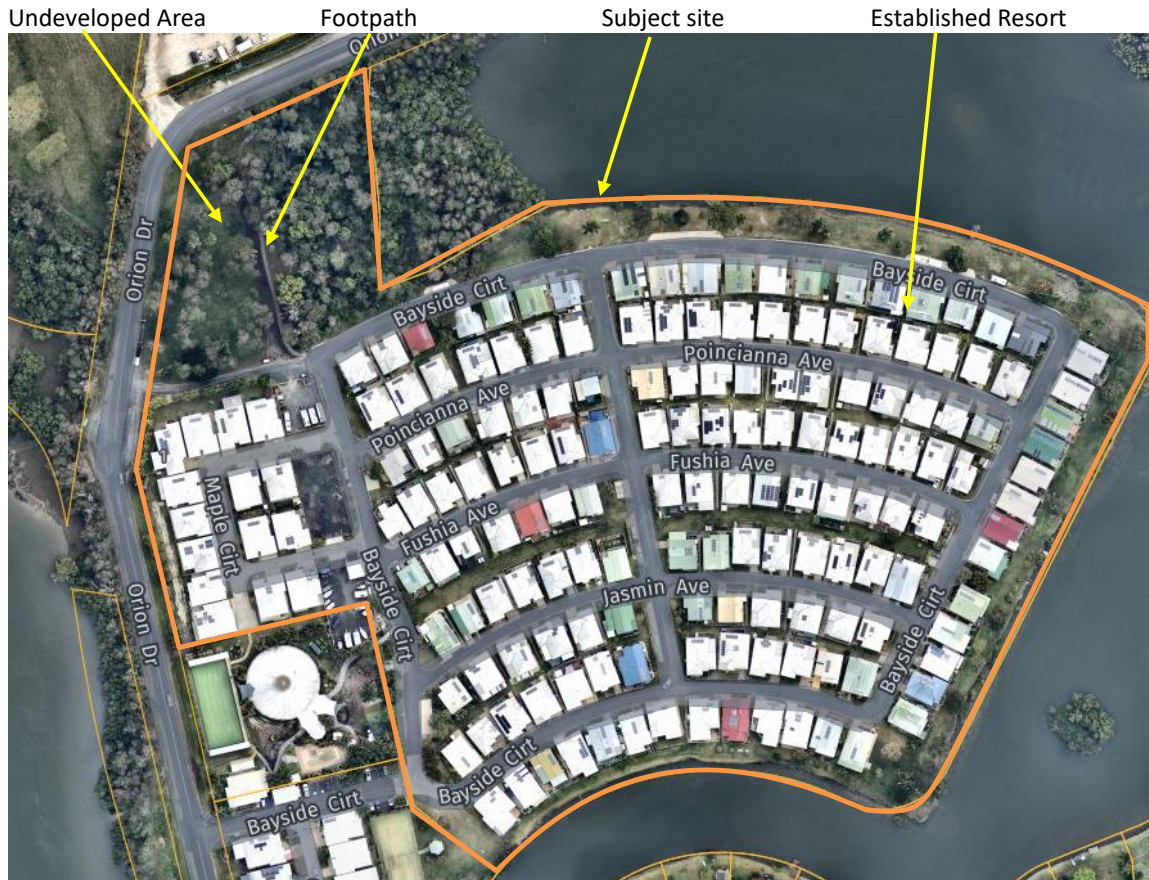


Figure 1: Subject site and undeveloped area

4. The Proposed Development

This application seeks to establish a recreational area for the purposes of a dual pickleball court and adjoining covered seating area in an otherwise unutilised area of the resort.

The Recreational Area will feature two (2) Pickleball Courts side by side within a single fenced area. Palm Lake Resort has been including pickleball courts to our newer developments for several years, they are very popular with our residents and encourage an active, healthy lifestyle. The courts will also feature a small covered alfresco area for shaded seating to watch pickleball games.

In this scenario there is an opportunity to also provide additional facilities to some of our existing resorts, where there is available land to accommodate particular uses.

The below image provides some visual representations of existing pickleball courts in Palm Lake Resort’s.



Figure 2: Examples of existing Pickleball Courts in other Palm Lake Resorts

The pickleball courts will be a permanent recreational area that is fully fenced and lockable. The courts are not for public use and will be available to Palm Lake residents only.

The proposed courts have been thoughtfully located out of any flooding and ecological areas, in predominantly a cleared area of the vacant land. The courts will result in the removal of six (6) trees, and potentially another two (2) depending on footpaths, proximity to root zones and construction access.

The below plan extract provides setbacks to the western boundary adjoining the Orion Drive road reserve providing ample setbacks to maintain existing amenity.

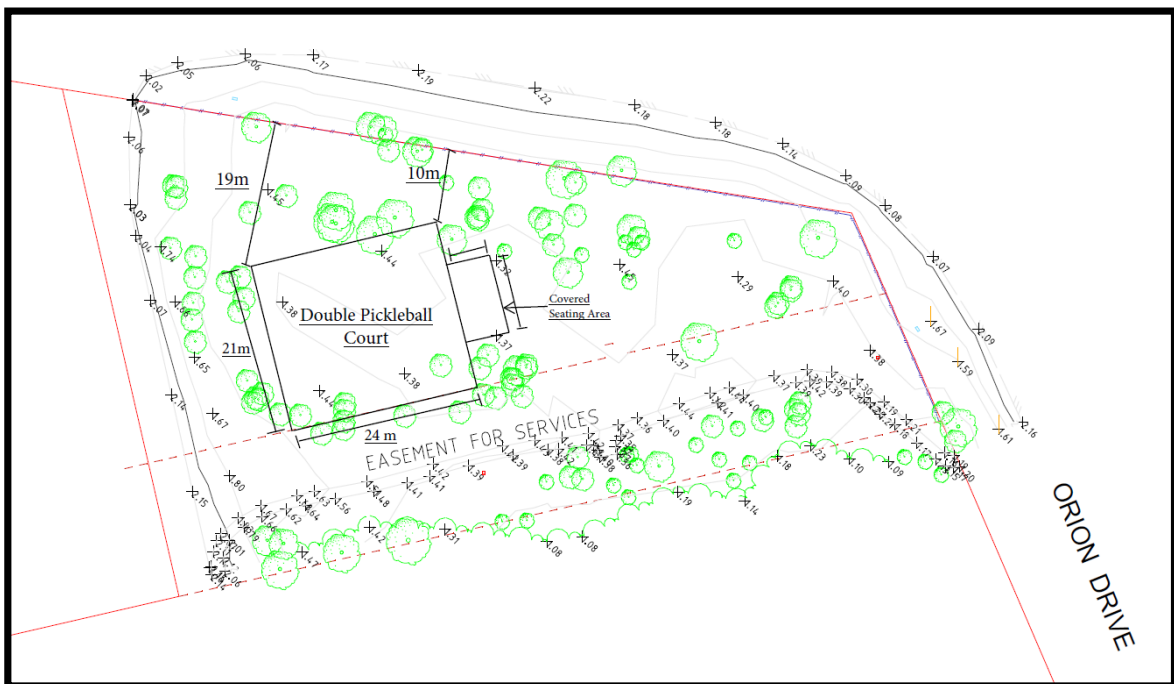


Figure 3: Extract of Proposal Plans for Pickleball Courts



5. Planning Controls and Legislation

5.1 The Environmental Planning and Assessment Act 1979

This Statement of Environmental Effects considered the proposed development on economic, social and environmental grounds and takes into consideration the objectives of the EP&A Act. Importantly, the proposal represents an opportunity to establish a recreational area in an un-used vacant part of the property.

1.2 Clarence Valley Council Local Environmental Plan 2011

The subject site is located within the Clarence Valley Council (CVC) Area, within the Yamba region. The site is identified as being predominantly included within the R2 – Low Density Residential Zone, featuring a portion of SP3 – Tourist zoning in accordance with the CVC Local Environmental Plan (LEP) 2011.

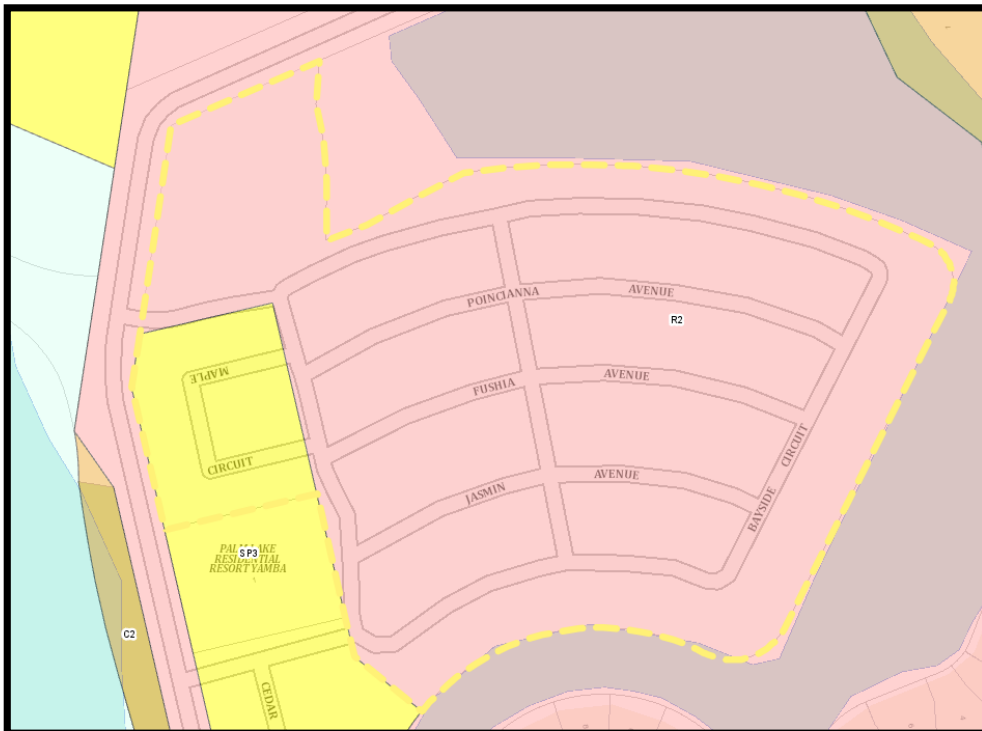


Figure 11: Subject Site – R2 and SP3 zoning map
 Source: NSW Planning Portal Mapping (Spatial Viewer accessed March 2023)

The proposed recreational area is located wholly within the R2 – Low Density Residential zone. In accordance with the CVC LEP, Recreation Areas are listed as a land use permitted with consent. The LEP defines an Recreation Area as:

- recreation area** means a place used for outdoor recreation that is normally open to the public, and includes—
- (a) a children’s playground, or
 - (b) an area used for community sporting activities, or
 - (c) a public park, reserve or garden or the like,



Despite the proposed development not being open to the public, it is for the use of the Palm Lake community for sporting activities. It is therefore considered that the proposed pickleball courts are best suited to the Recreation Areas land use definition.

4.1 Clarence Valley Council Development Control Plan 2011

For the purposes of this application an assessment of the Recreational Area has been completed to demonstrate compliance with Council DCP provisions.

Part C – General Development Controls for Residential Zones

C1 - Objectives

The proposed pickleball courts are making use of existing space that is unutilised within an existing residential estate. The proposed development is considered to achieve the objectives of development in residential zones, siting the courts in both a convenient and highly accessible area utilising the existing footpath traversing through this area. The pickleball courts are setback from Orion Drive and will maintain existing vegetation as a buffer, therefore having minimal impact on street appeal. The courts will require an electrical connection to the new lot for the purposes of lighting on the courts.

C3 – Site Assessment

The pickleball courts are proposed to be located in an area that is predominantly flat and features minimal vegetation. This location provides convenient access utilising the existing footpath for resident access. Please refer to the proposal plans depicting the location and size of the courts. These courts are intended to be a permanent addition to the estate to improve liveability and provide additional recreation areas for residents.

C4 – Streetscape Requirements

As the proposed development is not a building, a number of the streetscape requirements are not directly applicable. However, fencing and lighting have been thoughtfully designed to ensure the development results in no negative impacts to streetscape amenity. The seating area represents a covered gazebo like structure and is not obtrusive in built form or scale.

C6 – Coastal Design Guidelines

The subject site is located within a coastal zone, and features areas impacted by coastal wetlands. The recreational courts have been thoughtfully located in an area outside the mapped wetland area in an appropriate location on the site.

C16 – Setbacks

In relation to setbacks, the pickleball courts have been thoughtfully located, providing ample setbacks to the front (northern) boundary and secondary frontage (western) boundary. The courts provide setbacks of 10m to 19m from the western boundary. The proposed setbacks are larger than the minimum required within residential zones for buildings and is therefore considered to comply.

C19 – Landscaping

No landscaping is proposed, as the natural trees in this location are considered to be a feature. Given the recreational nature of the courts and existing site conditions, landscaping is not considered to improve amenity in this location.



5 Conclusion

This report and supporting material provides a detailed assessment of the proposed development. In summary, the proposal is considered to provide an additional facility that encourages an active lifestyle for Palm Lake homeowners.

In particular we note:

- The proposed Pickleball Courts will encourage more recreation activity and provide an additional facility for residents;
- Is thoughtfully located in an unutilised area whilst having negligible impacts on existing vegetation;
- Provides ample setbacks to Orion Drive and makes no changes to existing streetscape amenity;
- Is accessible via the existing footpath that traverses the vacant land.

The establishment of an these Pickleball Courts and seating area is considered to improve liveability, make use of an underutilised area of land and encourage residents to engage in a new recreational activity provided on-site.

This report demonstrates that the proposed development is suitable for the locality. We consider the development to be compliant with necessary planning provisions and warrants Clarence Valley Council's support for approval.

ITEM 07.23.189 REV2023/0005 - SECTION 8.2 REVIEW OF REFUSAL OF SUB2021/0045 - SIX (6) LOT SUBDIVISION - 181 CARRS DRIVE, YAMBA

Meeting	Council	24 October 2023
Directorate	Environment & Planning	
Prepared by	Development Planner (Systems), Carmen Landers	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	<p>A. REV2023-0005 - Amended Subdivision Plan ↓</p> <p>B. REV2023-0005 - Amended Biodiversity Development Assessment Report (Separate Cover) ⇄</p> <p>C. REV2023-0005 - Amended Onsite Waste Water Report (Separate Cover) ⇄</p> <p>D. REV2023-0005 - NSW RFS General Terms of Approval ↓</p> <p>E. REV2023-0005 - Flood Impact Assessment (Separate Cover) ⇄</p> <p>F. REV2023-0005 - Submissions (Separate Cover) ⇄</p> <p>G. REV2023-0005 - Section 4 15 Assessment ⇄</p>	

SUMMARY

Council has received a review application under Section 8.2 of the *Environmental Planning and Assessment Act 1979*. Review Application REV2023/0005 is seeking a review of Council's decision to refuse SUB2021/0045 at the 24 April 2023 Meeting (Item No. 07.23.050). The application proposed a six (6) large lot residential subdivision of 181 Carrs Drive, Yamba, being Lot 1 DP558571.

<i>Applicant</i>	Warren Gould
<i>Owner</i>	Gavin and Sharon Shankland
<i>Address</i>	181 Carrs Drive, Yamba (being Lot 1 DP558571)
<i>Submissions</i>	Yes - Four (4) in objection

The application was refused on the following grounds:

- The land being a wetland (Swamp Forest of Swamp Oak) making it unsuitable for the proposed development;*
- The nine submissions raised major concerns about the potential for flooding, impacts of stormwater runoff and clearing of natural vegetation;*
- The likely impacts of the development on the natural environment; and*
- Impact on areas of C2 zoning for some infrastructure.*

The applicant has addressed the reasons for refusal and an amended subdivision design and supporting reports have been submitted. The following changes have been made to the proposal:

- All infrastructure for proposed Lot 6 has been relocated outside of the C2 Environmental Conservation Zone; and
- A reduction in building envelope size for proposed Lots 2-6 from 20m x 20m (400m²) to 15m x 20m (300m²).

The Review Application was exhibited in accordance with the Community Participation Plan. A total of four (4) submissions were received during the exhibition period.

The application is referred to Council to review their original decision. The report provides an assessment of the application and a recommendation for Council's consideration.

OFFICER RECOMMENDATION

That Council approve Development Application SUB2021/0045 under Division 8.2 Review Application REV2023/0005 subject to the draft Advices and Conditions contained in Schedule 1.

LINKAGE TO OUR COMMUNITY PLAN

Theme Leadership

Objective We will have a strong, accountable and representative Government

KEY ISSUES

This report focuses on the reasons for refusal as determined by Council and additional submissions received during exhibition of the Division 8.2 Review Application.

1. Review of Application under Division 8.2 of *Environmental Planning and Assessment Act 1979*

Section 8.2 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), allows an applicant to request a review of their determination within six (6) months of the date determination if they are not satisfied with the outcome. Further Section 8.3 of the EP&A Act provides that the applicant may amend the proposed development made by the original application.

As part of the Division 8.2 Review Application, the development has been modified to relocate all infrastructure for proposed Lot 6 outside of the C2 Environmental Conservation Zone and reduce the building envelopes for proposed Lots 2-6 from 20m x 20m (400m²) to 15m x 20m (300m²). The amended subdivision plans are provided as **Attachment A**.

2. Reasons for refusal

a) *The land being a wetland (Swamp Forest of Swamp Oak) making it unsuitable for the proposed development*

The subject land is not identified as a mapped wetland or being located within 100 metres of a mapped wetland under the *State Environmental Planning Policy (Resilience and Hazards) 2021* (refer to **Figure 1**).

The plant community types (PCTs) present onsite were determined through detailed site survey. The Biodiversity Development Assessment Report (BDAR) was prepared in accordance with the *Biodiversity Conservation Act 2016* for the application. The BDAR (**Attachment B**) determined that the land contained two (2) native PCTs:

- PCT 1235 Swamp Oak swamp forest of the coastal lowlands of the NSW North Coast Bioregion – 0.415 hectares impacted by the proposal; and
- PCT1064 Paperbark swamp forest of the coastal lowlands of the NSW North Coast Bioregion – not impacted by the proposal

Vegetation communities were assigned based on floristics, structure and condition in accordance with the Biodiversity Assessment Method (BAM) Operational Manual – Stage 1 (DPE, 2020). The BDAR did not identify the vegetation assemblage (species present) as a wetland plant community type, but rather vegetation that aligns with PCT 1235 Swamp Oak swamp forest and 1064 Paperbark swamp forest. However, the allocated PCTs sit under the umbrella of a forested wetland vegetation formation under the NSW vegetation hierarchy. Vegetation formations are broad groups distinguished by major structural and physiognomic features. There are 12 vegetation formations recognised for NSW.

The land is considered suitable for the proposed development because the biodiversity impacts have been considered under the BAM and are proposed to be offset in accordance with the Biodiversity Offset Scheme under the *Biodiversity Conservation Act 2016*. Vegetation integrity scores for survey plot areas were found to be moderate which is indicative of high levels of disturbance to ground cover and understorey associated with regular mowing and maintenance. The applicant has avoided and minimised impacts on the subject site by locating three (3) out of five (5) additional building envelopes outside of any PCT. Further, additional mitigation measures such as rehabilitation of the C2 Environmental Conservation Zone and protection of remaining vegetation have been imposed in line with the recommendations of the BDAR.

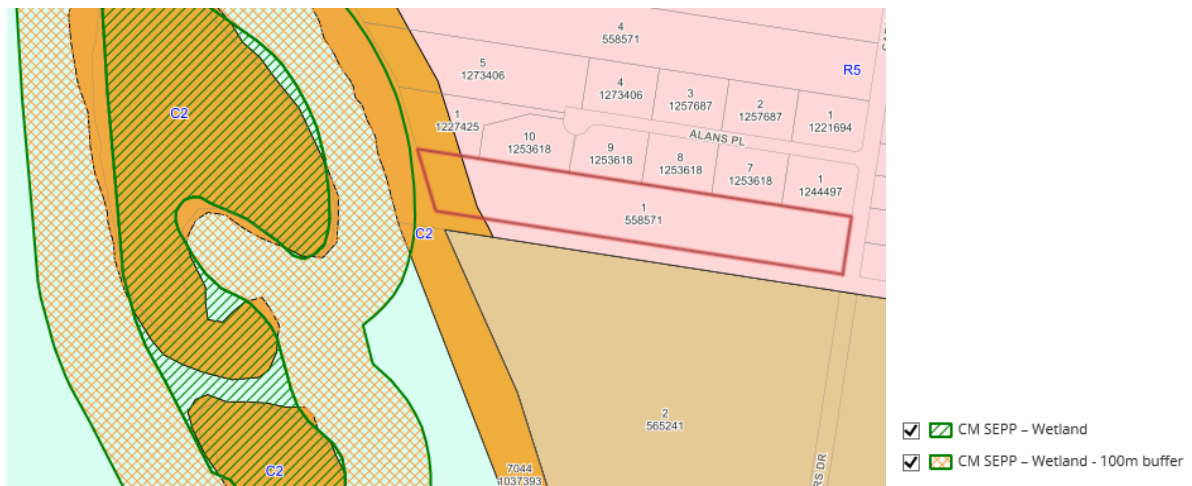


Figure 1 – Extract from CVC Intramaps showing location of mapped wetland and buffer

- b) *The nine submissions raised major concerns about the potential for flooding, impacts of stormwater runoff and clearing of natural vegetation*

Flooding

The applicant submitted a Flood Impact Assessment prepared by BMT (refer to **Attachment E**) to address clause 5.21 of the *Clarence Valley Local Environmental Plan 2011* (the LEP) and Part D – Floodplain Development Controls within the Residential Zones Development Control Plan (the DCP). The assessment takes into account the changes to ground levels should future owners fill within the designated building envelopes, the upgrade works within Sullivans Lane and the ultimate development in West Yamba Urban Release Area (WYURA).

The Flood Impact Assessment demonstrated that the proposal will have a negligible effect on the existing flood behaviour as required by Part D of the DCP and clause 5.21 of the LEP.

The proposed subdivision and minor civil works will result in a net increase in flood storage volume within Sullivans Road. It is considered that the reshaping of the site's ground surface and the construction of new stormwater drainage will improve drainage for the site and of adjacent residential developments to the north, including Carrs Drive, post flood events.

The subject land is outside of the WYURA and is not land that requires the proponent to fill the land to achieve a minimum level of 3.01m AHD. As filling of future dwelling envelopes is not proposed as part of this development application, it will depend on the intent of future owners whether they construct dwellings on fill or on piers. However, the Applicant has demonstrated filling of each building envelope will not have an adverse impact on flood behaviour. Future development applications for each dwelling will need to comply with any current adopted minimum floor levels at the time of determination and will be considered on merit against the relevant criteria under the LEP and Part D of the DCP.

The applicant was requested to consider the Lower Clarence Flood Model Update 2022 in relation to the proposed development. The applicant's position is that the flood impacts under the updated model will not be materially different to those assessed under the Flood Impact Assessment for the proposal (**Attachment E**). The applicant's the Flood Impact Assessment concluded that the *'The addition of the proposed development results in localised decreases in flood levels on the eastern side of Carrs Drive and does not cause a significant adverse impact on flood levels within the local area'*.

The flooding impacts of the development have been considered against Council's current LEP and DCP controls. The flood impact assessment prepared for the application demonstrates that the development is compatible with the flood function and behaviour on the land. Due to the low scale of the development (six (6) lots), it is not likely to have an adverse impact on evacuation capacity noting that there is sufficient warning time for evacuation of Yamba and traffic volumes generated by the development will not exceed the capacity of the existing road network in line with the key considerations for evacuation under the NSW Department of Planning and Environment 'Support for Emergency Management Planning Flood Risk Management Guide EM01'. All future housing will allow shelter in place (if need be) as future dwellings will be required to be assessed and constructed to comply with the flood planning level adopted at the time of dwelling approval. Furthermore, it is not likely to result in any adverse impacts to flood behaviour or result in detrimental increases in the

potential flood affectation of other properties in accordance with the objectives of Clause 5.21 of LEP and Part D of the DCP. A full assessment under these clauses is provided in the Section 4.15 Assessment (**Attachment G**).

Impacts of stormwater runoff

Stormwater for any development must be considered under Part H Sustainable Water Controls of the DCP in terms of quality and quantity.

The Stormwater Management Plan (**Attachment H**) submitted with the application shows that the development demonstrates basic compliance with the relevant sustainable water controls as per Council's DCP, Northern Rivers Local Government Development Design and Construction Manual (NRDC) and Water Sensitive Urban Design Principles.

To ensure stormwater from the development will maintain pre-developed flows any stormwater runoff discharged/directed to Carrs Drive (specifically catchment for Bio-retention Basin 1) will require further detailed assessment as part of a Subdivision Works Certificate. This requirement is included in draft condition 13 in Schedule 1 and is consistent with the approach taken for other developments along the western side of Carrs Drive where treated stormwater runoff is discharged directly to the tidal river system where the outlet is unconstrained during non-flood events.

The proposed development achieves the required Water Quality Targets for Post Construction as detailed in Table H2 of the Sustainable Water Controls within the DCP and stormwater runoff from the site will not have an adverse on the natural environment.

Clearing of Native Vegetation

The proposed development results in the clearing of 0.415 hectares of native vegetation which triggered the need for assessment under the *Biodiversity Conservation Act 2016* and preparation of a BDAR. The *Biodiversity Conservation Regulation 2017* sets out threshold levels for when the Biodiversity Offset Scheme (BOS) will be triggered, which is 0.25 hectares of native vegetation clearing for the subject site.

Of the two (2) vegetation types identified on the land, PCT 1235 and PCT1064, the clearing is limited to the PCT 1235 vegetation with no clearing occurring within PCT 1064. The BDAR nominates that the areas to be impacted by the proposal are highly disturbed, being under scrubbed forest with no mid-storey containing mostly regrowth vegetation and grassland as a result of ongoing property maintenance

Under the BOS, the clearing of this vegetation must be offset by retiring 11 ecosystems credits on a like for like basis. The credit requirements for the BDAR have been reviewed and supported by Department of Planning – Biodiversity Conservation Division.

In addition to the offsetting required by the BOS, Section 6.1 of the BDAR has recommended additional measures to minimise biodiversity impacts such as requiring the preparation of a vegetation management plan for ongoing management of retained vegetation, ensuring an ecologist undertakes clearing surveys before clearing commences, chipping of vegetation to be reused onsite, weed management including measures to ensure machinery does not introduce weed seed or propagules to the site. Additionally, the applicant has nominated that the C2 Environmental Conservation zone to be rehabilitated (this area is currently maintained grassland with isolated trees). This rehabilitation planting is supported as it will provide a buffer to the riparian vegetation located offsite. Details of rehabilitation must be provided as part of the vegetation management plan. Conditions of consent to this effect, including restrictions on use to ensure retained vegetation and C2 zone are managed in perpetuity, are provided in Schedule 1 Draft Advices and Conditions.

Through the offsetting of cleared vegetation, the applicant has met their obligations in terms of mitigating impacts on biodiversity in line with the *Biodiversity Conservation Act 2016*.

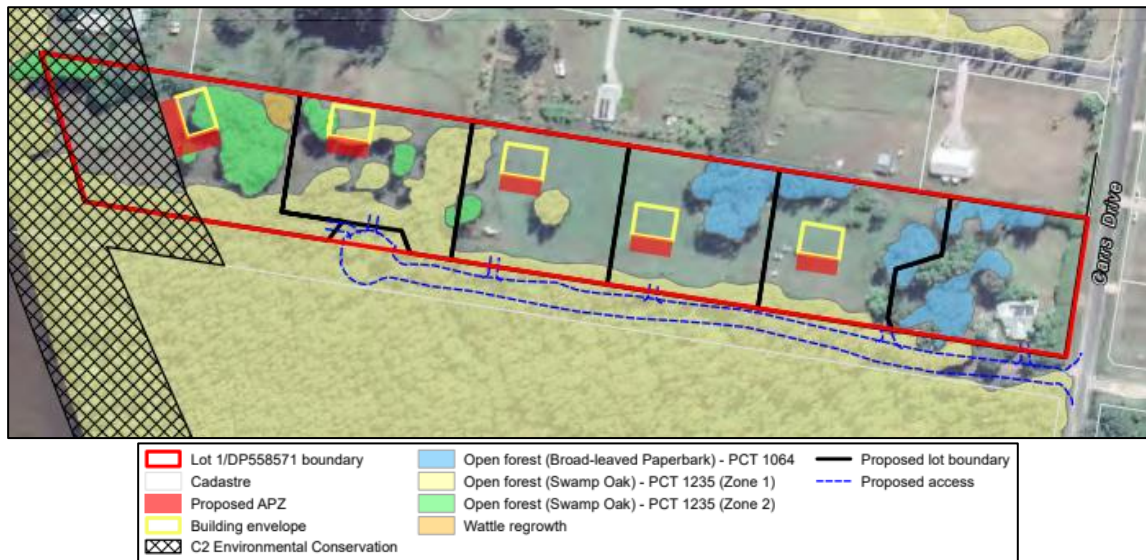


Figure 2: Vegetation Plan – Illustration 3.1 – GeoLINK Biodiversity Assessment Report

c) *The likely impacts of the development on the natural environment*

As part of the review application, the applicant has revised their application to:

- Reduce the building envelopes from 20m x 20m (400m²) to 15m x 20m (300m²) and to reposition Bushfire asset protection zones (APZs), effluent land application areas outside of the C2 zone at the western end of the site (proposed Lot 6).

The development was assessed under the legal framework of the relevant legislation and Council's adopted policies.

It is acknowledged that the development will have some impact on the natural environment through vegetation removal, however, the impacts have been minimised and offset in line with the Biodiversity Offset Scheme and additional mitigation measures to rehabilitate and protect the C2 Zone in perpetuity.

The BDAR concluded that the proposed development inclusive of the new road, new boundaries, accesses, building envelopes, asset protection areas and on-site effluent disposal areas will result in unavoidable impacts of 0.415 ha of land (i.e. 11% of the total site area). These impacts are not considered to be serious or irreversible. The proposal would not involve the removal of key fauna habitat features including hollow-bearing trees, known nest trees or aquatic habitat.

As a requirement of the BAM, the environmental assessments and calculations undertaken in the BDAR, a total of 11 ecosystem credits have been calculated as applicable for the unavoidable loss of site vegetation PCT 1235 Swamp Oak Floodplain Forest of the NSW North Coast, Sydney Basin and South East Corner Bioregions. No threatened species have been calculated for the applicable unavoidable loss of site vegetation.

Furthermore, onsite wastewater management complies with Council's adopted strategy and a condition of consent to ensure future dwellings comply with the Onsite Wastewater Management Report prepared for the application have been included in the Draft Advices and Conditions.

The Stormwater Management Plan submitted with the application demonstrates that the development complies with the relevant sustainable water controls as per Council's DCP, NRDC and Water Sensitive Urban Design Principles.

Erosion and sediment control for the site will be managed in accordance with a detailed plan to be developed and submitted with any future Subdivision Works Certificate should the development be approved ensuring that the natural environment is protected and not impacted during and after construction works.

The development is unlikely to result in adverse impacts to the natural environment provided appropriate ongoing management and protection of retained vegetation, construction of stormwater management and future onsite wastewater systems comply with the submitted plans. Through the

imposition of conditions around construction methods and ongoing management to minimise any potential impacts on the natural environment, the development is not likely to result in an adverse impact on the natural environment. Through the offset of vegetation removal and rehabilitation of C2 zoned land, the development, on balance, provides for development compatible with the zoning while improving biodiversity qualities on the land over time.

d) *Impact on areas of C2 zoning for some infrastructure*

As part of this Division 8.2 Review application, the applicant has amended the original proposal to relocate all infrastructure for proposed Lot 6 outside of the C2 Zone (refer **Figure 3**). This means the development is contained wholly within the R5 Large Lot Residential Zone. Suitable conditions of consent are included in Schedule 1 Draft Advices and Conditions to ensure that building envelopes, APZs and effluent disposal areas are clearly identified on the subdivision plan and enforced through the imposition of restrictions on title. Additionally, the C2 zone is to be clearly identified on plan and restricted on title so that future owners are aware that this area is an environmental conservation zone and that no development/works can occur in this area. It is recommended that this is no longer a defensible reason for refusal.

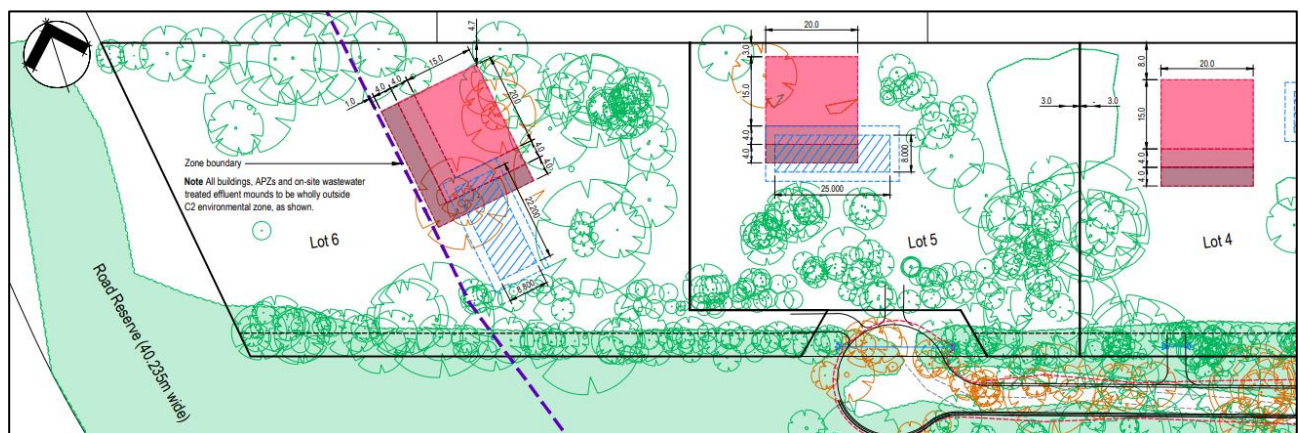


Figure 3: Subdivision Plan showing location of building envelope outside of C2 zone

Summary

The impacts of the development have been offset under the requirements of the Biodiversity Offset Scheme. Additional mitigation measures such as rehabilitation of the C2 Zone portion of the land, restrictions on use to ensure retained vegetation and C2 zone are managed in perpetuity in accordance with a suitable property vegetation and weed management plan are contained within the Draft Advices and Conditions. This will ensure that the impacts, during and after construction, are managed appropriately. Additionally, and as discussed above, it has been demonstrated that the development is compatible with the flood behaviour in this location and through appropriate stormwater management, the development is not likely to result in adverse impacts to the surrounding area.

The development is generally consistent with the objectives of the R5 Large Lot Residential Zone to provide residential housing in a rural setting while preserving and minimising impacts on environmentally sensitive locations and scenic quality and does not result in an unreasonable demand for public services and facilities.

On balance, and as per the full assessment as contained in the Section 4.15 Assessment (**Attachment G**), the impacts of the development have been appropriately considered in line with current legislation and policies and suitable offsets and mitigation measures have been applied as draft conditions of consent. For these reasons, the application is recommended for approval.

3. Submissions

The Division 8.2 Review application was publicly exhibited in accordance with Council's Community Participation Plan and four (4) submissions were received between 5 and 25 September 2023 (**Attachment F**).

The issues raised within the submissions were addressed within the original application, however a summary of issues and a comment is provided below for continuity.

Issue	No of submissions that raise issue	Council Comments
<p>Flooding and impacts on floodplain storage</p> <p>Submissions raised concern the development is located on a floodplain will impact on flood plain storage</p>	3	<p>The Flood Impact Assessment takes into account the changes to ground levels should future owners fill within the designated building envelopes, the upgrade works within Sullivans Lane and the ultimate development in West Yamba Urban Release Area (WYURA). The proposed subdivision and minor civil works will result in localised decreases in flood levels on the eastern side of Carrs Drive and does not cause a significant adverse impact on flood levels within the local area. The proposal will have negligible effect on the existing flood conditions including:</p> <ul style="list-style-type: none"> i. The extent of earthworks for the access road and associated fill levels are minimal and would have negligible effect on flood storage; ii. Council's flood mapping indicates that the flood flows at the site have low flow velocity (the site forms part of a floodplain area) and therefore the proposed development will not adversely affect flood conditions or velocity; and iii. Individual proposed developments can only be assessed on their merits. The subject proposal is acceptable and would not have any significant cumulative impact on the floodplain.
<p>Stormwater and impacts on waterway</p>	2	<p>This is discussed under the issues section above in 2(b) and considered in detail in the Section 4.15 Assessment under Part H of the DCP.</p>
<p>Removal of vegetation and impacts on Biodiversity</p>	3	<p>This is discussed under the issues section above in 2(b) and (c) and considered in detail in the Section 4.15 Assessment under Environmental Impacts</p>
<p>Filling of land</p>	1	<p>This is discussed under the issues section above in 2(b) and considered in detail in the Section 4.15 Assessment under Clause 5.21 of the LEP and Part D of the DCP.</p>
<p>Onsite Waste Water Management and impacts on waterway</p> <p>Impacts of effluent to aquatic life in the vicinity of the development given the proximity to Oyster Channel</p>	1	<p>An Onsite Wastewater Management Report was prepared for the application which meets Council's adopted Onsite Wastewater Strategy (OSM) 2019. Appropriate setbacks from waterways in line with the Strategy have been provided and any wastewater systems for future dwellings must comply with the Report or as otherwise approved by Council.</p> <p>The proposed onsite waste water systems are NSW Department of Health Accredited Aerated Wastewater Treatment Systems (AWTS) with additional disinfection (UV) and will be located at the 1:20 year flood level.</p> <p>Land Application areas have been designed in accordance with the Australian Standard (ASNZ1547:2012), the Environmental Health Guidelines and Council's OSM Strategy. Viral Die-off Modelling was also undertaken and provided to demonstrate compliance with setbacks to the permanent and intermittent watercourses.</p>

<p>Additional Over 50's living One submission raised the issue that there are too many over 50's lifestyle living resorts already located in Yamba without the necessary Infrastructure (shopping precincts) to cater for increase</p>	1	This development is for a proposed six (6) lot subdivision and not an over 50's lifestyle living resort. This objection is not relevant to this application.
<p>Bushfire One submission raised the issue of bushfire danger in times of drought</p>	1	The subject land is identified as bushfire prone land. A Bushfire Management Report was prepared as part of the application which was assessed by the NSW Rural Fire Service (NSW RFS) as Integrated development. The NSW RFS issued their General Terms of approval (Attachment D) which includes a number of bushfire management requirements to be implemented. An appropriate condition has been included in the Draft Advices and Conditions.
<p>Traffic</p>	1	As detailed in the original report to the April meeting, the existing road network is considered to be sufficient to cater for the additional 37 trips per day generated by the development when considering the existing volume of residential traffic and the capacity of Carrs Drive. The traffic generated by the development does not trigger any road or intersection upgrades.

BACKGROUND

Development Application SUB2021/0045 for a six (6) lot large lot residential subdivision at 181 Carrs Drive, Yamba was refused by Council at the meeting of 24 April 2023 (Item No. 07.23.50) for reasons provided above.

The site is zoned R5 Large Lot Residential and C2 Environmental Conservation, the proposed subdivision is permitted with consent within the zones. A minimum lot size of 5,000m² applies to the land.

COUNCIL IMPLICATIONS

Budget/Financial

There may be financial costs to Council should the applicant appeal Council's decision in the Land and Environment Court (LEC). The application was accompanied by all fees required to be paid by Council's Fees and Charges. Assessment of the application has been completed by staff utilising recurrent staffing budgets.

Asset Management

All allotments within the subdivision will have access to Council owned water and Council maintained roads. Once the new road and drainage infrastructure including basins are constructed by the developer and accepted off maintenance, this infrastructure will become a Council asset and require ongoing maintenance to be met by Council's maintenance budget.

Policy and Regulation

Environmental Planning and Assessment Act, 1979
Biodiversity Conservation Act 2016
Rural Fires Act 1997
Environmental Planning and Assessment Regulation 2000
State Environmental Planning Policy (Resilience and Hazards) 2021
Clarence Valley Local Environmental Plan 2011
Residential Zones Development Control Plan (DCP)

Consultation

The development application was referred externally to the NSW Rural Fire Service, revised general terms of approval have been granted for the development and conditioned accordingly. The application was previously referred to the Department of Planning – Biodiversity Conservation Division and their recommended conditions of consent have been included in Schedule 1 – Draft Advices and Conditions.

The following sections of Council were consulted during the assessment of the application:

<i>Internal Section or Position</i>	<i>Comment</i>
Development Engineer	Supported subject to conditions
Environmental Health	Supported subject to conditions
Natural Resource Management	Supported subject to conditions

Legal and Risk Management

An appeal may be lodged at the Land and Environment Court within six (6) months of the original determination being made under the EP&A Act. At the time of preparing this report a formal appeal had not been lodged at the LEC. The applicant has until the **24 October 2023** to lodge a formal appeal.

Climate Change

There will be additional assets, being the proposed road and associated stormwater infrastructure, that could be affected by climate change impacts as listed in Council's Disaster Resilience Framework. All future housing will be assessed and constructed to comply with the flood planning level adopted at the time of dwelling approval. Subject to Council's endorsement, future dwellings will have floor levels above the climate change (RCP4.5) 1% AEP flood, ensuring that these structures have a level of immunity and resilience against climate change in the future.

Provision of a new large lot residential subdivision and additional housing close to major towns and services and adjacent to existing settlements is more efficient and generates less greenhouse gases for the full life cycle of the development compared to more dispersed and fragmented forms of development. Further, future dwellings will need to be compliant with the NSW Government's building sustainability index in terms of thermal comfort, water efficiency and energy efficiency and achieving this certification makes new residential development more sustainable and less of a contributor to climate change compared to older forms of housing.

Schedule 1
Draft Advices and Conditions of Consent for SUB2021/0045

Definitions

Civil Works may include:

- a Earthworks
- b Roadworks (including car parking and/or driveways).
- c Flood, Drainage works including **WSUD** and flood mitigation measures,
- d Provision of Utility Services including street lighting

ET means an 'equivalent tenement'. This is the demand or loading a development will have on infrastructure in terms of water consumption or sewage discharge for an average residential dwelling or house.

ITP means Inspection and Testing Plan in accordance with **NRDC**.

NATA means National Association of Testing Authorities

NorBE means the control and mitigation of developed stormwater quality and flow-rate quantity to achieve a neutral or beneficial outcome for post-development conditions when compared to pre-development conditions, in accordance with **NRDC**.

NRDC the current civil engineering standards in accordance with the relevant parts of the following guidelines

- a Northern Rivers Local Government Development and Design Manual (AUS-SPEC)
- b Northern Rivers Local Government Construction Manual (AUS-SPEC)
- c Northern Rivers Local Government Handbook of Stormwater Drainage Design (AUS-SPEC)
- d Northern Rivers Local Government Handbook for Driveway Access To Property (AUS-SPEC)
- e Clarence Valley Council 'MUSIC' Guidelines (Draft)
- f Clarence Valley Council Street lighting Strategy

AUS-SPEC documents can be obtained from a link under the 'Planning & Building' section of the Clarence Valley Council webpage. WSA documents are subject to copyright and may be obtained from the 'Water Services Association of Australia'. For 'MUSIC' guidelines and policy documents contact Council's development engineer.

SWC means Subdivision Works Certificate

TCP means Traffic Control Plan in accordance with the **TfNSW** 'Traffic Control at Worksites' Technical Manual.

TfNSW means Transport for New South Wales.

WSUD means Water Sensitive Urban Design

Clarence Valley Council Development Control Plans include Sustainable Water Controls which identify the measures required in the various land use zones. Council endorses the Queensland 'Water By Design - Healthy Waterways' reference and technical guidelines for the design and construction of WSUD drainage systems.

The **WSUD** documents may be accessed via the 'Water-By-Design' web-site.

Advices

1. The following approvals are required for this development and are to be issued by Council and/or accredited private certifier as applicable to the development.
 - a Environmental Planning and Assessment Act 1979 Section 6.4(b) - Subdivision Works Certificate;
 - b Roads Act 1993 Sections 138 & 139 - approval for works on a road issued by Council and/or TfNSW;
 - c Local Government Act Section 68 - drainage, water & sewer approval;
 - d Approval of Civil engineering works for development on private property. (Refer Environmental Planning and Assessment Act 1979 Section 6.5(2), Building Professionals Act Section 74A - Categories C1 to C6 inclusive and Building Professionals Regulation Section 20C

Application to Council for public and/or private property works requires payment in accordance

with the Council's adopted 'Fees and Charges'. The application form may be downloaded from Council's website.

2. A private certifier accredited for Civil Construction under the NSW Building Professionals Act 2005 (Categories B and/or C), may be engaged for all or part of civil works (subdivision and/or on private property) other than public infrastructure water and sewer reticulation works. Accreditation of private certifiers for public sewer and water reticulation works is not offered under the Building Professionals Act 2005.

Works within public road reserves require the approval of the Road Authority as defined in the NSW Roads Act.

3. A completed 'Design Certification Report' with supporting documentation, in accordance with the requirements of **NRDC** must be submitted to Council and/or accredited private certifier with the submission of the **SWC** application.

Approval of a **SWC** will be current for a period of two years after which time Council may require the alteration to the Engineering Design to comply with current standards. Engineering plans for the **SWC** are required in electronic format to be confirmed with Council before lodgement.

4. No civil construction works, including the removal of vegetation or topsoil, shall be commenced until a **SWC** has been issued by Council and/or accredited private certifier.

A private certifier who issues a **SWC** must forward a copy of the Certificate along with a copy of the approved plans and **ITP** to Council two days before work commences on the development.

Council attendance at any required inspections will be charged in accordance with the adopted 'Fees & Charges' current at the time of the inspections. Payment is required prior to any inspections.

5. Certification of constructed **Civil Works** by the supervising engineer and/or registered surveyor is required prior to public infrastructure being accepted "on maintenance" and/or "practical completion" being granted for private property works.
6. All building and construction work, which includes subdivision and civil works, which cost \$250,000 or more require the payment of the long service levy prior to a Construction Certificate being issued. The levy is required under the Building and Construction Industry Long Service Payments Act 1986. The total value of works must be included on the Construction Certificate Application form.
7. The Earthworks Management Plan must include an initial site inspection report. This report should include:
 - a Inspection and verification of an appropriate preparation of the foundation for placement of fill, including the provision of surface drainage arrangements and a geotechnical assessment of factors that can influence the site. This is to be provided by a competent Geotechnical Authority.
 - b Certification that the land created by the development will be suitable for its intended purpose (e.g. residential, commercial or industrial buildings) including any parts of the land that will be left in its natural state or modified by the development.
 - c Identify any problem areas on or adjacent to the development land (e.g. potential land slip areas, hanging swamps, very high water tables, salt affected land, highly eroded sites etc) and advise if engineering solutions, acceptable to Council, are available to enable structures to be built on the affected parts of the land.

Where relevant to the project, the following will also be required

- a Details on the selection of fill type(s), the source/s of the fill, including suitability for the intended use, its appropriate handling, placement and compaction, and the area of the development to be filled including depth to be filled. Fill imported to the site must be free of building and other demolition waste, and only contain virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the Protection of the Environment Operations Act 1997.

- b Any conditions on the use of the material and a report from a registered NATA laboratory on the key geotechnical properties used in the assessment of each fill type.
- c Measures proposed to prevent adverse impact to adjoining properties and to local drainage. Provision is to be made for the mitigation of and free passage of surface stormwater away from affected sites. These measures are to be acceptable to Council.
- d The acid sulfate status of the development land. Where the development is subject to acid sulfate soils, the appropriate treatment of the works shall be detailed in accordance with Council and the NSW Acid Sulfate Soil Management Advisory Committee requirements

The Earthworks Management Plan must :

- a Include details of how the works will comply with the Protection of the Environment Operations Act 1997.
- b Provide a concept for the full site as a minimum with details of the earthworks for a particular stage lodged with the construction certificate application for that stage.
- c Compatible with the works plans and the approved Stormwater Management Plan.

The following information will be required for earthworks undertaken:

- a Details of geotechnical laboratory and in situ (principally dry density assessment) testing for each fill type and specified volume of placed fill including records of the date and time of all testing, the source of material tested in the laboratory, and the spatial distribution and reduced level of in situ tests. The latter must be correlated with results from the laboratory testing of similar material.
- b Recorded dates of placement and survey data recording the aerial extent of fill and the reduced level prior to construction and at completion.
- c Certification of the completed earthworks (including cut, fill, earth retaining structures as far as the geotechnical aspects) that the work is suitable for the intended use.
- d Certification that excavated materials have been reused or disposed of in accordance with the Protection of the Environment Operations Act 1997 and copies of receipts for disposal where relevant.

Should there be any change in the source of fill material from that previously approved for the development, the Principal Certifying Authority must be notified and approval obtained to the new source prior to the import of any of the material. A report from a practicing geotechnical engineer certifying that the new source material is suitable for the intended purpose must be provided. The report to include any conditions on the use of the material and a report from a registered NATA laboratory on the key geotechnical properties used in the assessment of fill type. The Earthworks Management Plan to be amended accordingly.

8. To obtain a Certificate of Compliance for water and or sewer works, Council requires completion of any works on Council's water or sewer infrastructure specified as a condition of this consent and payment of contributions in accordance with Section 64 of the Local Government Act, 1993, which applies Section 306 of the Water Management Act, 2000. The application form for a Certificate of Compliance is available on Council's website.

The proposed development has been assessed as contributing an additional 7.2 ET demand on Council's water supply. The headworks charges at 2023/24 financial year rates are:

Water Headworks \$6,369.00 x 7.2 additional ET = \$45,856.80

The contribution(s), as assessed, will hold for a period of 12 months from the date of this approval. Contributions not received by Council within 12 months of the date of this determination will be indexed in accordance with Consumer Price Index (CPI) current at the time of payment.

Where any works are required on Councils water or sewer infrastructure, as a condition of this consent, they must be completed in accordance with the conditions of consent prior to the release of the certificate of compliance.

9. Existing Lot 1 DP 558571 does not have an existing capital contribution credit for water.
10. The subject land is excluded from the Development Servicing Plan for Sewer, refer to Council resolution from their June 2017 Meeting - Item No. 15.102/17.

11. Connection to Council's reticulated water supply mains may be required when the public reticulation system is operational. Under the Local Government Act 1993, Council can issue an order for connection. If a new water connection is required it will be subject to a connection fee under Council's fee and charges.

If connection to reticulated water supply is required, a detailed Water Reticulation Management Plan will be required to be submitted for assessment and approval by Clarence Valley Council, prior to the issue of a Construction Certificate. This shall include consideration of the approved bushfire management plan and assessment of the existing water supply to ensure sufficient flows are available for the proposed development including fire fighting flows.

12. Upon lodging the written request for new a street name for the new Road, a Road Naming Application fee is required to be paid. The fees for the 2023/24 financial year are \$842.15
13. A Subdivision Certificate fee is charged for the endorsement of linen plans. Fees for the 2023/24 financial year are \$271.85 plus \$32.00 per additional lot (minimum \$271.85). An additional fee of \$123.45 is payable if the Subdivision Certificate requires the signing of an 88B instrument by Council.

Conditions

1. The development being completed in conformity with the Environmental Planning and Assessment Act, 1979, the Regulations thereunder, the Building Code of Australia (BCA) and being generally in accordance with the following plan(s) and documents, except where the conditions of this consent expressly require otherwise

Approved Plans				
Plan No	Drawn by	Plan Date	Title	Revision
3187/SK-01	GeoLINK	26/09/2023	Building Envelopes, APZ's and Wastewater Land Application Areas	A
3187/C010	GeoLINK	25/05/2022	Subdivision Lot Layout	B
3187/C011	GeoLINK	25/05/2022	Design Layout Sheet 1 of 2	B
3187/C012	GeoLINK	25/05/2022	Design Layout Sheet 2 of 2	B
3187/C013	GeoLINK	25/05/2022	Bulk Earthworks Sheet 1 of 2	B
3187/C014	GeoLINK	25/05/2022	Bulk Earthworks Sheet 2 of 2	B
3187/C020	GeoLINK	25/05/2022	Erosion and Sediment Control Layout, Details and Notes	B
3187/C031	GeoLINK	25/05/2022	Stormwater Management Plan	B

Approved Documents			
Document Title	Prepared by	Date of Document	Version Number
Bush Fire assessment	GeoLINK	25/09/2023	Issue 4
On-Site Effluent Suitability Assessment	GeoLINK	27/09/2023	Issue 3

In the event of any inconsistencies between the approved plans and documents, the approved

plans prevail.

In the event of any inconsistencies between the approved plans and a condition of this consent, the condition prevails.

2. The property is affected by flooding of the Clarence River. The 'Lower Clarence Flood Model Update 2022' was adopted by Council Resolution 06.23.009 on 27 June 2023. Development on the site must be undertaken in compliance with the flood plain management controls listed in the Council **DCP** for the relevant land use zone.

All works are to minimise the adverse effects of flooding in accordance with the relevant parts of the Clarence Valley Council Development Control Plans and **NRDC**.

3. Any activity to be carried out on any part of the road reservation requires the prior approval of Council under the NSW Roads Act 1993.

Prior to issue of Subdivision Works Certificate

4. A Vegetation Management Plan (VMP) is to be submitted and approved by Council prior to issue of the **SWC**. The VMP must be prepared by a suitably qualified ecologist and must include:
 - a. A tree clearing plan for the new road including details of all retained vegetation within the road reserve.
 - b. During construction activities, temporary high visibility fencing must be erected to assist in the protection of the retained vegetation (within the road reserve and private land) from all construction activities by restricting access from machinery and contractors. This fencing will be erected in accordance with Australian Standard 4970-2009 Protection of Trees. The plan should also provide guidelines for controlling activities during the pre-clearing and clearing phases of the development and detail how all retained vegetation should be clearly marked and protected.
 - c. No machinery, rubbish or spoil will be stored within retained vegetation during the construction phase of the development. Vehicle/equipment wash-down areas or access tracks will not be located in or immediately adjacent to retained vegetation.
 - d. Details of how the vegetation outside of the Asset Protection Zones required by the NSW Rural Fire Service General Terms of Approval including the vegetation beyond 3m of each new lot boundary is to be retained, managed and protected in perpetuity.
 - e. Location and species of the new plantings in the C2 Environmental Conservation zoned land on lot 6 planted at an average of 5m centres within the designated area. Trees used are to be local endemic species. Tube stock trees are acceptable provided they are protected with tree guards or similar. Trees shall be planted prior to release of the Subdivision Certificate for Lot 6.
 - f. Details outlining specific measures to allow for assisted natural regeneration and revegetation (where necessary) within the retained vegetation on the site including monitoring and reporting requirements after the construction phase of the development.

The VMP and/or recommendations contained therein are to be given effect by a restriction/s as to user under section 88B of the *Conveyancing Act 1919* registered on the titles of each allotment in the subdivision.

5. An **ITP** must be submitted for approval with the application for a **SWC**. The supervising engineer or registered surveyor must arrange for the hold/witness point inspections, and accompany Council and/or accredited Private Certifier on the inspection unless alternative arrangements are made. Hold Point, Witness Point, On / Off Maintenance and/or Practical Completion inspections involving public infrastructure must be attended by Council officers.

Where Council is the Certifying Authority for civil engineering works the applicant must give Council one (1) business day's notice to attend inspections.

Hold Point, Witness Point and Audit inspections must be documented by the ITP and include the following works (but not limited to):

- a. Pre-start Meeting (Attended by Council and/or Accredited Private Certifier, Principal Contractor & Supervising Engineer and/or Registered Surveyor)

- b Erosion & Sedimentation Controls
- c Earthworks
- d Roadworks
- e Stormwater Drainage
- f Other Services
- g 'On Maintenance' (Public Infrastructure)
- h 'Off Maintenance' (Acceptance of Public infrastructure by Council)

6. Detailed plans of earthworks including an Earthworks Management Plan must be submitted to Council or accredited private certifier for assessment and approval prior to the issue of a **SWC**.

The earthworks Management Plan is to be prepared in accordance with Council's guidelines. The guidelines are listed in the Advices section of this Notice. Earthworks shall be limited to works associated with road and stormwater drainage construction. Excess spoil shall be removed from site, it is the developers responsibility to ensure the receiving site can accept any excess material transported from site.

7. A detailed Water Reticulation Management Plan must be submitted for assessment and approval by Council, prior to the issue of a **SWC**. This shall include consideration of any approved bushfire management plan and an assessment of the existing water supply to ensure sufficient flows are available for the proposed development including fire fighting flows.

Any upgrade to the existing water service to the property will be subject to the costs outlined in Council's list of fees and charges.

Subject to availability of Council's Water Reticulation system for the West Yamba Urban Release Area (WYURA):

- a If Council's reticulated water system is operational and available within 225 metres of the subject land (including the existing dwelling), connection will be required at the applicant's cost. Such connection will require approval of a Civil Construction Certificate.
- b If a reticulated water supply is available when a Subdivision Certificate is lodged for any lot, water supply infrastructure must be provided to service all lots in the subdivision, from a Council approved connection point and/or water meter in accordance with the requirements and specifications of Clarence Valley Council, including the Clarence Valley Council Sewer and Water Connection Policy prior to issue of the Subdivision Certificate.

8. A Road Design Plan must be submitted for approval with the application for a **SWC**. Design and construction is to be in accordance with the applicable Clarence Valley Council Development Control Plans and **NRDC**.

Works to and on public road reserve requires the approval of Council or other Roads Authority under the NSW Roads Act.

9. Where proposed, **WSUD** systems are to be included in a detailed Design, Construction, Inspection, Testing, Establishment and Staging Management Plan and submitted with the **SWC** application for approval by Council. Road reservation widths are to be in accordance with **NRDC** plus additional width to contain proposed **WSUD** components as approved by Council.
10. Preliminary road pavement design, in accordance with **NRDC**, must be submitted to Council as part of the **SWC** approval. Final pavement design will be subject to in-situ CBR tests. Bitumen spray-seal surfacing must be a 2 coat seal 14 mm / 7 mm for all roads. Details of the bitumen spray-seal designs are to be submitted to Council for approval prior to sealing.
11. The **SWC** application must include design calculations for any necessary upgrade of, existing stormwater drainage cross-culverts and affected services/utilities.
12. Prior to the issue of any **SWC** engineering calculations must be provided which clearly indicate the capacity of table/swale drains, the maximum flow velocities and their resistance to scour. Where table/swale drains are used they must be designed to minimise velocity of flow to that necessary to achieve draining of the table/swale minimising ponding and must be treated to minimise scour.

Table/Swale drains within the road reservation must be designed to protect the road pavement from infiltration of surface water. This could be achieved by either a configuration that locates the water surface level from minor storm flows below the subgrade level, or other methods of protection acceptable to Council.

Batters on table/swale drains must be suitable for mowing by domestic mowers which will generally require a batter with a maximum grade of 1 in 6 unless approved by Council. The width of road reservations must account for any batters and an area suitable for pedestrians.

13. All stormwater falling on the property is to be collected within the property and discharged in accordance with the relevant parts of the applicable Clarence Valley Council Development Control Plans and **NRDC**. A Stormwater Management Plan must be prepared to reflect these standards and guidelines. The Stormwater Management Plan (SWMP) shall be designed generally in accordance with the *Stormwater Management Plan Drawing Number 3187/C031 Rev B* dated 25/05/2022 prepared by *GeoLINK*.

Where stormwater runoff from the development is discharged/directed to Carrs Drive (specifically catchment for Basin 1), the SWMP must demonstrate **NorBe** by calculation and details of pre verses post development flows acceptable to Council.

The SWMP must consider any adjacent property or infrastructure affected by the development. Design details of the drainage system and point of discharge must be submitted with the Stormwater Management Plan for approval by Council and/or accredited private certifier prior to issue of the **SWC**.

The Stormwater Management Plan must include a management plan for any **WSUD** systems. The management plan must consider construction and operational phases.

All inter-allotment and Council owned stormwater drainage systems must be located within drainage easements. Any stormwater conduit with an area of influence (measured by projecting a 45° angle from the invert of the conduit to finished surface level) extending outside of the easement, shall be covered by a 'restriction-as-to-user' requiring any structure within this area to be supported by piers to the conduit invert level. Engineer's design and certification must be provided. All costs shall be borne by the developer.

14. Where earthworks are proposed for the site, professional details of the Geotechnical Inspection and Testing Authority involved in the project are to be submitted to Council or accredited private certifier for approval. Details of the Geotechnical Engineer involved in the design must be submitted prior to the issue of the **SWC** whilst details of the Geotechnical Inspection and Testing Authority involved in the construction must be submitted prior to the commencement of works. The details are to include NATA accreditation, qualifications and accreditations of the principal geotechnical professionals who will be certifying the design and construction, insurances held and any other relevant material.
15. A detailed Erosion and Sediment Control Management Plan for each stage of the subdivision must be submitted for assessment and approval by Council or accredited private certifier, prior to issue of a **SWC** for the relevant stage. This shall be compatible with the Stormwater Management Plan and must include procedures for clean-up and restoration of public / private property and infrastructure. All such remedial works are to be completed to the satisfaction of Council or accredited private certifier. This shall include WSUD components of the proposed drainage system.

Prior to Commencement of works

16. Prior to the commencement of construction, any recommendations contained within the approved VMP are to be implemented and monitored until works are completed.

A copy of the plan must be available on-site during earthworks and construction of the development at all times.

17. Prior to the commencement of construction, an Unexpected Heritage Finds Procedure for Aboriginal and non-Aboriginal Heritage must be prepared should actual or potential items or areas of Heritage be discovered during construction activities. This procedure must be tool

boxed with all work crews and implemented during construction works. Should any Aboriginal or non-Aboriginal relics or artefacts be uncovered during works on the site, all work is to cease and Heritage NSW shall be contacted immediately and any directions or requirements of the Service complied with.

18. **Ecosystem credit retirement – like for like**

Before site work commences:

- a. The class and number of ecosystem credits in the table of ecosystem credits required be retired - like for like - non-threatened ecological community must be retired to offset the residual biodiversity impacts of the development; and/or
- b. The class and number of ecosystem credits in the table of ecosystem credits required to be retired - like for like - threatened ecological community must be retired to offset the residual biodiversity impacts of the development.
- c. Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.

Table of ecosystem credits required to be retired - like for like- threatened ecological community

Impacted plant community type	Number of ecosystem credits	Hollow bearing trees (HBT's)	IBRA subregions from which credits can be used to offset the impacts from development
Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions This includes PCT's: 915, 916, 917, 918, 919, 1125, 1230, 1232, 1234, 1235, 1236, 1726, 1727, 1728, 1729, 1731, 1800, 1808, 3962, 3963, 3985, 3987, 3993, 4016, 4023, 4026, 4027, 4028, 4030, 4035, 4038, 4040, 4048, 4049, 4050, 4056	11	No	Clarence Lowlands, Clarence Sandstones, Scenic Rim, Woodenbong and Yuraygir or Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.

19. **Ecosystem credit retirement – variation rules**

Before site work commences:

- a. the class and number of ecosystem credits identified in the table of ecosystem credits required to be retired - variation rules must be retired to offset the residual ecosystem impacts of development; and
- b. evidence of the retirement of credits identified in the table of ecosystem credits required to be retired - variation rules must be provided to the consent authority.

Table of ecosystem credits required to be retired - variation rules

Formation	Number of ecosystem credits	Hollow bearing trees (HBT's)	IBRA subregions from which credits can be used to offset the impacts from development	Trading Group
Forested wetlands	11	No	IBRA Region: South Eastern Queensland	Tier 3 or higher threat status

			or	
			Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	

20. The contractor engaged to undertake the construction works shall provide a Construction Management Plan (CMP) to Council, a minimum of seven days prior to commencing any works. The CMP shall be submitted to the Development Engineer at the following email address council@clarence.nsw.gov.au. The CMP shall be approved by Council prior to works commencing on site. The CMP shall set out the construction approach for the works and should seek to minimise disruption to the local community. As a minimum, the CMP must address the following areas:

Health and Safety

- a Public safety, amenity and site security;
- b Traffic Control and Management;
- c Pedestrian management;
- d Construction hours;
- e Noise control (All reasonable and feasible mitigation measures must be applied to reduce the potential noise and air quality impacts to sensitive receivers as a result of the construction of the proposal);
- f Contractor vehicle parking;
- g Locating existing utilities and services
- h Health and Safety requirements.

Environment

- a Air quality management;
- b Erosion and sediment control- base information, monitoring and management;
- c Waste management;
- d Material stockpiling;
- e Vegetation management;
- f No go zones;
- g Soil Contamination - an Unexpected Find Procedure/s in the unlikely event that Asbestos Containing Material or Contamination is discovered, disturbed or occurs during the works;
- h Heritage management including an Unexpected Find Procedure/s in the unlikely event that any items of Aboriginal or non-Aboriginal Heritage is discovered, disturbed or occurs during the works;

Quality

- a Submission of current insurance certificates;
- b Work method description;
- c Construction equipment to be used;
- d Inspection and testing requirements;
- e Earthworks methodologies;
- f Haulage routes;
- g Retaining structure construction methodologies;
- h Concrete jointing methodologies;
- i Subsoil drainage installation methodologies;
- j Stormwater drainage infrastructure installation methodologies;
- k Stormwater Quality Improvement Device installation methodologies
- l Road construction methodologies;
- m Access ways and footway construction methodologies;
- n Landscaping installation methodologies;
- o Utility and services installation methodologies
- p Construction and installation methodologies of other structures not otherwise covered above.

All works on site shall be undertaken in accordance with the approved CMP. The Unexpected Finds Procedure/s must be implemented during ground disturbance and earthworks activities. All site personnel must be tool boxed on the Unexpected Finds Procedure/s.

Associated **TCPs** must be prepared by a person authorised by **TfNSW** to prepare **TCPs**.

The approval of Council under the Roads Act 1993 is required for construction works within and occupation of, the road reserve. The road reserve is classed as the property boundary to opposite property boundary and includes roadway, nature strip and footpath.

21. Prior to commencement of works, a sign must be erected in a prominent position on any work site on which work is being carried out:
 - a Stating that unauthorised entry to the work site is prohibited;
 - b Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside of working hours, and
 - c Showing the name, address and telephone number of the principal certifier for the work.

Any such sign is to be removed when the work has been completed.

During Course of Works

22. Prior to vegetation clearing, mature trees must be inspected by a suitably qualified and experienced professional to determine that no fauna or fauna habitat features (nests, dreys) are present or active. If present, the suitably qualified and experienced professional shall be present during the removal of trees to ensure the potential for fauna injury or mortality is reduced. In the event that fauna are present and require care, fauna must be transported to local wildlife carers or a local veterinary hospital.
23. No existing trees are to be removed from the site during subdivision construction, with the exception of those necessary for road construction, site accesses, services laying, and other approved design features of the approved plan.
24. Vegetation removed during construction should be mulched for use on the subject site. This will prevent the introduction of weeds from seeds in mulch brought in from elsewhere.
25. Where possible, any felled trees should be placed on the ground as habitat features and not removed.
26. Biosecurity risk weeds are to be managed according to requirements under the *Biosecurity Act 2015*. This also includes ensuring machinery and plant do not introduce weed seed or propagules to the site. This may include adopting and implementing the 'Arrive Clean, Leave Clean' guidelines (DoE 2015).
27. Any excavation resulting in disturbance below natural ground surface, or work that is likely to lower the watertable shall comply with Councils' Acid Sulfate Soil management provisions. Works shall be undertaken in accordance with the *Acid Sulfate Soil Management Plan – 3187-1070* dated 2/11/2021 prepared by *GeoLINK*. A copy of the plan must be available on-site during earthworks and construction of the development at all times.
28. Benkelman beam testing of the constructed road pavement will be required. The testing is to be undertaken by a NATA registered authority with accreditation for using the Benkelman beam in accordance with RMS Test Method T160.
29. During the course of the works, the applicant must ensure that vehicles and plant associated with the works do not adversely impact on the roadways to such an extent that cause them to become hazardous for other road users particularly during wet weather. Any such damage is to be rectified by the contractor immediately.
30. During dry weather, standard dust suppressions methods are to be used as often as is necessary to ensure that adjoining properties are not adversely affected by undue dust.
31. Erosion and Sediment Control is to be implemented in accordance with the relevant parts of the applicable Council Development Control Plans, 'NSW Managing Urban Stormwater - Soils and Construction (Blue Book)' and NRDC. These controls are to be maintained and managed by the applicant and/or the appointed contractor until the development is accepted 'Off Maintenance'.

Prior to Issue of Subdivision Certificate

32. Payment to Council of the contributions pursuant to Section 7.11 of the Environmental Planning and Assessment Act:

Clarence Valley Contribution Plan 2011 Open Space/Recreation Facilities

Coastal \$4,292.40 x 5 additional lots = \$ 21,462.00 GL S94CVCOSCoastal

Clarence Valley Contributions Plan 2011 Community Facilities

Maclean surrounds \$4,292.40 x 5 additional lots = \$ 21,462.00

GL S94CVCCFMaclean

Clarence Valley Contributions Plan 2011 Plan of Management

Rate per Dwelling/Lot \$82.20 x 5 additional lots = \$411.00

GL S94CVCPoMDwell

Maclean Shire Council Section 94 Contributions Plan Yamba Urban By-pass and Urban Intersections Contributions Plan 2000

West Yamba \$786.60 x 2.6 persons x 5 = \$10,225.80 GL S94YBPWestYamba

N.B.

The contribution(s) as assessed will apply for 12 months from the date of this approval.

Contributions not received by Council within 12 months of the date of this notice **will be adjusted** in accordance with the adopted Schedule of Fees and Charges current at the time of payment.

The contributions are to be paid to Council prior to issue of the Subdivision Certificate.

In the event of any subsequent amendment to the approved Development Plans, the calculated contribution amounts may vary and if so will become the contribution payable.

All contribution plans are available for inspection at Clarence Valley Council Offices, 50 River Street, Maclean and 2 Prince Street, Grafton.

33. The development is to comply with the Integrated Development Approval granted under Section 4.47 of the Environmental Planning and Assessment Act 1979 as contained in the correspondence from the NSW Rural Fire Service, letter dated 5 October 2023, consisting of four (4) pages, and as attached to this Notice of Determination. A suitably qualified person/s is to certify compliance with any General Terms of Approval prior to issue of the **SWC** or Subdivision Certificate where relevant.
34. The submission of the 88B Instrument, and one copy thereof, to Council prior to the release of the Subdivision Certificate.
35. Prior to release of the Subdivision Certificate, street name signs are to be provided to all intersections in accordance with Council's specifications. The name of the proposed road(s) will require written approval from Council.
36. A Certificate of Compliance for Water works must be obtained from Council prior to release of the Subdivision Certificate for each and every stage of the development. This may require payment of a fee
37. A restriction on title is to be registered to the effect that each lot has no entitlement or credit to sewer headworks in the event sewer becomes available.
38. Prior to the issue of the Subdivision Certificate telecommunications (including provision for NBN services where applicable), low voltage electricity and street lighting services must be provided to the development and/or all lots within the subdivision in accordance with the requirements and specifications of the relevant service authorities, Australian Standards, the relevant parts of the applicable Clarence Valley Council Development Control Plans and NRDC.
- a All new services are to be provided within the service allocations within NRDC, unless an agreement has been obtained from Council for an alternative location.
 - b Written agreement of non compliance with the service allocations will be required from the

- affected service authorities.
- c Service locations are to be clearly dimensioned on the Construction Certificate plans.
 - d All service locations are to be approved by Council and the relevant service authority with regard to WSUD components of the proposed stormwater drainage system.
 - e Council must be consulted, and agreement obtained, prior to any variation in location of services during construction due to field conditions.
 - f Any variation to the service location from that approved with the Construction Certificate plans must be clearly documented on the work as executed plans. A registered surveyor must be engaged to locate a service prior to backfilling where it is necessary to clearly demonstrate the location of the service/s.
39. Prior to the issue of the Subdivision Certificate, Council will require satisfactory evidence that all requirements of the relevant telecommunications and power authorities have been complied with and all required contributions have been lodged.
40. Prior to the issue of a Subdivision Certificate, certification is to be provided to Council by a registered surveyor, confirming that all infrastructure (including services, WSUD components, pipelines, road batters, access ways and drainage paths) are contained within the respective lots or easements for the lands to be subdivided.
41. Onsite wastewater management for all lots within the subdivision must comply with the On-Site Effluent Suitability Assessment prepared by GeoLINK on the 27 September 2023 or as otherwise approved by Council. This should be reflected in an 88B instrument.
42. Prior to issue of the Subdivision Certificate a restriction-as-to-user is to be placed on **all** allotments prohibiting the development on or clearing of any vegetation within the retained areas of the site and offset areas outside of Asset Protection Zones and beyond 3m of each new lot boundary. Such covenant shall be in Council's favour.
43. Prior to issue of the Subdivision Certificate a restriction-as-to-user is to be placed on **all** allotments requiring that all dogs, cats and other domestic animals hazardous to native ground moving animals, be contained within a secure compound no greater than 25% of the allotment area.
44. Prior to issue of the Subdivision Certificate a restriction-as-to-user is to be placed on **all** allotments requiring boundary fencing to be of the type which will allow free passage of native ground moving animals.
45. An easement is to be created to provide for conveyance of inter-allotment drainage through the subject land. The easements shall be provided as follows:
- a Where there is no Council infrastructure contributing to the drainage scheme the easements shall be in favour of the properties requiring the benefit and not Council.
 - b Where there is water draining off roads, Council land or Council drainage infrastructure in the upstream drainage system then the easement must benefit Council only. This easement must be an easement in gross.
 - c Where there is water draining off roads, Council land or Council drainage infrastructure in the upstream drainage system and there are properties draining directly to the drainage system then the easement must benefit Council and these properties.
 - d Easement widths must be in accordance with **NRDC**.
- The right to release vary or modify the easement is to be assigned to Clarence Valley Council where Council has a benefit.
46. Prior to the release of any Subdivision Certificate, which dedicates infrastructure to Council, a completed asset register works return must be submitted to Council. The return is to be in the format approved by Council.
47. In accordance with **NRDC** and prior to the release of the Subdivision Certificate, the applicant must provide Work as Executed Plans (WAE) for all works and certification from the supervising professional engineer or registered surveyor, that the works have been constructed in accordance with the approved plans and specifications.

Where sewer works are involved the **WAE** must include sewer junction sheet records in accordance with the requirements of Clarence Valley Council.

For the construction of **WSUD** systems the **WAE** shall include detailed records of the materials used, inspection and testing.

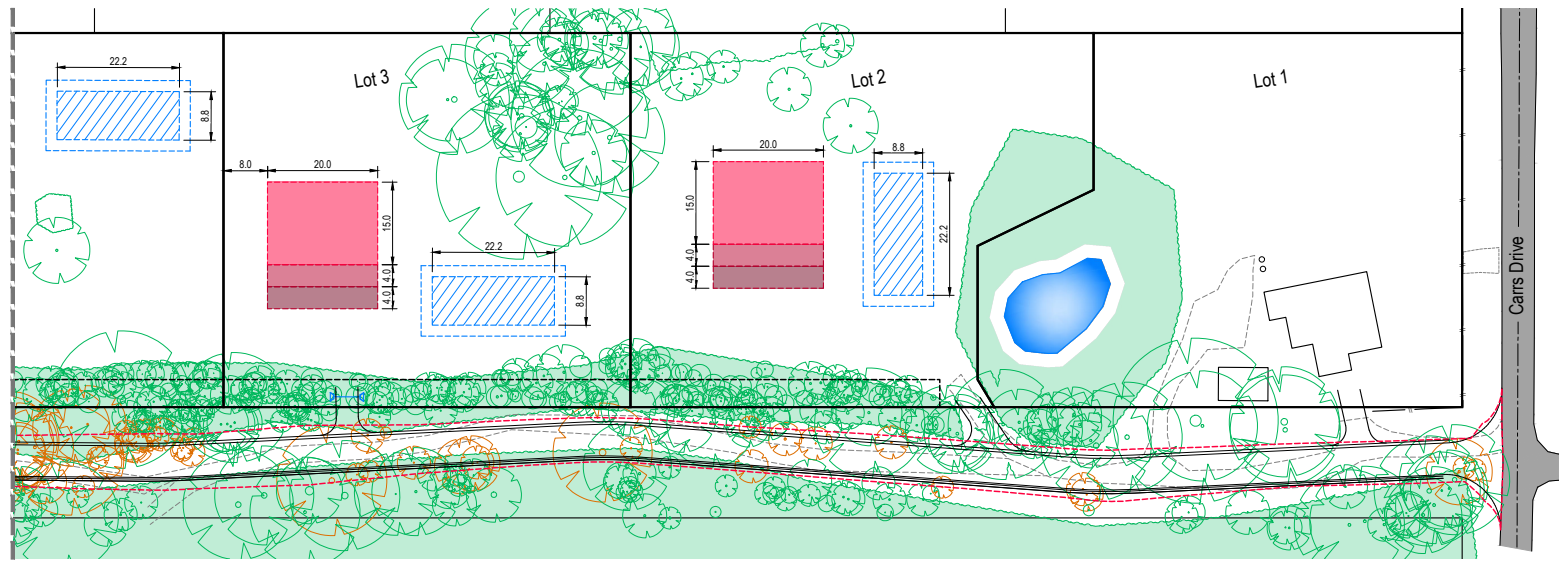
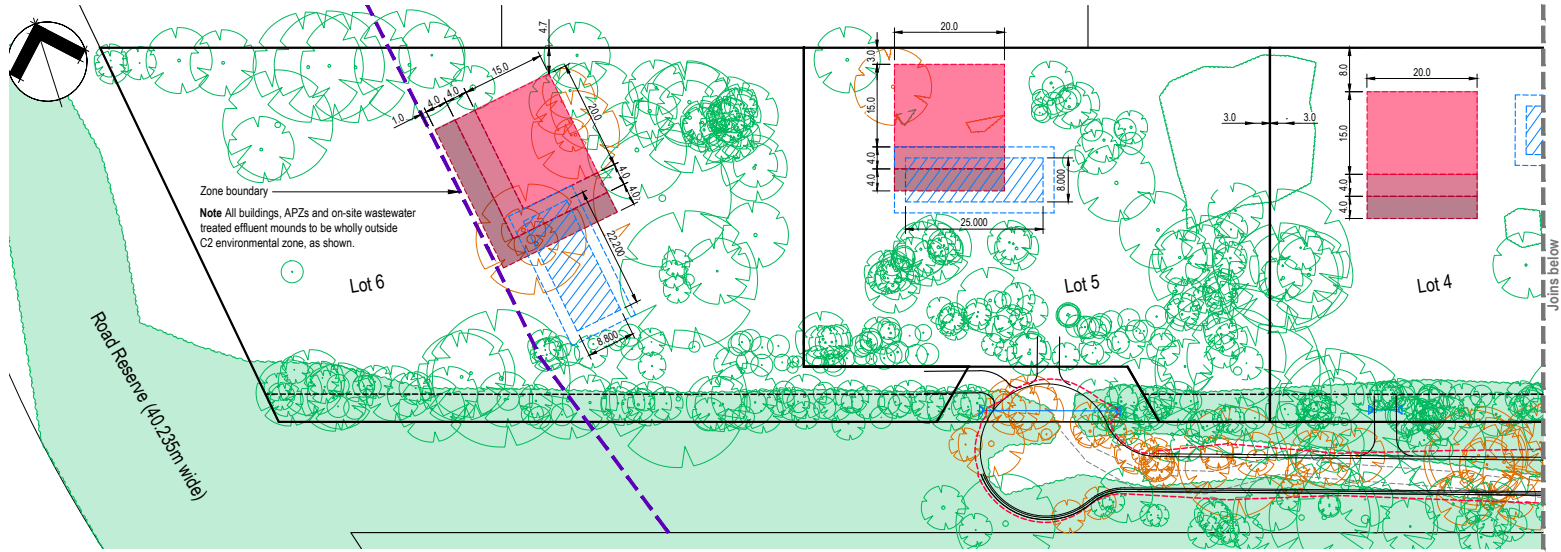
48. Prior to release of the Subdivision Certificate, where the total value of works to become Council infrastructure is greater than \$10,000, a maintenance bond is required for 5% of the contract value for works that will become Council infrastructure or \$2,500 whichever is greater. This is required in each stage of the development

All work is subject to a maintenance period of six (6) months from the date of 'On Maintenance' or Practical Completion as certified by Council or accredited private certifier. The maintenance period may be extended by Council due to material or construction work compliance reasons or if a Subdivision Certificate approval is delayed beyond the maintenance period. The maintenance period and bond amounts for **WSUD** systems must be in accordance with the Council or accredited private certifier approved stormwater management plan

At the end of the Maintenance Period an 'Off Maintenance' inspection must be held with Council or accredited private certifier to confirm the compliance and performance of the constructed works, in accordance with **NRDC**.

Where constructed works to become public infrastructure have been controlled by private certifier Council must attend the 'Off Maintenance' inspection. The documentation, compliance and performance of the constructed works must be in accordance with **NRDC** for Council to accept responsibility for the infrastructure.

49. All disturbed areas shall be stabilised and revegetated. Turf, seeding or other approved method shall be undertaken in conjunction with or immediately following completion of earthworks and roadworks. Topsoil shall be preserved for site revegetation. All sediment and erosion control measures must be regularly inspected and maintained to ensure they operate to the design specifications and meet the requirements of the NSW Protection of the Environment Operations Act 1997. Weather patterns must be monitored and be coordinated in with the inspection and maintenance procedures. Control measures are to remain in place until the site has been adequately revegetated or landscaped to prevent soil erosion. Person/s responsible for managing sedimentation and erosion controls for the development must be nominated to Council or accredited private certifier in writing together with full 24 hour per day contact details.



- Legend**
- Building envelope, 20m x 15m
 - APZ - Inner protection area, 4m
 - APZ - Outer protection area, 4m
 - Treated effluent mound, 200m² plus batters
 - Existing tree to be retained
 - Existing tree to be removed (i.e trunk within impacted area)

DEVELOPMENT APPLICATION

A	Drawing revised	26/09/2023	MVE	JTS	J.L.C.
Rev	Description	Date	Des.	App.	Chk.
Amendments					

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 This drawing must not be relied upon for any purpose other than that for which it was prepared or by any person or corporation other than the referred client.

GeoLINK

environments | engineering | planning | design

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quality solutions sustainable future

Project Title
181 Carrs Drive - 6 Lot Subdivision

Client
Gavin & Sharon Shankland

Designed	MVE	Drawn	MVE	Checked	
Approved		Date	2/10/2022		

Scale
 metres 0 4 8 12 16 20

Drawing Title
Building Envelopes, APZs and Wastewater Land Application Areas

3187-1097	Revision
3187-SK-01	A



DEVELOPMENT APPLICATION

B Updated with Council RFPs	25/05/2022	J.L.C	MVE	MVE
A Survey updated	10/10/2021	J.L.C	MVE	MVE
Rev Description	Date	Des.	App.	Chk.

Amendments

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quality solutions sustainable future

Project Title
181 Coffs Drive - 6 Lot Subdivision

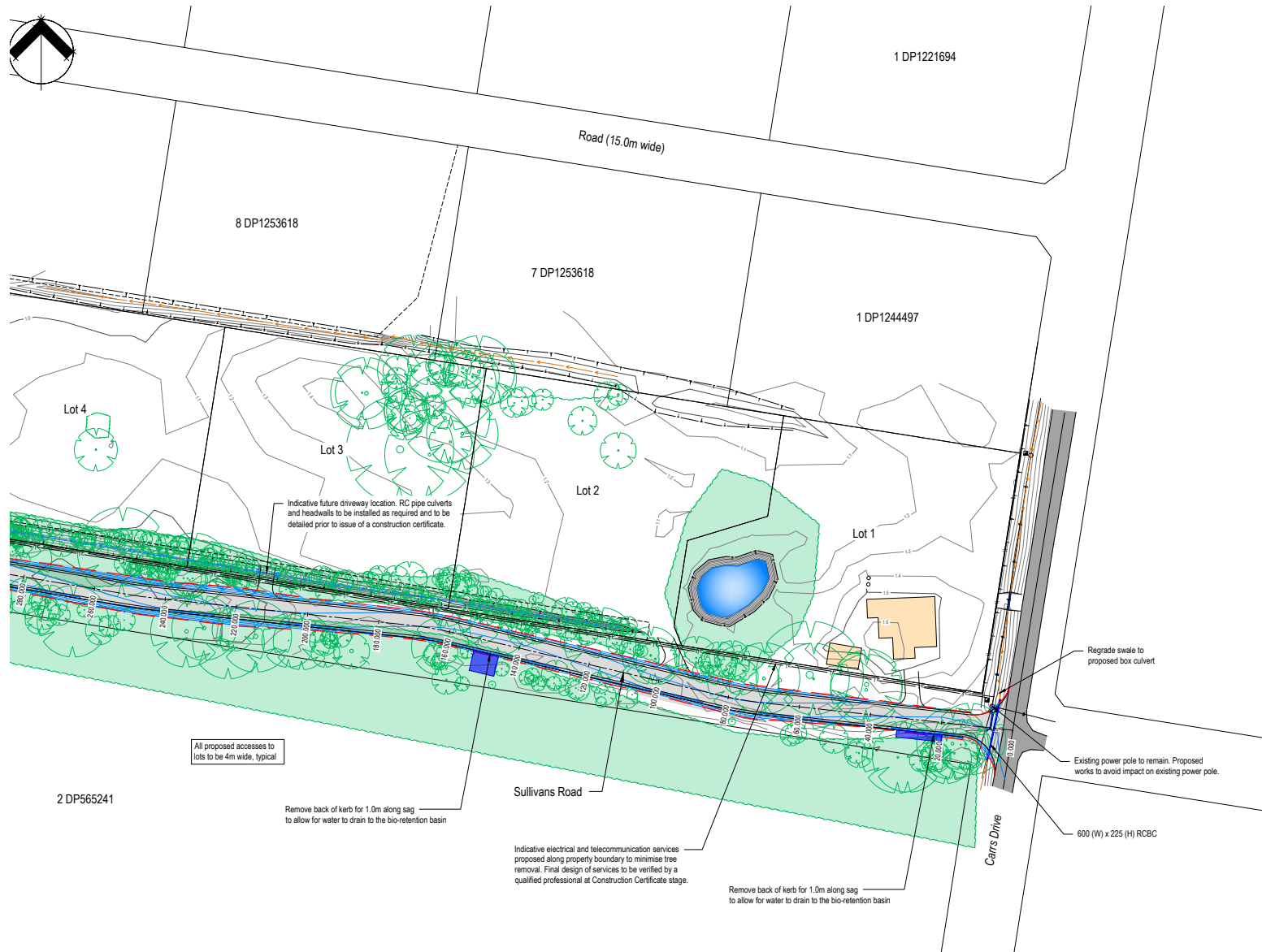
Client
Gavin & Sharon Shankland

Designed	J.L.C	Drawn	J.L.C	Checked	J.L.C
Approved	MVE	Date	21/08/2020		MVE

Scale
 metres 0 10 20 30 40 50

Drawing Title
Subdivision Lot Layout

3187/C010	B
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- LEGEND - EXISTING**
- Contours at 0.1m intervals
 - Fence
 - Electricity overhead
 - Swale drain
 - Communication pit
 - Vegetation
 - Sealed pavement
 - Tree (to be retained)
- LEGEND - PROPOSED**
- Contours at 0.1m intervals
 - Extent of works
 - Sealed road
 - Electrical service
 - Telecommunication service
 - Swale drain
 - Box culvert

DEVELOPMENT APPLICATION

B Updated with Council RPIs	25/05/2023 J.L.C	MVE	MVE
A Survey updated	10/10/2021 J.L.C	MVE	MVE
Rev Description	Date	Des.	App. Chk.

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Project Title
181 Carrs Drive - 6 Lot Subdivision

Client
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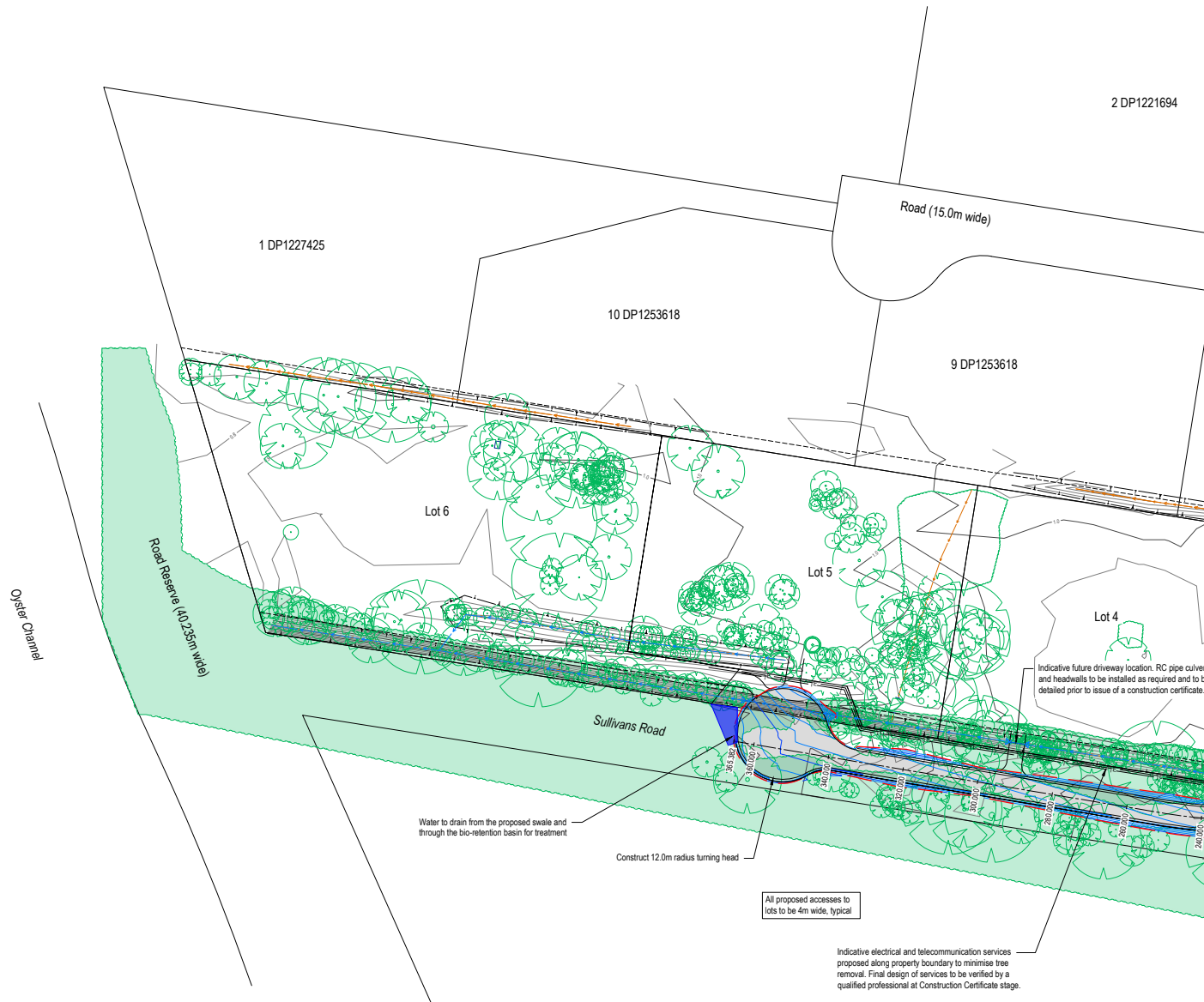
Designed	J.L.C	Drawn	J.L.C	Checked	
Approved	MVE	Date	21/08/2020	MVE	

Scale
metres 0 5 10 15 20 25

Drawing Title
Design Layout Sheet 1 of 2

3187/C011

3187-1079
Revision
B



- LEGEND - EXISTING**
- Contours at 0.1m intervals
 - Swale drain
 - Vegetation
 - Tree (to be retained)
- LEGEND - PROPOSED**
- Contours at 0.1m intervals
 - Extent of works
 - Sealed road
 - Electrical service
 - Telecommunication service

DEVELOPMENT APPLICATION

Rev	Description	Date	Des.	App.	Chk.	Amendments
B	Updated with Council RFPs	25/05/2022	J.L.C.	M.V.E.	M.V.E.	
A	Survey updated	10/10/2021	J.L.C.	M.V.E.	M.V.E.	

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Project Title
181 Carrs Drive - 6 Lot Subdivision

Client
 Gavin & Sharon Shankland

Designed	J.L.C.	Drawn	J.L.C.	Checked	M.V.E.
Approved	M.V.E.	Date	21/08/2020		

REFs



Drawing Title
Design Layout Sheet 2 of 2

Drawing Number	Revision
3187/C012	B

2 DP565241



- LEGEND - EXISTING**
- Contours at 0.1m intervals
 - External stormwater flow path
- LEGEND - PROPOSED**
- Contours at 0.1m intervals
 - Extent of works
 - Swale drain
 - Cut > 0.50 m (max. 0.528 m)
 - Cut 0.25 m to 0.50 m
 - Cut 0 m to 0.25 m
 - Fill 0 m to 0.25 m
 - Fill 0.25 m to 0.50 m
 - Fill 0.50 m to 0.75 m
 - Fill > 0.75 m (max. 0.897 m)

DEVELOPMENT APPLICATION

Rev	Description	Date	Des.	App.	Chk.
B	Updated with Council RfPs	25/05/2023	J.L.C.	M.V.E.	M.V.E.
A	Survey updated	10/10/2021	J.L.C.	M.V.E.	M.V.E.

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Project Title
181 Carrs Drive - 6 Lot Subdivision

Client
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Designed	J.L.C.	Drawn	J.L.C.	Checked	M.V.E.
Approved	M.V.E.	Date	21/08/2020		

Scale
 metres 0 5 10 15 20 25

Bulk Earthworks			
Pavement (m ²)	Cut (m ²)	Fill (m ²)	Net Volume (m ³)
790	317	173	204 (Cut)

Drawing Title
Bulk Earthworks
 Sheet 1 of 2

Drawing Number	Revision
3187/C013	B



Bulk Earthworks			
Pavement (m ²)	Cut (m ²)	Fill (m ²)	Net Volume (m ³)
790	377	173	204 (Cut)

- LEGEND - EXISTING**
- Contours at 0.1m intervals
 - External stormwater flow path
- LEGEND - PROPOSED**
- Contours at 0.1m intervals
 - Extent of works
 - Swale drain
 - Cut > 0.50 m (max. 0.528 m)
 - Cut 0.25 m to 0.50 m
 - Cut 0 m to 0.25 m
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 - Fill 0.25 m to 0.50 m
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DEVELOPMENT APPLICATION

Rev	Description	Date	Des.	App.	Chk.
B	Updated with Council RFPs	25/05/2022	J.L.C.	M.V.E.	M.V.E.
A	Survey updated	10/10/2021	J.L.C.	M.V.E.	M.V.E.

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Project Title
181 Carrs Drive - 6 Lot Subdivision

Client
Gavin & Sharon Shankland

Designed	J.L.C.	Drawn	J.L.C.	Checked	M.V.E.
Approved	M.V.E.	Date	21/08/2020		

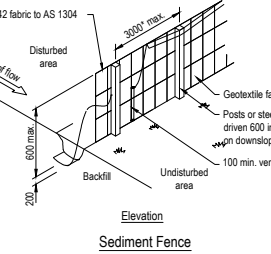
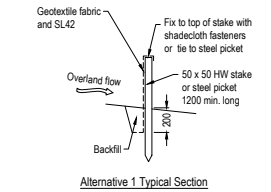
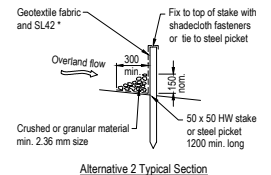
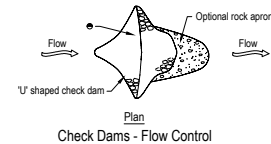
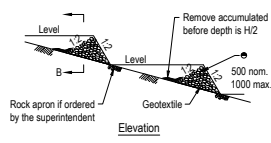
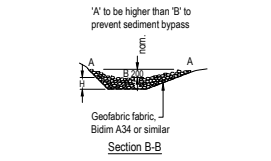
Scale
metres 0 5 10 15 20 25

Drawing Title
Bulk Earthworks
Sheet 2 of 2

3187-1079

Drawing Number	Revision
3187/C014	B

2 DP565241



General Notes

- All erosion and sediment controls are to be in accordance with the Soils and Construction Volume 1 - Managing Urban Stormwater 4th Ed. (the 'Blue Book').
- These notes and accompanying plans are to be read in conjunction with any relevant engineering plans, and any other written instructions issued in relation to development on site.
- All sub contractors are to be informed of their responsibilities in relation to erosion and sedimentation.
- Accidentally disturbed areas would be stabilised and/or re-vegetated or secured with geofabric as soon as practical after the damage has occurred.
- Works are to cease if any pollution problems are suspected or detected.
- A spill containment kit, including equipment to address both terrestrial and aquatic spills, would be available at all times. Staff would be trained in the effective deployment of the spill containment kit.

Timing of Works

- Works are to be carried out wherever possible during the cooler months, when rainfall events occur less frequently.
- The weather is to be monitored during the proposed period of works. Works would be scheduled outside of forecasted significant rain events and postponed during unforeseen rain events.
- Pavement formations and any excavation works are to be scheduled outside of average high rainfall periods.
- Works shall cease and all control measures checked/repairs/installed (if required) if heavy rainfall was forecast.
- Sediment control features would be checked as soon as practical (within 24 hours) after significant rainfall events.

Construction Staging

Works are to be undertaken in the following order. One stage must be complete prior to the next stage being commenced.

- Site Establishment
 - Construct a suitably stabilised site access, minimum 4m in total length, and a maximum of 3m wide. The access is to be flanked with barrier fencing to ensure it is not bypassed during construction.
 - Install clearly visible barrier fencing to contain construction works and delineate no-go zones.
 - Construct the temporary and permanent clean water diversion drains and stabilise.
 - Install sediment fencing and kerb inlet protection.
 - Establish stockpile areas for spoil material.
- Site Preparation
 - Commencement of civil works may only begin when all erosion and sediment controls are correctly installed.
 - Preparation works may proceed, incl. approved clearing of vegetation, stripping topsoil, and stockpiling materials.
- Civil Works
 - As much as possible, works are to be carried out in stages to minimise disturbed areas exposed to erosion.
 - Only disturb land when it is absolutely necessary and stabilise disturbed land as soon as practicable.
 - Works shall include pavement preparation and construction, lot grading, sewer rising main conduit protection etc.
 - Ongoing maintenance of all erosion and sediment controls shall extend for the duration of construction works.
- Site Decommission
 - On completion of works, completed areas are to be decommissioned. Only once the site is suitably stabilised and rehabilitated may the erosion and sediment controls be removed.
 - Ensure stormwater drainage structures, are free of sediment and debris.
 - Sediment and barrier fencing is to remain in place until a suitably qualified person deems the erosion and sedimentation risk is low enough to warrant its removal.
 - All erosion and sediment controls are to be maintained in accordance with these notes for the full duration of their installation. Failure to do so may result in pollution of the receiving environment.
 - For the purpose of these plans, stabilised shall be defined as 70% permanent soil coverage over all upstream disturbed land.**

Site Inspection and Maintenance

- A self-auditing checklist program will be established by the contractor prior to the commencement of any construction works. The checks will be performed at least weekly, as well as immediately before site closure and immediately after any rainfall even greater than 5 mm in any one 24-hour period.
- A suitably qualified person will oversee the installation and maintenance of all soil and water management works.
- Waste receptacles will be cleared at least weekly, and more frequently if required.
- Areas recently stabilised with grass species will be watered regularly until an effective cover has been established. Re-seed if vegetation growth is inadequate.
- All erosion and sedimentation controls are to be kept in good working order at all times, and repaired/replaced as required.
- Sediment build-up behind sediment fences and within drainage lines shall be removed and spread on site in locations where further erosion and/or sedimentation is unlikely to occur.
- Where practical, foot and vehicular traffic will be kept away from all recently stabilised areas.

Stabilised Site Access

- Strip topsoil, level site and compact subgrade.
- Cover area with needle punched geotextile.
- Construct 200mm thick pad over geotextile using road base or 30mm aggregate. 15m min. and 3m min. width.
- Construct hump immediately within boundary to divert water to a sediment fence or other sediment trap.
- Remove site access prior to placement of road pavement.

Stockpiles

- Place stockpiles a min. of 2 m (preferably 5 m) from existing vegetation, concentrated water flow and roads etc.
- Construct on the contour as low, flat, elongated mounds, less than 2 m high (if possible).
- Earth banks shall be constructed on the upslope side, and sediment fences installed within 2 m downslope.

Check Dams

- Check dams may be used within diversion drains to control velocity. Sediment collection is a secondary purpose.
- Catchment area will be limited to 4 ha.

Sediment Fences

- Shall not be located in areas of concentrated flow.
- Are to be installed along the contour with a max. catchment area 0.6 ha per 100 m length of fence.
- Woven fabrics are to be used.
- Fences are required 2 m min. from toe of cut or fill batters, where not practical, one fence can be at the toe with a second fence 1 m min. away. Fence should not be located parallel with toe if concentration of flow will occur behind the fence.
- Wherever possible, construct the sediment fence from a continuous roll. To join fabric, either: a) attached each end to individual stakes, hold the stakes together, rotate the stakes 180°, then drive the two stakes into the ground or b) overlap the fabric to the next support post.
- Both ends of the fence should be turned up the slope a minimum of 1.5 m to minimise the risk of flow bypassing around the ends of the fence.
- Returns are to be spaced at 20 m (max.) if fence is located along the contour, otherwise 5 to 10 m depending on the upstream slope.
- At least 200 mm of fabric must be buried in either a 200 mm deep trench or under a continuous 100 mm high layer of sand or aggregate (not soil).
- Sediment fences are to be braced for long-term stability. Spill-through weirs are to be incorporated at intervals of 20 - 30 m with rock rubble scour protection on the down stream side to control overflow.
- Barrier and sediment fencing are to be located no more than 5 m (2 m desirable) from construction activities, to ensure disturbed land is minimised.
- Captured sediment is to be removed and spread on site in locations where further erosion and/or sedimentation is unlikely to occur.

- LEGEND - EXISTING**
- Contours at 0.1m intervals
 - External stormwater flow path
- LEGEND - DESIGN**
- Contours at 0.1m intervals
 - Extent of works
 - Sediment fence
 - Stabilised site access
 - Rock check dam
 - Temporary stockpile location

DEVELOPMENT APPLICATION

B	Updated with Council RPIs	25/05/2023	J.L.C.	MVE	MVE
A	Survey updated	10/10/2021	J.L.C.	MVE	MVE
Rev	Description	Date	Des.	App.	Chk.

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181 Carrs Drive - 6 Lot Subdivision

Client: Gavin & Sharon Shankland

Designed	J.L.C.	Drawn	J.L.C.	Checked	
Approved	MVE	Date	21/08/2020		MVE

Scale: 1:1000
 metres 0 10 20 30 40 50

Erosion and Sediment Control Layout, Details and Notes

3187/C020

Revision: B



NSW RURAL FIRE SERVICE

Clarence Valley Council
 Locked Bag 23
 GRAFTON NSW 2460

Your reference: (CNR-59731) REV2023/0005
 Our reference: DA20211210005415-S4.55-1

ATTENTION: Carmen Landers

Date: Thursday 5 October 2023

Dear Sir/Madam,

Integrated Development Application
s100B - Subdivision - Subdivision
Review of Determination - 181 CARRS DRIVE YAMBA NSW 2464, 1//DP558571

I refer to your correspondence dated 05/09/2023 seeking general terms of approval for the above Integrated Development in accordance with s4.55 of the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the submitted amended information. General Terms of Approval are now re-issued, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions.

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

1. At the issue of a subdivision certificate, and in perpetuity, the entire site excluding the C2 - Environmental Conservation Zoned land must be maintained as an Inner Protection Area (IPA) in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019.

When establishing and maintaining an inner protection area, the following requirements apply:

- a. tree canopy cover should be less than 15% at maturity,
- b. trees at maturity should not touch or overhang the building,
- c. lower limbs should be removed up to a height of 2m above the ground,
- d. tree canopies should be separated by 2 to 5m,
- e. preference should be given to smooth-barked and evergreen trees,
- f. large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings,
- g. shrubs should not be located under trees,
- h. shrubs should not form more than 10% ground cover,
- i. clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation,

1

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 Locked Bag 17
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Street address

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 SYDNEY OLYMPIC PARK NSW 2127

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www.rfs.nsw.gov.au

- j. grass should be kept mowed (as a guide, grass should be kept to no more than 100mm in height), and
- k. leaves and vegetation debris should be removed.

2. At the issue of subdivision certificate, a section 88B easement under the 'Conveyancing Act 1919' is to be created. The easement is to restrict the user from the construction of any habitable building and any Class 10a within 6 metres of the habitable building within 8 metres from the C2 - Environmental Conservation Zoned land within Lot 6. The easement is to ensure the lot accommodates the required Asset Protection Zones (APZs) for the future dwelling located on the lot. The name of the authority empowered to release, vary or modify any instrument must be Council.

3. At the issue of subdivision certificate, a section 88B easement under the 'Conveyancing Act 1919' is to be created. The easement is to restrict the user from the construction of any habitable building and any Class 10a within 6 metres of the habitable building within 8 metres of the southern boundary within Lot 6. The easement is to ensure the lot accommodates the required asset protection zones (APZs) for the future dwelling located on the lot. The name of the authority empowered to release, vary or modify any instrument must be Council.

Construction Standards

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

4. The existing dwelling must be upgraded to improve ember protection by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any subfloor areas, openable windows, vents, weep holes and eaves. External doors are to be fitted with draft excluders.

Access - Public Roads

The intent of measures is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.

5. Public road access (Sullivan's Road) shall comply with the following requirements:
 - a. Road(s) shall be two-wheel drive, all weather roads.
 - b. A two-way, with a carriageway 8 metres minimum kerb to kerb.
 - c. Public roads have a cross fall not exceeding 3 degrees.
 - d. The minimum distance between inner and outer curves is 6 metres.
 - e. Maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient.
 - f. There is a minimum vertical clearance to a height of 4 metres above the road at all times.
 - g. The capacity of road surfaces and bridges is sufficient to carry fully loaded fire fighting vehicles (up to 23 Tonnes). Bridges/causeways clearly indicate load rating.
 - h. Public roads directly interfacing the bush fire hazard vegetation provide roll top kerbing to the hazard side of the road.
 - i. "No through" roads shall incorporate a 12 metre outer radius turning circle and be clearly signposted as a "no through road".

Water and Utility Services

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

6. The provision of water for the existing dwelling on Lot 1 must comply with the following:
 - a. a 10,000 litre static water supply must be provided on-site,
 - b. an outlet for firefighting purposes is located within the IPA or non-hazard side and away from the structure,
 - c. 65mm Storz connection with a ball valve is fitted to the outlet,
 - d. the ball valve, pipes and tank penetration are adequate for the full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material,

- e. underground tanks have an access hole of 200mm to allow tankers to refill, direct from the tank,
 - f. a hardened ground surface for truck access is supplied within 4m of the water outlet or access hole,
 - g. above-ground tanks are manufactured from concrete or metal,
 - h. raised tanks have their stands constructed from non-combustible material or bush fire-resisting timber. The bush fire-resisting timbers are Silvertop Ash, Blackbutt, Red or River Gum, Spotted Gum, Red Ironbark, Kwila (Merbau) or Turpentine,
 - i. unobstructed access can be provided at all times,
 - j. underground tanks are clearly marked,
 - k. tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters,
 - l. all exposed water pipes external to the building are metal, including any fittings,
 - m. where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack,
 - n. any hose and reel for firefighting connected to the pump shall be 19mm internal diameter,
 - o. fire hose reels are constructed in accordance with AS/NZS 1221:1997, and installed in accordance with the relevant clauses of AS 2441:2005,
 - p. A Static Water Supply (SWS) sign shall be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:
 - i. Markers must be fixed in a suitable location to be highly visible, and
 - ii. Markers should be positioned adjacent to the most appropriate access for the water supply.
7. The provision of electricity must comply with the following:
- a. where practicable, electrical transmission lines are underground,
 - b. where overhead, electrical transmission lines are proposed as follows:
 - i. lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas, and
 - ii. no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.

General Advice – Consent Authority to Note

The assessment is based on the documents/plans supplied via Councils referral to the NSW RFS.

- The plan titled 'Subdivision Lot Layout' prepared by GeoLINK, reference 3187/C010, revision A dated 12 October 2021.
- Bush Fire assessment prepared by GeoLINK, reference 3187-1072 Issue 3 dated 2 November 2021.

The public roadway is considered a perimeter road as it separates the unmanaged vegetation from the residential development. Thus, the perimeter road requirements have been stipulated.

A review of the determination has been undertaken with no change to the conditions of the Bush Fire Safety Authority issued by the RFS.

This letter is in response to an assessment of the application based on the submitted further information and supersedes our previous general terms of approval dated 18/03/2022.

For any queries regarding this correspondence, please contact Wayne Sketchley on 1300 NSW RFS.

Yours sincerely,

Allyn Purkiss
Manager Planning & Environment Services
Built & Natural Environment





NSW RURAL FIRE SERVICE

BUSH FIRE SAFETY AUTHORITY

Subdivision - Subdivision

Review of Determination - 181 CARRS DRIVE YAMBA NSW 2464, 1//DP558571

RFS Reference: DA20211210005415-S4.55-1

Your Reference: (CNR-59731) REV2023/0005

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority supersedes the previous Bush Fire Safety Authority DA20211210005415-Original-1 issued on 18/03/2022 and confirms that, subject to the attached reissued General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under s100b of the Rural Fires Act 1997.

Allyn Purkiss

Manager Planning & Environment Services
Built & Natural Environment

Thursday 5 October 2023



- LEGEND - EXISTING**
- Contours at 0.1m intervals
 - External stormwater flow path
- LEGEND - DESIGN**
- Contours at 0.1m intervals
 - Easements
 - Stormwater flow path
 - Lot drainage
 - Overland flow

DEVELOPMENT APPLICATION

Rev	Description	Date	Des.	App.	Chk.
B	Updated with Council RfIs	25/05/2022	J.L.C.	M.V.E.	M.V.E.
A	Not included in previous revision	10/10/2021	J.L.C.	M.V.E.	M.V.E.

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quality solutions sustainable future

Project Title

181 Carrs Drive - 6 Lot Subdivision

Client

Designed: J.L.C. Drawn: KWG Checked: M.V.E.

Approved: M.V.E. Date: 06/05/2022

Scale

metres 0 10 20 30 40 50

Drawing Title

Stormwater Management Plan

3187-1081

Drawing Number Revision

3187/C031 B

Location	Peak Water Level (mAHD)		
	20% AEP (5yr ARI)	5% AEP (20yr ARI)	1% AEP (100yr ARI)
P 1-01	1.16	1.25	1.29
P 1-02	1.09	1.16	1.22
P 1-03	1.01	1.07	1.14
HW 1-04	0.92	0.99	1.04
P 1-05	0.86	0.9	0.93
P 1-06	0.74	0.8	0.83
P 1-07	0.53	0.57	0.61
P 2-01	0.87	0.9	0.94
P 2-02	0.78	0.84	0.89
P 2-03	0.75	0.8	0.85
Basin1	1.17	1.19	1.21
Basin2	1.21	1.24	1.26
Basin3	1.04	1.07	1.09

Location	Peak Flow (m³/s)		
	20% AEP (5yr ARI)	5% AEP (20yr ARI)	1% AEP (100yr ARI)
Swale 1	0.201	0.261	0.372
Swale 2	0.268	0.398	0.426
Swale 3	0.328	0.409	0.466
Swale 4	0.35	0.437	0.497
Swale 5	0.531	0.731	0.896
Swale 6	0.105	0.156	0.21
Swale 7	0.258	0.361	0.484
Swale 8	0.225	0.309	0.465
Pipe1	0.325	0.401	0.457
Basin 1 spillway	0.045	0.07	0.091
Basin 2 spillway	0.087	0.135	0.174
Basin 3 spillway	0.114	0.176	0.228

ITEM 07.23.190 LOWER CLARENCE FLOOD MODEL 2022 UPDATE AND FLOOD PLANNING LEVELS

Meeting	Council	24 October 2023
Directorate	Environment & Planning	
Prepared by	Manager Development & Land Use Planning, Murray Lane; Manager Water Cycle, Greg Mashiah	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	A. Report 6b.20.096 to 15 December 2020 Council meeting ↓	

SUMMARY

Consultants Jeremy Benn Pacific (JBP) have completed a high level review and validation of the Lower Clarence Flood Model Update 2022 (2022 Flood Model), and following concurrence from the Department of Planning & Environment (DPE), Council is advised, that the review did not significantly alter the model. Accordingly, the 2022 Flood Model has been adopted and placed on Council's website in accordance with Point 2 of Council resolution 06.23.009 at the 27 June 2023 meeting.

This report provides updated advice about the next steps to establish interim Flood Planning Levels forward of completing a new Floodplain Risk Management Study and Plan for the Clarence River floodplain, and the process for updating the Floodplain Management Controls in Council's Development Control Plans (DCPs).

The consensus recommendation from the Floodplain Risk Management Committee (FRMC) meeting of 11 September 2023 is that proposed interim Flood Planning Levels be placed on public exhibition for 28 days for comment and that flood planning levels be adopted through the Development Control Plans (DCP). Council officers support the FRMC's recommendation.

OFFICER RECOMMENDATION

That Council:

1. note concurrence from the Department of Planning & Environment that the high level peer review and validation of the Lower Clarence Flood Model 2022 Update did not significantly alter the model and therefore the model has been adopted and placed on Council's website.
2. note the Department of Planning advice that a planning proposal to change the Flood Planning Levels in the *Clarence Valley Local Environment Plan 2011* cannot be made due to changes to the *Standard Instrument – Principal Local Environmental Plan* which no longer includes a statutory Flood Planning Map.
3. note the new approach to establish Flood Planning Levels is under the provisions of the Flood Risk Management Manual 2023 and that Council may determine interim Flood Planning Levels by way of Council resolution.
4. publicly exhibit proposed interim Flood Planning Levels (as contained in the adopted Lower Clarence Flood Model Update 2022) for an extended period from Friday 3 November 2023 until Monday 29 January 2024, being 1% AEP Climate Change 1 (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard, including media communication, consultation material that explains and seeks feedback on proposed changes, and in-person an online community engagement opportunities.
5. consider any submissions received during exhibition on the interim Flood Planning Levels before adopting the finalised interim Flood Planning Levels.
6. commence the process of modifying Floodplain Management Controls in Council's Development Control Plans to align with the interim Flood Planning Levels, including:
 - a) controls that require all new residential development to have a primary habitable floor level above the 1% AEP Climate Change 1 (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard
 - b) Removal of clauses that permit Primary Habitable Floor Levels in North Grafton below the interim Flood Planning Levels;
 - c) include Objectives and Controls that permit habitable floor levels below the Flood Planning Level in limited circumstances, such as being limited to alterations and additions to existing dwellings;
 - d) update controls that any development below the Flood Planning Level must be constructed from Flood Compatible Building Components;
 - e) consideration of any feedback received during exhibition of the interim Flood Planning Levels; and
 - f) any other necessary amendments to effect these changes; and
 - g) reporting the draft amendments to Council for endorsement before exhibition.

LINKAGE TO OUR COMMUNITY PLAN

Theme	Environment
Objective	We will foster a balance between sustainable development and the environment considering climate change impacts

KEY ISSUES

Finalisation of the Lower Clarence Flood Model Update 2022

Consultants JBP were engaged to undertake a high level review and validation of the *Lower Clarence Flood Study 2022* which was prepared by Consultants BMT. The high-level review and validation concluded:

Overall, this has been a thorough, well thought out and collaborative assessment of flooding in the Lower Clarence Floodplain. The majority of the concerns with the assessment are relatively minor and may only require better explanation in the reporting.

The peer review identified that the rainfall increases used in the two climate change scenarios (CC1 - SSP2/RCP4.5 and CC2 - SSP5/RCP8.5) were potentially underestimating the increase in rainfall and the resultant runoff. While JBP suggested these climate change scenarios could be remodelled with increased rainfall at the Floodplain Risk Management Study (FRMS) stage, to avoid future confusion the two climate change scenarios were remodelled prior to adoption of the model.

While remodelling the two climate change scenarios, consultants BMT also addressed the minor anomalies identified by JBP in the flood study and have expanded the report to address the concerns raised in the assessment. The minor anomalies have resulted in minimal difference to results (up to 2mm at localised locations in the 1% AEP).

Remodelling of the two climate change scenarios with increased rainfall has resulted in the CC1 (RCP4.5) flood levels increasing by up to 70mm and the CC2 (RCP8.5) flood level increasing by up to 400mm compared with the draft flood model considered by Council in June 2023. Point 2 of resolution 06.23.009 endorsed CC1 (RCP4.5) as the basis for establishing residential floor levels.

The 0.5% and 0.2% events can be used as proxies for the RCP4.5 and RCP8.5 scenarios. When remodelling the two climate change scenarios, BMT identified that the 0.5% and 0.2% events (which had been derived from a flood frequency analysis) were somewhat lower than the modelled CC1 and CC2 scenarios. BMT therefore remodelling the 0.5% and 0.2% events using an alternative technique specified in Australian Rainfall and Runoff to derive rare event peak discharges, which has given closer agreement to the CC1 and CC2 modelled outputs.

On 30 August 2023, DPE's Floodplain staff confirmed:

We believe that Council has a quality flood study update report by BMT which will include the revised 0.5% and 0.2% events below. We also believe that the peer review has been thorough and we accept the recommendations made by JBP. On this basis we recommend that Council adopts the report upon finalisation.'

On this basis and in line with the 27 June 2023 Council resolution (06.23.009), the 2022 Flood Model is now endorsed by Council and has been made publicly available on Council's website (<https://www.clarence.nsw.gov.au/files/assets/public/v/1/council/files/flood-plans/lower-clarence-flood-model-update-2023-final-report-small.pdf>) and on Council's website mapping system (Intramaps).

While Point 4 of Resolution 06.23.009 noted that DPE confirmed the Probable Maximum Flood (extreme flood) did not require further validation, the JBP peer review confirmed an appropriate methodology was used to develop the extreme flood. The significant increase in the extreme flood compared with the 2013 Flood model has significant planning implications for "sensitive" development, and preliminary discussions have been held with DPE on how this issue could be addressed without sterilising floodplain development.

The proposed PMF uses a different scaling factor to the 2013 flood study and plan and the PMF in the 2022 Flood Model represents a roughly 1 in 90,000 year event (from the recommended value in Figure 8.3.2 of *Australian Rainfall & Runoff, 2019*). While land use planning should follow a multi-generation approach, the implications of planning for a 1 in 90,000 year event need further consideration through the FRMC and development of the new floodplain risk management study and plan. The existing PMF based on previous

studies is already mapped and utilised for flood planning purposes and will be relied on until the new plan is finalised. This approach remains consistent with the 27 June 2023 Council resolution (06.23.009).

On 30 June 2023, the state government gazetted a new *Flood Risk Management Manual: the policy and manual for flood liable land*. DPE is currently developing guidance on the FRMS and FRMP process under the new manual.

It is important to note that most new housing development is planned for urban release areas off the floodplain in Junction Hill, Clarenza, James Creek, Gulmarrad and other areas. In existing settlements like Grafton where some development is encouraged to support a vibrant town centre, habitable floor levels will not be provided at ground level in the CBD and development would only be supported where a *flood impact and risk assessment* supports development (this includes resilience and evacuation considerations).

Updating Our Local Environmental Plan

Recent advice from the DPE indicates that the Standard Instrument – Principal Local Environmental Plan across NSW will no longer include a statutory Flood Planning Map. This means that the DPE will not accept a planning proposal to change the Flood Planning Map, Flood Planning Area and Flood Planning Levels in the *Clarence Valley Local Environment Plan 2011* (CVLEP) and that point 4 of the 27 June 2023 Council resolution (Resolution 06.23.009) cannot be progressed.

This reform seeks to resolve consistent definitions across NSW to allow inclusion of mandatory clause 5.21 – Flood planning and optional Clause 5.22 – Special flood considerations.

Instead, the CVLEP flood planning clauses will rely on the following definitions:

Flood planning area has the same meaning as it has in the *Floodplain Development Manual*.

Floodplain Development Manual means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

[the DPE advises this definition will shortly be updated to the Flood Risk Management Manual 2023].

There will no longer be any operative definitions for Flood Planning Map in the CVLEP once optional clause 5.22 commences.

The Flood Risk Management Manual 2023 includes the following relevant definitions:

Flood planning area (FPA): The area of land below the FPL

Flood planning level (FPL): The combination of the flood level from the DFE and freeboard selected for FRM purposes

Defined flood event (DFE): (otherwise known as design flood) The flood event selected as a general standard for the management of flooding to development.

What this change of approach means is that the new Flood Risk Management Manual 2023 generally requires that Flood Planning Levels are determined through a Floodplain Risk Management Study and incorporated into a Floodplain Risk Management Plan, but does not prevent councils from separately determining updated Defined Flood Event, Flood Planning Levels, and the Flood Planning Area by way of Council resolution, and without needing to recomplete both a full new Floodplain Risk Management Study and Plan.

The current state of play is that Council has:

- a number of older Flood Plain Risk Management Plans which remain current as an established policy basis under the Floodplain Development Manual 2005;
- the 2013 Lower Clarence Flood Model, which includes established policy about including climate change assumptions in the current Flood Planning Levels;
- the updated 2022 Flood Study indicates increased levels of risk from flooding, especially if reasonable climate change assumptions are made in accordance with adopting the 1% AEP Climate Change 1 (RCP 4.5) as the Defined Flood Event; and
- the 27 June 2023 Council resolution (06.23.009) to commence a new Floodplain Risk Management Study and Plan for the Clarence River floodplain, noting this process is estimated to take at least 18 months to complete.

Given the above, it is necessary to adopt an interim Flood Planning Level as soon as possible now that the 2022 Flood Model is endorsed, and some heightened flood risks are known.

This approach is recommended to manage Council's duty of care to the community, its responsibilities under s733 of the *Local Government Act 1993*, the need to consider the precautionary principle in floodplain management, and requirements to properly consider flood risk (inclusive of climate change) when assessing development applications under the *Environmental Planning and Assessment Act 1979*.

As Council has endorsed the 1% AEP Climate Change 1 (RCP 4.5) as the basis of establishing floor levels, and this event assumes rainfall and sea-level increases to 2123, consideration of the interim freeboard level is relevant. The typical starting point for Flood Planning Levels is the 1%AEP + 500mm freeboard (without incorporation of climate change assumptions) under the Flood Risk Management Manual 2023. The FRMC discussed the merits of 500mm freeboard compared with a 300mm freeboard and the consensus recommendation was that a 500mm freeboard be adopted.

Accordingly, the interim Flood Planning Levels (as contained in the adopted Lower Clarence Flood Model Update 2022) are recommended to be publicly advertised for an extended period from Friday 3 November 2023 until Monday 29 January 2024, which is in excess of the minimum of 28 days required by the Community Participation Plan.

As part of the recommended public exhibition, a community engagement and communication plan will be prepared and the communication approach will include:

Communications	Engagement
Media release and advertising (print, radio)	Drop-in sessions for the community (Grafton, Maclean, Yamba, Iluka)
CVC Online Noticeboard + CVC Facebook	Industry forums (in-person and online), meetings by request
Industry newsletter (direct contact of key stakeholders)	Advice in prelodgement / applicant meetings and written planning advice
A dedicated Council internet page, including information that clearly explains the changes in plain English	Online and written submissions

Updating our Development Control Plans

In North Grafton the previous flood study and plan set a minimum floor level at 6.4m AHD where the amenity and streetscape character considerations meant the 1%AEP + freeboard floor level did not have to be met. This has meant that a lot of new development in North Grafton is being approved below the existing known 1% AEP flood level. The new flood study has further highlighted the risk of flooding in North Grafton and generally increased flood heights above the 2013 1%AEP up to 900mm for the new 2022 modelled 1%AEP (+CC1).

It is recommended that to reflect the changes in predicted flood levels that Council commence the process of modifying Floodplain Management Controls in Council's Development Control Plans to align with the interim Flood Planning Levels, including:

- a) Controls that require all new residential development to have a primary habitable floor level above the 1% AEP Climate Change 1 (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard
- b) Removal of clauses that permit Primary Habitable Floor Levels in North Grafton below the interim Flood Planning Levels.
- c) Include Objectives and Controls that permit habitable floor levels below the Flood Planning Level in exceptional circumstances, such as being limited to alterations and additions to existing dwellings.
- d) Update controls that any development below the Flood Planning Level must be constructed from Flood Compatible Building Components.

Preparing and drafting updated DCP objectives and controls, workshoping with councillors, undertaking community consultation, analysing submissions and re-drafting DCPs is likely to be a more time-consuming process than updating the interim Flood Planning Level. Accordingly, it is recommended this process be undertaken separately to ensure the interim Flood Planning Levels are implemented as soon as possible to better manage flood risk and provide certainty for the community and development industry.

Floodplain Risk Management Committee Meeting of 11 September 2023

The FRMC considered these issues at its meeting of 11 September 2023 meeting, with five members in attendance (a quorum of seven was not established). The consensus recommendation from the FRMC to Council is:

- *Publicly exhibit proposed interim Flood Planning Levels (as contained in the adopted Lower Clarence Flood Model Update 2022) for a minimum of 28 days, being 1% AEP Climate Change 1 (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard*
- *Consider any submissions received during exhibition on the interim flood planning levels before adopting the finalised interim Flood Planning Levels.*
- *Commence the process of modifying Floodplain Management Controls in Council's Development Control Plans to align with the interim Flood Planning Levels, including:*
 - a) *Controls that require all new residential development to have a primary habitable floor level above the 1% AEP Climate Change 1 (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard*
 - b) *Removal of clauses that permit Primary Habitable Floor Levels in North Grafton below the interim Flood Planning Levels.*
 - c) *Include Objectives and Controls that permit habitable floor levels below the Flood Planning Level in limited circumstances, such as being limited to alterations and additions to existing dwellings.*
 - d) *Update controls that any development below the Flood Planning Level must be constructed from Flood Compatible Building Components.*
 - e) *Any other necessary amendments to effect these changes.*
 - f) *Reporting the draft amendments to Council for endorsement before exhibition.*

The FRMC consensus recommendation is supported by Council staff.

BACKGROUND

At its meeting of 27 June 2023 Council resolved (Resolution 06.23.009):

That Council

1. *engage an independent flooding consultant to undertake a high-level review and validation of the Lower Clarence Flood Model Update 2022 modelling methodology.*
2. *adopt a final report addressing any comments received from DPE and the peer review and place the final report on Council's website, subject to concurrence from DPE that the high level review (and validation) has not significantly altered the Lower Clarence Flood Model Update 2022.*
3. *endorse the revised flood model Climate Change 1 (RCP 4.5) as the basis for establishing Flood Planning Levels (residential floor levels) in accordance with Council's existing floor heights policy (with the exception of North Grafton for the time being).*
4. *note the Department of Planning & Environment has confirmed the Probable Maximum Flood (extreme flood) does not require further validation.*
5. *prepare a planning proposal to amend the Clarence Valley Local Environmental Plan 2011 to update the Flood Planning Map and Flood Planning Level to incorporate the 1% AEP Climate Change 1 (RCP 4.5) scenario, as contained in the Lower Clarence Flood Model Update 2022.*
6. *commence preparation of a Floodplain Risk Management Study and Plan in accordance with the NSW Floodplain Development Manual on receipt of the Final Flood Study report (as per dot point 2) noting that the process will also determine flood planning levels in North Grafton and the extreme flood/probable maximum flood.*

Flood Planning Level for Grafton and South Grafton

Flood Planning Levels for North and South Grafton have not been updated since recommendations were made in the Grafton and Lower Clarence Floodplain Risk Management Plan 2007. This issue was sought to be progressed in 2020 by the Floodplain Risk Management Committee and was considered by Council at its 15 December 2020 meeting (refer to the **Attachment A** for Council report and minutes). This report provides the relevant background to the issue.

Of note, the officer recommendation (**Figure 1** below) was changed by Council resolution so that the updated Flood Planning Levels would apply only to new lots approved after commencement of the updated controls. This would mean that all new development on existing and previously approved lots (i.e., all existing lots; approved but not yet completed subdivisions) would continue to have a minimum primary habitable floor level as low as 6.4 metres AHD.

This Council resolution was not progressed on the basis that new flood modelling was being progressed. Now the subject 2022 Flood Model is complete, it is appropriate to revisit and update the Flood Planning Levels for Grafton.

<p>OFFICER RECOMMENDATION</p> <p>That:</p> <ol style="list-style-type: none"> 1. The floodplain management provisions in all relevant Clarence Valley Development Control Plans are amended to require that: <ol style="list-style-type: none"> i. all new residential development must have a primary habitable floor level of a minimum of 500mm above the 1% flood height for the site of the development; and ii. flood compatible building materials be used for any part of such premises that are below the level of the minimum primary habitable floor level; and iii. any other necessary amendments to effect these changes are drafted; 2. The proposed DCP amendments are publicly exhibited for a period of at least 28 days; 3. A report be prepared for Council's consideration as soon as practical after completion of the public exhibition period; and 4. Advice of Council's resolution on the abovementioned report be referred to the CVC Floodplain Committee for information.
<p>COUNCIL RESOLUTION – 6b.20.096</p> <p style="text-align: center;">Baker/Williamson</p> <p>That:</p> <ol style="list-style-type: none"> 1. The floodplain management provisions for all lots approved by development application after the adoption of the amended floodplain management provisions in all relevant Clarence Valley Development Control Plans are amended to require that: <ol style="list-style-type: none"> i. all new residential development must have a primary habitable floor level of a minimum of 500mm above the 1% flood height for the site of the development; and ii. flood compatible building materials be used for any part of such premises that are below the level of the minimum primary habitable floor level; and iii. any other necessary amendments to effect these changes are drafted; 2. The proposed DCP amendments are publicly exhibited for a period of at least 28 days; 3. A report be prepared for Council's consideration as soon as practical after completion of the public exhibition period; and 4. Advice of Council's resolution on the abovementioned report be referred to the CVC Floodplain Committee for information. <p>Voting recorded as follows: For: Simmons, Kingsley, Baker, Ellem, Clancy, Novak, Williamson, Lysaught, Toms Against: Nil</p> <p style="text-align: right;">CARRIED</p>

Figure 1: Officer and Council resolution – 6b.20.096

COUNCIL IMPLICATIONS

Budget/Financial

N/A

Asset Management

N/A

Policy and Regulation

*Environmental Planning and Assessment Act, 1979
 Clarence Valley Local Environmental Plan 2011
 Clarence Valley Development Control Plans (all)*

Consultation

Council's Development and Land Use Planning Section and DPE – Flooding

Legal and Risk Management

Section 733 of the Local Government Act provides:

(1) A council does not incur any liability in respect of:

(a) any advice furnished in good faith by the council relating to the likelihood of any land being flooded or the nature or extent of any such flooding, or

(b) anything done or omitted to be done in good faith by the council in so far as it relates to the likelihood of land being flooded or the nature or extent of any such flooding.

(4) Without limiting any other circumstances in which a council may have acted in good faith, a council is, unless the contrary is proved, taken to have acted in good faith for the purposes of this section if the advice was furnished, or the thing was done or omitted to be done, substantially in accordance with the principles contained in the relevant manual most recently notified under subsection (5) at that time.

(5) For the purposes of this section, the Minister for Planning may, from time to time, give notification in the Gazette of the publication of:

(a) a manual relating to the management of flood liable land

The *Flood Risk Management Manual: the policy and manual for flood liable land* which was gazetted on 30 June 2023 is the current manual referred to in Section 733(5).

Climate Change

Adoption of a CC1 (RCP4.5) scenario as a basis for establishing flood planning levels incorporates predicted climate change and is consistent with Council's *Risk Frontiers' Physical Climate Risk Assessment – Summary for Policymakers* adopted by Council at its meeting of 26 April 2022 (Resolution 07.22.070).

ORDINARY COUNCIL MEETING

15 DECEMBER 2020

ITEM	6b.20.096	REVIEW OF GRAFTON AND SOUTH GRAFTON FLOOD PLANNING LEVEL (OR RESIDENTIAL HABITABLE FLOOR LEVEL REQUIREMENTS) & AMENDMENT TO DEVELOPMENT CONTROL PLANS
Meeting	Environment, Planning & Community Committee	15 December 2020
Directorate	Environment, Planning & Community	
Reviewed by	Manager - Environment, Development & Strategic Planning (Adam Cameron)	
Attachment	Yes	

SUMMARY

Adoption of the Grafton and Lower Clarence Flood Model by Council in 2014 included a resolution to further review residential or habitable floor height requirements for Grafton at a future time. This issue has been considered by the Council's Floodplain Risk Management Committee (FRMC) and a change to the current floor height development standard is recommended to provide consistency and equity for new residential development across the Grafton and Lower Clarence floodplain. Further, the changes will provide added flood immunity, improve community resilience and safety, reduce flood damages and ensure Council's requirements are consistent with NSW Government recommendations.

OFFICER RECOMMENDATION

That:

1. The floodplain management provisions in all relevant Clarence Valley Development Control Plans are amended to require that:
 - i. all new residential development must have a primary habitable floor level of a minimum of 500mm above the 1% flood height for the site of the development; and
 - ii. flood compatible building materials be used for any part of such premises that are below the level of the minimum primary habitable floor level; and
 - iii. any other necessary amendments to effect these changes are drafted;
2. The proposed DCP amendments are publicly exhibited for a period of at least 28 days;
3. A report be prepared for Council's consideration as soon as practical after completion of the public exhibition period; and
4. Advice of Council's resolution on the abovementioned report be referred to the CVC Floodplain Committee for information.

COUNCIL RESOLUTION – 6b.20.096

Baker/Williamson

That:

1. **The floodplain management provisions for all lots approved by development application after the adoption of the amended floodplain management provisions in all relevant Clarence Valley Development Control Plans are amended to require that:**
 - i. **all new residential development must have a primary habitable floor level of a minimum of 500mm above the 1% flood height for the site of the development; and**
 - ii. **flood compatible building materials be used for any part of such premises that are below the level of the minimum primary habitable floor level; and**
 - iii. **any other necessary amendments to effect these changes are drafted;**
2. **The proposed DCP amendments are publicly exhibited for a period of at least 28 days;**
3. **A report be prepared for Council's consideration as soon as practical after completion of the public exhibition period; and**
4. **Advice of Council's resolution on the abovementioned report be referred to the CVC Floodplain Committee for information.**

Voting recorded as follows:

For: Simmons, Kingsley, Baker, Ellem, Clancy, Novak, Williamson, Lysaught, Toms

Against: Nil

CARRIED

ORDINARY COUNCIL MEETING

15 DECEMBER 2020

LINKAGE TO OUR COMMUNITY PLAN

Theme	4 Environment
Objective	4.2 We will foster a balance between development and the environment considering climate change impacts
Strategy	4.2.2 Plan, resource and respond to natural hazards and disasters taking into account impacts from climate change

BACKGROUND

Council has generally adopted a flood planning level for new residential development across the Lower Clarence floodplain consistent with the NSW-wide standard of 500mm above the design 1% flood level. However, this has not been the case for Grafton and South Grafton.

In Grafton, habitable floor levels in new residential development are currently required to be a minimum of 6.4m AHD, whilst in South Grafton the floor level requirements are currently a minimum of 7.1m AHD in the South Grafton Common catchment and 8.0m AHD in the Heber Street catchment. Figure 1 shows the location of the two flooding catchments on the South Grafton floodplain.

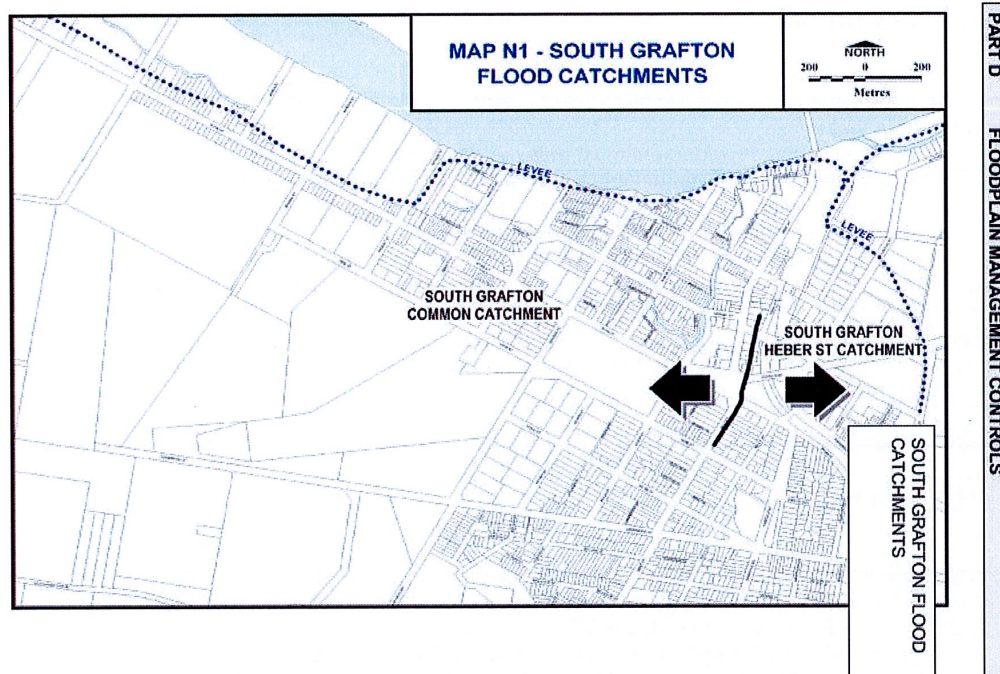


Figure 1 – South Grafton sub-catchments on the floodplain as contained in Council's DCPs.

Changes to historical floor height requirements for Grafton and South Grafton were deferred when the latest flood model was adopted by Council in April 2014. There was a concern at the time that setting the standard habitable floor height requirement for new residential development at 500mm above the 1% flood event level could have a detrimental impact on local streetscape when new infill development was introduced among existing residential building stock and there was a significant disparity in floor heights between adjacent development. Historically though there has been varying styles and forms of new residential development in both the Grafton and South Grafton urban areas and this in fact contributes to their urban character. Further, in circumstances when the required floor height for a new development would result in an unacceptable impact on streetscape or amenity nearby then a proponent is able to apply for a variation to the DCP (consistent with existing DCP provisions). Where the proposed variation can be justified and does not unreasonably compromise flood impacts or safety then a variation can be approved by Council.

In South Grafton floor height requirements have adjusted over the years in response to changes in estimated flood heights as local conditions, such as adjustments to the levee system. In Grafton, requirements for habitable floor level of new residential development have been less variable as changes to flood characteristics have been less significant. That is until the 2013 flood model was prepared.

This is page 52 of the minutes of the Clarence Valley Council Ordinary meeting held 15 December 2020

ORDINARY COUNCIL MEETING**15 DECEMBER 2020**

The design 1% flood event is expected to result in differential water levels across Grafton and South Grafton in response to flood hydrology, local topography and flood mitigation works. For Grafton the urban area can generally be divided into two zones where flooding conditions will be different. West of Queen Street/Lawrence Road the design 1% flood level is relatively uniform at 6.45-6.56m AHD and east of Queen Street 1% flood levels are more variable and higher in the range of 6.97-7.18m AHD. The map at Figure 2 in the attached briefing paper show in orange colour the building premises in Grafton that currently have a habitable floor level that would be compliant with a floor height requirement of the 1% design flood level plus a 500mm freeboard. Premises coloured yellow would not meet the revised floor height requirement recommended in this report (refer to discussion in 'Key Issues').

In South Grafton, there is an opposite trend in that as a result of reduced 1% flood levels following augmentation to flood mitigation works in the mid-1990's flood planning levels that adopt the proposed 500mm freeboard above the design 1% flood would actually be significantly lower than the current DCP floor height requirements at most sites. Hence, the map at Figure 3 of the attached briefing paper indicates that the majority of premises, coloured orange, have floor levels that are higher than the proposed new flood planning level. Again, premises coloured yellow would not meet the proposed floor height requirements (refer to discussion in 'Key Issues').

The South Grafton 'Common' catchment (see Figure 1) currently is expected to have 1% flood levels at 5.83m AHD south of Ryan Street, up to 8.32m AHD in Ryan Street west, 7.8m AHD at the river end of Wharf Street and 6.35m AHD at the river end of Skinner Street.

A briefing paper regarding the habitable floor height issue and background was prepared for the latest Council FRMC meeting held on 20 November 2020 (refer also to Items for Information of this business paper). Following consideration of the briefing paper and discussion at the recent meeting the Committee made the following recommendation:

That the CVC Floodplain Risk Management Committee recommend to Council that:

- a. *The Committee supports consistent application of development controls to manage impacts of flooding on development across the Clarence Valley;*
- b. *The floodplain management provisions in all relevant Clarence Valley Development Control Plans are amended to require that:*
 - i. *all new residential development must have a primary habitable floor level of a minimum of 500mm above the 1% flood height for the site of the development; and*
 - ii. *flood compatible building materials be used for any part of such premises that are below the level of the minimum primary habitable floor level; and*
 - iii. *any other necessary amendments to effect these changes are drafted;*
- c. *That the proposed DCP amendments are publicly exhibited for a period of at least 28 days;*
- d. *That a report be prepared for Council's consideration as soon as practical after completion of the public exhibition period; and*
- e. *That advice of Council's resolution on the abovementioned report be referred to the CVC Floodplain Committee for information.*

This report responds to that recommendation.

KEY ISSUESImpact of proposed change on existing development

The proposed changes to the flood planning level or habitable floor height requirement will not apply retrospectively to existing development. Therefore, residential premises coloured yellow on Figures 2 and 3 of the attached briefing paper will not need to have habitable floor levels be raised unless they are redeveloped or subject to substantial alterations and/or additions consistent with existing DCP provisions.

Impact of proposed change on new development

The urban areas of Grafton and South Grafton are well developed. This means that the opportunities for new residential development are not significant in number compared to total housing stock on these parts of the floodplain. The proposed changes to the flood planning level or habitable floor height requirement, and building construction materials, will only apply to new residential development (including aged care accommodation) and highly sensitive development, such as hospitals.

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ORDINARY COUNCIL MEETING**15 DECEMBER 2020**

In Grafton, for habitable floor levels to comply with the proposed requirement to be 500mm above the 1% event they would generally need to be 6.95-7.06m AHD west of Queen Street and 7.47-7.68m AHD to the east. These floor levels would be between 0.45 metres to nearly 1.3 metres higher than the minimum 6.4m AHD floor height currently applied in development approvals.

For new residential premises in South Grafton applying the proposed floor heights would result in compliant floor levels across the South Grafton Common catchment (see Figure 1) ranging from 6.33m AHD for most of that catchment and up to 8.82m AHD, whereas the current DCP requires a minimum floor level of 7.1m AHD for infill development. In many areas the floor height requirement would be in the order of 0.8 metres less than existing while in other parts of the catchment it would be up to 1.7 metres higher. In the Heber Street catchment (see Figure 1) compliant floor levels using the proposed criteria would be 6.33m AHD, or nearly 1.7 metres less than the existing minimum habitable floor height of 8.0m AHD.

As indicated above the effect of the proposed change will vary across the Grafton and South Grafton urban area dependent on expected flood conditions. In some cases there will be a clear positive impact as development will not need to be built as high, providing construction cost savings, whereas in other circumstances increases in floor height requirements will result in higher construction costs. These additional costs will result in added flood immunity, community resilience and safety, reduce flood damages and ensure Council's requirements are consistent across the Grafton and Lower Clarence floodplain and will be consistent with the NSW Floodplain Development Manual and Flood Prone Land Policy.

In circumstances where the required habitable floor level would produce a design outcome that would result in an unacceptable impact, such as but not limited to, visual impact on streetscape or impact on the privacy or amenity of neighbours, then a proponent is able to apply for a variation to the DCP (consistent with existing DCP provisions) and where such variation is considered to be reasonable and not unnecessarily compromise the future safety of occupants or the proposed structure then a variation may be granted.

Options

The following options are available:

1. Adopt consistent floor height criteria for the whole of the Lower Clarence whereby minimum primary habitable floor levels for residential dwellings are to be no less than the 1% flood level plus freeboard, being an additional 500m, for all flood prone land including Grafton and South Grafton, as well as requiring flood compatible building materials for any part of a dwelling below the minimum primary habitable floor level applicable to the site of the development; or
2. Maintain current approach for primary habitable floor level requirements for Grafton of 6.4m AHD and for South Grafton of 7.1m AHD and 8.0m AHD in the South Grafton 'Common' and Heber Street catchments, respectively.

Option 1 is recommended.

COUNCIL IMPLICATIONS**Budget/Financial**

Costs of preparing and advertising the proposed changes would be met from current staff and advertising budgets in the Land Use Planning cost centre.

Asset Management

The change to the flood planning level would not have any impact on existing or proposed Council assets. The 1% design flood levels are not changing and hence, the impact of flooding remains as existing in a practical sense. The proposed policy change will apply to new residential development assets whether private or public housing.

Policy or Regulation

Environmental Planning and Assessment Act 1979
Environmental Planning and Assessment Regulation 2000
Local Government Act 1993
 All five CVC Development Control Plans
 CVC Community Participation Plan
 NSW Floodplain Development Manual
 NSW Flood Prone Land Policy

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ORDINARY COUNCIL MEETING**15 DECEMBER 2020****Consultation**

In preparing the briefing paper for the FRMC, as well as this report, staff from Council's Strategic Planning, Building Services and Water Cycle teams have been consulted. This report recommends that the proposed DCP amendments are placed on public exhibition consistent with the above mentioned Policy and Regulation. Council will consider a further report to consider any written submissions following public exhibition of the proposed DCP amendments.

Legal and Risk Management

The proposed changes are sought to ensure appropriate floor height requirements for new residential development for Grafton and South Grafton and in doing so provide a consistent and equitable policy approach to management of flood risk across the Clarence Valley LGA. The proposed floor height requirements are consistent with NSW Government policy and are deemed to be consistent with the 'good faith' provisions and provide exemption from liability for Council under section 733 of the *Local Government Act 1993*. Management of flood risk is also a responsibility of SES and the evacuation plans for Grafton are in the process of being updated, in accordance with the NSW Floodplain Development Manual and best practice to manage risk to life safety.

Climate Change

The 2013 flood model considered climate change effects, although these were not incorporated into the adopted flood planning levels. The climate change scenarios modelled indicated an increase in flood levels at the Prince Street gauge of 0.1 metre. Future flood models will also need to consider sea level rise and changes to rainfall intensity and patterns as a result of climate change. As adjustments to the design 1% flood level are adopted by Council in the future then the required floor heights (including a 500mm freeboard) will adjust accordingly.

Prepared by	Scott Lenton, Acting Strategic Planning Coordinator
Attachment	Briefing Note in support of Item 6 of the CVC Floodplain Risk Management Committee meeting agenda, 20 November 2020 - Grafton and South Grafton Flood Planning Level

ITEM 07.23.191 MEMBERSHIP OF THE JOINT REGIONAL PLANNING PANEL

Meeting	Council	24 October 2023
Directorate	Environment & Planning	
Prepared by	Acting Coordinator Development Services, James Hamilton	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	A. Sydney District and Regional Planning Panels Operational Procedures (November 2022) (Separate Cover) ↔	

SUMMARY

This report seeks a Council resolution to appoint members to the Northern Regional Planning Panel (the NR Planning Panel). The NR Planning Panel is established under the *Environmental Planning and Assessment Act 1979* (EP&A Act) which includes specific requirements about panel membership.

OFFICER RECOMMENDATION

That Council:

1. appoint two (2) members and up to four (4) alternative members to the Northern Regional Planning Panel, in accordance with the *Environmental Planning and Assessment Act 1979* and for a period until the commencement of the current Council's caretaker period in September 2024; and
2. advise the Sydney and Regional Planning Panels Secretariate of the changes to Council's appointed panel members.

LINKAGE TO OUR COMMUNITY PLAN

Theme Leadership

Objective We will have a strong, accountable and representative Government

KEY ISSUES

1. Appointment of Members

Division of the 2.4 EP&A Act provides that the Planning Panel comprise five (5) members, (3) three being appointed by the Minister and two (2) members for the applicable council area who are:

- Councillors
- Members of council staff, or
- Other persons nominated by the council.

The EP&A Act requires that council nominees meet the following criteria:

- Council nominates two (2) members who are councillors, members of council staff or other persons nominated by the council,
- At least one (1) of the council nominees is to be a person who has expertise in at least one area of planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism.
- Property developers and real estate agents are not eligible to be members of a Panel.
- If a council fails to nominate one or more council members, a Planning Panel may still exercise its functions.

The associated *Sydney District and Regional Planning Panels - Operational Procedures, November 2022* (the 2022 Procedure), provided as **Attachment A**, provides more detail about Council's role in selecting Planning Panel members, including guidance about conflicts of interest, persons that may be appointed, periods of appointment, and that all members must comply with a code of conduct.

A key change with the updated 2022 Procedure is the recommendation that Council consider appointing a minimum of four (4) alternate members to enable regular rotation to reduce the opportunity to improperly influence panel members.

Council can seek an Expression of Interest (EOI) from the community or neighbouring Council's to ensure Council has a suitable pool of members with sufficient experience to be appointed to the NR Planning Panel. As per section 4.5 of the 2022 Procedure:

Councils are not restricted to nominating people from the council's local area. They can appoint, terminate, and reappoint members at any time, and can determine the duration of each appointment. Generally, so as to ensure the greatest degree of continuity for the Panels, councils should consider appointing members for the maximum term of 3 years. However, councils should reconsider if the nominations to the Panels are appropriate within 12 months following a council election.

Accordingly, if Council resolves to appoint councillors it would only be appropriate to do so until the September 2024 caretaker period. Alternatively, if Council seeks to undertake an EOI from the broader community, council panel members may be appointed for a longer period, such as until September 2025.

BACKGROUND

The Planning Panels were introduced in NSW on 1 July 2009 to strengthen decision making for regionally significant development and certain other planning functions under the EP&A Act. The panels are independent bodies representing the Crown and are not subject to the direction of the Minister, except in some limited circumstances.

There are nine (9) Planning Panels across NSW, including the NR Planning Panel. The NR Planning Panel may:

- determine regionally significant development applications (DAs), certain other DAs and related modification applications, which include:
 - Regional development, as outlined in Schedule 7 of the *State Environmental Planning Policy (State and Regional Development) 2011*
 - DAs with a capital investment value over \$30 million
 - Council-related DAs with a capital investment value over \$5 million
- act as the Planning Proposal Authority when directed
- undertake rezoning reviews
- provide advice on other planning and development matters when requested
- determine site compatibility certificates under the *State Environmental Planning Policy (Transport and Infrastructure) 2021*.

Council's current panel members were determined by Council Resolution on 20 January 2022 (Item 6A.22.009 (2)), as follows:

That Council appoint two (2) members, Mayor Tiley and Deputy Mayor Cr Clancy, and one (1) alternative member, Cr Johnstone, to the Northern Regional Planning Panel, in accordance with the Environmental Planning and Assessment Act 1979 and for a period until the commencement of the current Council's caretaker period in September 2024.

Of note, the current councillor members are based on the individual councillor and experience, rather than position and title within the elected body.

COUNCIL IMPLICATIONS

Budget/Financial

There is a budget under Project 991001 for members to attend planning panel meetings and provides for reimbursement of travel expenses only.

Councils determine the fees to pay panel members. Such payment may be applicable if members of the community were proposed to be appointed. Currently council has no budget or policy about fee payment as prior panel membership was held by councillors.

Asset Management

N/A.

Policy and Regulation

Environmental Planning and Assessment Act 1979

Sydney District and Regional Planning Panels - Operational Procedures, November 2022

Sydney District and Regional Planning Panels – Code of Conduct, August 2020

Consultation

Council may consult externally in determining membership, which may be a member of the community, neighbouring Council or a particular target group, as determined by Council.

Legal and Risk Management

N/A.

Climate Change

N/A.

ITEM 07.23.192 YAMBA URBAN BYPASS - PRELIMINARY ENVIRONMENTAL INVESTIGATION

Meeting	Council	24 October 2023
Directorate	Environment & Planning	
Prepared by	Senior Strategic Planner (Policy), Alex Wells	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	A. Yamba Urban Bypass Preliminary Environmental Investigation (Separate Cover) ⇒	

SUMMARY

At its April 2022 meeting, Council resolved to engage a consultant to undertake a preliminary environmental assessment of the Yamba Urban Bypass proposal and to report back to Council upon its completion. Following a competitive tender process, Planit Consulting were appointed to undertake the Preliminary Environmental Investigation (PEI) including an assessment of potential impacts on aboriginal cultural heritage. The final report for the PEI (**Attachment A**) shows significant environmental constraints under both State and Commonwealth legislation and identifies the relevant planning pathways.

The report recommends that a contemporary traffic and transport study is needed to determine the actual need for the project, to properly consider the various costs and benefits of the proposal as well as the consideration of alternatives. Subsequent discussions with Transport for NSW (TfNSW) regarding Yamba's transportation infrastructure has resulted in an offer to work collaboratively with Council to develop a network plan to guide transport investment over the short to medium term.

OFFICER RECOMMENDATION

That Council:

1. note the Final Report for the Preliminary Environmental Investigation –Yamba Urban Bypass proposal
2. will work collaboratively with Transport for NSW to develop a network plan to guide transport investment over the short to medium term.

LINKAGE TO OUR COMMUNITY PLAN

Theme Infrastructure

Objective We will have communities that are well serviced with appropriate infrastructure

KEY ISSUES**Need for a traffic and transport plan for Yamba**

One of the key recommendations in the Preliminary Environmental Investigation (PEI) is the need for a comprehensive traffic study to evaluate the range of options available for the road network in Yamba.

An essential requirement for assessment under the NSW *Biodiversity Conservation Act 2016* (BCA), the Environmental Impact Statement (EIS) process and approval under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) is the identification of other possible alternatives for traffic management.

If a contemporary traffic study for the Yamba locality is not prepared to demonstrate the actual need for the project as well as alternative options, any hypothetical planning approval process (and ancillary approvals) for the project would not be supported by the relevant agencies.

The most recent comprehensive traffic study for Yamba was the Yamba Road Network Strategic Study prepared by Urban Research and Planning Pty Ltd in July 2002 (the 2002 Traffic Study). The study evaluated six alternative road management strategies in terms of social, environmental, engineering and economic considerations.

The study identified that the preferred option was an upgrade to Yamba Road to a four-lane road with demand management measures (including intersection upgrades) and justified on economic, planning, engineering, environmental and social grounds. At that time, the overall capital costs for the upgrading of Yamba Road was estimated to be one fifth the cost of the Yamba Urban Bypass, which was identified as the

least preferred option.

Given the amount of time since the 2002 Traffic Study and advice in the PEI, a contemporary traffic and transport study is critical to inform Council decision making in relation to the Yamba Urban Bypass proposal. As outlined within the PEI, it is critical that other traffic management options are considered. This will provide a sound basis for determining the need for the proposal in comparison to other traffic management options (inclusive of all options and all modes of transport).

To address the key recommendation of the PEI, it is proposed that TfNSW and Council work collaboratively to investigate Yamba's transport planning challenges and identify solutions to address those issues. This would include consideration of any future road corridor, growth scenarios in and around Carrs Drive, the growth in tourist numbers post Pacific Highway duplication, as well as public and active transportation options. A key part of this work is also examining whether any future investment in infrastructure upgrades can be staged.

Findings of the Preliminary Environmental Investigation (PEI)

The PEI concluded that the Yamba Urban Bypass corridor traverses' areas of significant biodiversity including:

- Coastal Wetlands mapped under State Environmental Planning Policy (Resilience and Hazards) 2021 (RHSEPP)
- Presence of endangered ecological communities, threatened flora and fauna and habit scheduled under the BCA and threatened ecological communities scheduled under the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)
- Presence of Biodiversity Values under the BCA
- Presence of a 'Regional Wildlife Corridor'
- Presence of Key Fish Habitat mapped under the *Fisheries Management Act 1994*.

The PEI has outlined environmental, design, assessment and approval considerations for the proposal and will assist CVC in making decisions regarding any future progression. This PEI has identified that approval under the EP&A Act would be required for the project including:

- Approval under Part 4 of the EP&A Act for project scope in an area of Coastal Wetland mapped under the RHSEPP. This scope of the project would be deemed designated development requiring preparation of an EIS and would be likely deemed Regionally Significant Development
- Approval under Part 5 of the EP&A Act for the project outside areas of Coastal Wetland mapped under the RHSEPP.

BACKGROUND

At the April 2022 meeting, Council resolved to commission a preliminary environmental assessment for the Yamba Urban Bypass proposal (resolution at **Figure 1** below).

The subsequent PEI assessed both potential environmental and aboriginal cultural heritage impacts as well as the relevant planning and approval pathways.

The Yamba Urban Bypass alignment is located between the Oyster Channel Bridge, Yamba Road and Coldstream Street, Yamba. It includes a southern deviation from Yamba Road at Orion Drive passing between the existing residential areas and West Yamba Urban Release Area and tying into Coldstream Street for approximately 4.3 kilometres. A section of the Bypass has been constructed between Quarterdeck Road and Angourie Road; an approximate distance of 550 metres.

The proposal has a long history and was first proposed in the late-1970s/early-1980s in response to the perceived future growth potential of Yamba including the Yamba-Angourie-Wooloweyah localities. The alternative route into Yamba's town centre was identified as a preferred option to reduce the traffic congestion along Yamba Road that can occur during peak use. In 1985, the former Maclean Shire Council formally identified the Bypass corridor along the southern side of the Yamba urban area between Oyster Channel and the Yamba CBD in the Maclean Shire Development Control Plan.

COUNCIL RESOLUTION - 07.22.063**Johnstone/Whaites****That**

- 1. Council engage a professional services contractor to prepare a preliminary environmental assessment to identify key project risks, assist with scoping a future environmental impact assessment and to determine the planning pathway, utilising funds (up to \$150,000) allocated at MIN 6a.19.027 (October 2019).**
- 2. On completion the preliminary environmental assessment be reported to Council to determine next steps.**
- 3. Council note it will require Federal and/or State government assistance to progress the Yamba Bypass project beyond the preliminary environmental assessment stage.**

Voting recorded as follows**For: Clancy, Day, Johnstone, Novak, Pickering, Smith, Tiley, Toms, Whaites****Against: Nil****CARRIED****Figure 1: April 2022 Council meeting resolution****COUNCIL IMPLICATIONS****Budget/Financial**

It is intended that TfNSW and Council will seek grant funds to collaboratively prepare the network plan. Should additional Council funds be required, a budget allocation will be subject to future Council resolution.

Asset Management

N/A

Policy and Regulation

N/A

Consultation

Targeted consultation was undertaken in the preparation of the PEI. A detailed community and stakeholder engagement plan would be developed to support the network plan investigations.

Legal and Risk Management

There are no foreseen legal risks at this stage associated with the officer recommendation.

Climate Change

The consideration of climate change in the comprehensive traffic and transport study would by necessity, include future climate change considerations such as natural hazards, emergency evacuation and other issues, but would also look at lower carbon initiatives to encourage walking and cycling, public transport and other future proofing measures.

ITEM 07.23.193 DRAFT CLARENCE VALLEY LOCAL HOUSING STRATEGY AND AFFORDABLE HOUSING POLICY

Meeting	Council	24 October 2023
Directorate	Environment & Planning	
Prepared by	Strategic Planner, Jasmine Oakes	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	A. Draft Local Housing Strategy_for exhibition Oct 2023 ⇒ B. Draft Affordable Housing Policy_for exhibition Oct 2023 ↓	

SUMMARY

This report seeks Council endorsement to publicly exhibit the draft Clarence Valley Local Housing Strategy (draft Strategy) (**Attachment A**) and draft Clarence Valley Affordable Housing Policy (draft Policy) (**Attachment B**). The draft Strategy and draft Policy supports and implements the priorities of the North Coast Regional Plan 2041 and Council's Local Strategic Planning Statement, as well as Council's Community Strategic Plan (The Clarence 2036) and Delivery Program.

Once finalised, the draft Strategy and draft Policy will assist Council's planning and decision making to encourage delivery of appropriate housing diversity and affordability. Implementation of the Strategy, including any changes to Council's planning framework, such as the Local Environmental Plan (LEP) and Development Control Plans (DCPs), would come back to Council before being exhibited and adopted. It is a 20 year strategy with a range of short and long term actions.

Extensive consultation and engagement sessions have occurred with various stakeholders including the planning and development industry, government agencies, and non-government organisations to inform the development of the draft Strategy and draft Policy. Further engagement is planned to ensure we have a robust strategy and policy framework that can be implemented with general support or acceptance from the community, development industry, government agencies and housing providers.

OFFICER RECOMMENDATION

That Council:

1. endorse the draft Clarence Valley Local Housing Strategy (**Attachment A**) and draft Clarence Valley Affordable Housing Policy (**Attachment B**) for public exhibition and associated community consultation for a minimum six (6) weeks, in accordance with the Community Participation Plan;
2. delegate authority to the General Manager to make any minor amendments to the draft Strategy and draft Policy for public exhibition purposes prior to public exhibition; and
3. note that all submissions received and recommended changes to the draft Strategy and / or draft Affordable Housing Policy will be reported back to Council for endorsement following the exhibition period.

LINKAGE TO OUR COMMUNITY PLAN

Theme Leadership

Objective We will have a strong, accountable and representative Government

KEY ISSUES**Summary of Key Findings**

The following provides a summary of the key findings of Part 1 of the draft Strategy:

- In recent years, the Clarence Valley Local Government Area (the LGA) has experienced greater than expected housing demand resulting in a lack of housing availability and increasing housing costs, and this is likely to continue in the coming decades.
- There is sufficient residential zoned land in the LGA to accommodate forecast demand, but not all land that is currently zoned for housing can or will be developed. There are issues with activating latent zoned land supply to bring housing 'to market' due to barriers such as development feasibility, environmental constraints and provision of infrastructure and servicing.

- There is a mismatch between the housing that is needed and what is provided in existing and new housing developments. There is a growing need for more diverse and affordable housing to better meet current and future needs, including smaller homes and housing for students, older people, and key workers. Council staff have heard from industry that housing costs has impacted businesses trying to attract and retain key workers, including skilled labour, hospitality and medical staff. This flows through the local economy, slowing growth and limiting services. It is unlikely that the market alone will adequately respond to this challenge in the short term.
- Most local housing continues to be delivered in the form of large, detached dwellings. The lack of smaller dwellings means one or two person households have few options, whilst the low supply of rental housing and tight vacancy rates mean some households cannot find a home. This situation increases overcrowding or risk of homelessness. The Department of Communities and Justice (DCJ) waiting lists for social and affordable housing is 5-10 years, and longer in the lower Clarence.
- Targeted housing solutions for First Nations residents is important. Indigenous households are particularly over-represented in the social housing sector and aged care housing is also a particular need.
- Smaller, accessible and adaptable dwellings that are located close to centres and services are needed to house our ageing population, people with a disability and to provide appropriate accommodation for smaller households. There are also broader environmental, social and economic benefits of minimising urban sprawl in favour of more compact growth patterns.
- The LGA's housing market is vulnerable to spikes in demand caused by seasonal or temporary workers and tourism. While both are important for the local economy and productivity, these can negatively impact on housing supply and affordability. This situation is exacerbated by short term rental accommodation reducing availability of longer-term rentals.

Housing Vision

While Council does not control the actual supply of housing and can typically only facilitate the types of housing through strategic and statutory planning, process efficiency and advocacy, the draft Strategy sets out ways that Council could work with the private sector, government and the community to achieve a vision so that the Clarence Valley is a **Community of Opportunity**. The draft Strategy seeks outcome so our residents:

- have access to safe, secure, diverse and affordable housing that meets their needs at every stage of life;
- can afford a safe and comfortable home to live in, without compromising on basic needs;
- live in an area of their choice, connected to local services, facilities, jobs and social networks; and
- have a range of housing choices available to them, no matter what their life circumstances – whether they are experiencing a crisis, living in social housing, renting in the private market or aspiring to home ownership.

The vision is for housing in the Clarence Valley to be:

- appropriately located, to reduce the risk of natural hazards, optimise the use of existing infrastructure, and minimise environmental and amenity impacts;
- designed to be consistent with the desired character of the area, ecologically sustainable and resilient to natural hazards; and
- diverse, affordable and adaptable to respond to the diverse demographics of our community, including young people, seniors and particular groups in need.

Housing priorities and implementation actions

Part 3 of the draft Strategy includes four (4) Priorities for housing, supported by actions to guide planning, delivery and management of housing supply and supporting infrastructure over the short, medium and long term.

Priority 1: Accelerate the supply of development ready land in suitable locations supported by infrastructure and services.

Priority 1 is supported by four (4) actions to assist and guide Council and the development industry in planning for, prioritisation, staging and coordination for the delivery of and funding for essential infrastructure required to unblock housing supply and support growth.

The actions include raising awareness of Council Servicing and Delivery Plans, a requirement for the preparation of structure plans for priority urban release areas; and technical studies to assess the viability of rezoning targeted planning intervention areas.

Priority 2: Encourage a diverse range of housing options in well located areas, to meet community needs.

Priority 2 is supported by six (6) actions to encourage compatible and resilient infill housing and delivery of a diverse mix of housing options, types and sizes, including adaptive housing in appropriate locations close to services.

The actions include a focus on housing diversity inclusive of investigating changes to zoning and height controls in targeted areas (see 'Recommended Planning Interventions' below), more guidance around Manufactured Home Estate (MHE) developments within Council's development control plans, expanding Council's fast track approval processes for particular developments and for Council to pursue opportunities to partner with government and / or non-government organisations to deliver exemplar housing projects and culturally responsive housing.

Priority 3: Support the delivery of affordable housing in accessible locations.

Priority 3 is supported by five (5) actions to support the supply and increase delivery of social and affordable and low-cost market housing in areas that are well-served by supporting infrastructure and services.

The actions include potential partnerships with other councils to advocate for social, affordable and community housing investment; Government and non-government partnerships to deliver affordable housing on appropriately located Council owned land; progressing the 2023 draft Affordable Housing Policy; preparation of a Voluntary Planning Agreement Policy; develop an Affordable Housing Contributions Scheme (AHCS) and incorporate into our Local Environmental Plan; and review of staff delegation regarding affordable housing development applications.

Priority 4: Deliver resilient, liveable and sustainable communities.

Priority 4 is supported by five (5) actions to ensure that the supply and delivery of new housing is serviced and designed to be sustainable and resilient, to appropriately manage natural hazard risk and new urban release areas are located in low risk areas away from the coastal strip, with minimal environmental constraints.

The actions include the development of placemaking principles and clear visions for key centres and inclusion of resilient design controls in Council's development control plans, not permitting rezoning for new residential areas in locations with high environmental and agricultural value or areas impacted by natural hazards and reassessing the heritage conservation areas provision in key centres to promote appropriate infill development. Importantly, the Lower Clarence Flood Model 2022 (Refer Council resolution 06.23.009), has informed the Housing Strategy to ensure new housing properly considers the impacts of the revised flood model to avoid or better manage potential impacts of new flood levels, including climate change.

Recommended Planning Interventions

Annexure 4 of the draft Strategy provides details of the recommended targeted planning control amendments to be investigated in the short to medium term, to encourage compatible and resilient infill housing in Grafton, South Grafton, Yamba, Maclean and Iluka. The nominated sites and ideas for interventions are only at concept stage at present, and do not commit Council to support future rezonings or changes to the planning framework. However, it is important to consult on these ideas as part of developing and refining the Housing Strategy, in accordance with the NSW Department of Planning and Environment (DPE) strategic housing guidelines, and the overall intent to plan for future investigation areas for the next 20 years.

Affordable Housing Policy

The existing Affordable Housing Policy (2015) no longer reflects the current planning framework for affordable housing and cannot be properly enforced for Development Applications to require affordable housing contributions. In addition, no affordable housing Voluntary Planning Agreements have been executed in the Clarence Valley LGA since the current policy was adopted eight (8) years ago. Anecdotal evidence suggests that this is primarily due to issues of development feasibility. Many developers claim that delivering affordable housing on-site would render their development unfeasible. Similarly, many developers claim that they do not have adequate cash flow to make a monetary contribution towards affordable housing off-site (this would otherwise be required prior to the issue of a construction certificate). A process for an

'open book' assessment to verify feasibility would assist to inform decision making and this would be included in any new Affordable Housing Contributions Scheme.

Consequently the draft Policy (**Attachment B**) has been updated to:

- simplify and streamline the overall structure, adopting a plain English writing style to make the Policy easier to read and understand;
- more clearly and accurately define and distinguish between key terms, including affordable housing, diverse housing and adaptable housing; and
- clarify Council's policy position and requirements for diverse, affordable and adaptable housing, as part of development application and planning proposals.

The draft Policy creates a policy position that Council will positively consider affordable housing development applications which do not meet specific location requirement provisions of the *State Environmental Planning Policy (Housing) 2021* and enables Council to support greater dwelling diversity. If adopted, it would require 5% of dwellings to be designed under "Liveable Housing Design Guidelines" where 10 or more dwellings are proposed. This better meets the needs of our community with access issues, including our ageing demographic and those with disabilities.

Regarding future planning proposals (e.g. rezonings), the draft Policy:

- provides guidance for Council to enter into voluntary planning agreements where a planning proposal involves a residential component;
- that land, direct provision and/or a cash contribution is required for provision of affordable housing; and
- provides details about how the uplift value of a planning proposal informs the contribution towards affordable housing.

Affordable Housing Contributions Scheme (AHCS)

Under the *Environmental Planning and Assessment Act 1979* (the Act), Council may only impose an affordable housing condition on a development consent if it has an Affordable Housing Contributions Scheme (AHCS) in place, and the AHCS is authorised by a council's LEP.

While there is currently no legislative requirement for a council to adopt an AHCS, this is an important mechanism to expand the supply of much needed affordable housing in the Clarence Valley. An AHCS would be additional to the contribution requirements for development applications under existing contributions plans and may impact on development feasibility for certain developments or development in certain locations. Consequently, feasibility studies would be needed to determine whether the introduction of a Council led AHCS would be feasible within the Clarence Valley.

Given the significant need for affordable housing, as explained in the draft Strategy (see the evidence base in Part 2) and the need to balance implications about feasibility issues, it is recommended that the draft Strategy and draft Policy are publicly exhibited as attached, and that critical analysis of submissions and further feasibility testing is used to inform the next steps. It is important to note that the development of an AHCS would follow after inclusion in a final Strategy (if supported by Council) and require further development, engagement and Council decision making.

Feasibility and Investment Prospectus

Consultants (Hill PDA and Mecone) have undertaken initial development feasibility testing as part of the development of the draft Strategy, based on a review of the current local market dynamics.

The Development Feasibility research has highlighted a range of challenges in producing alternate housing product, particularly smaller houses, townhouses, units and the like. This is particularly challenging where competitive returns on investment are constrained by the local housing market, such as Grafton and surrounds, and Maclean being marginal. Even in areas with high amenity, such as river views and access to the CBD, investment risk, overall construction costs and car parking requirements produce marginal viability. In even more desirable areas such as Yamba, a variety of housing products are more viable, though the land lease model for MHEs still provides higher returns.

Council will continue to work with our consultants and test assumptions with the development industry and associated stakeholders through the exhibition period to identify key levers that may facilitate delivery of housing to better meet the needs of the community.

This work will also inform the preparation of a housing prospectus document, which will showcase the Clarence to the broader industry and illustrate the types of housing need, viable housing examples and

reasons why the Clarence is an attractive investment proposition. This will be drafted and graphically designed after the exhibition period has concluded to complement the final Strategy.

In addition, the main risk factors holding back delivery of housing development at present are key infrastructure and market-based issues, given the current economic climate, including:

- building risk - pressures from inflation, supply and skill shortages, building standards bonds, lack of competition in the tendering process, inability to secure fixed-price contracts;
- liquidity risk – financing costs, which have increased from 3 - 4% up to 6.5 - 7.5%, due to RBA increasing the cash rate; loan to value ratios increasing, meaning developers need their own equity; increased pre-sales covenants; and
- sales risk – demand for off the plan sales remains subdued and alternative forms of housing (smaller houses, town houses, units and higher density) is viewed as higher risk than traditional housing product (3-4 bed homes). MHEs and the land lease model is filling part the gap in the market with a different product.

Council plays a reasonably small but crucial part of the supply chain to help facilitate delivery of housing. Addressing issues within Council's control and advocating to government and others to address matters outside of Council control, will be an important part of implementing the strategy.

BACKGROUND

Council was successful in obtaining funding under the NSW Department of Planning and Environment's Regional Housing Strategic Planning Fund to develop a local housing strategy for the Clarence. Consultants (Hill PDA and Mecone) were secured to develop the draft Strategy, policy and prospectus. NSW councils are required to prepare Local Housing Strategies in accordance with Department of Planning and Environment's Local Housing Strategy Guideline 2018 and it has been prepared to give effect to Action 4.4 of the Clarence Valley Local Strategic Planning Statement. The Strategy is designed to guide Council to plan for and deliver housing that meets community needs and gives greater certainty about where, when and what types of home can be built.

The Clarence Valley Settlement Strategy 1999 is Council's current urban and rural land release strategy prepared under the requirements of the then North Coast Regional Environmental Plan. While the Strategy still has relevance, it had a 20-year lifespan and requires updating to meet the changing housing needs of the Clarence Valley community.

The Clarence Valley has seen a dramatic increase in demand and cost of housing due to the accumulative influences of the M1 Motorway increasing ease with which people can access the Clarence Valley and south east Queensland; increasing population growth in south-east Queensland and our neighbouring LGA's in the norther rivers and mid north coast; the COVID-19 pandemic accelerating people moving out of cities to regional NSW; technology advances and ability to work for home; increase in Short Term Rental Accommodation (Air BnB etc) taking long term rentals and permanent houses out of the market; and recent natural disasters displacing residents across the north coast region. These impacts and an increase in population growth means that bespoke solutions to housing our community are required.

COUNCIL IMPLICATIONS

Budget/Financial

The public exhibition of the draft Strategy and draft Policy and all further community engagement are accommodated within the exiting recurrent Strategic Planning team budget with no financial implications for Council. The implementation of actions in the draft Strategy may have a wide range of budget implications, however the draft Strategy does not commit Council to any specific budgetary direction. Any future activity associated with implementing the draft Strategy will be subject to the Council's Operational Plan considerations and prioritisation, including seeking further endorsement by Council.

The draft Strategy and draft Policy also aims to provide leverage and support for State and Federal Government grant funding to deliver diverse, affordable, resilient housing in the Clarence Valley over the next 20 years.

Asset Management

There are no direct implications for the management of Council owned assets with a decision to support exhibition of the draft Strategy.

Policy and Regulation

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment Regulation 2021

North Coast Regional Plan 2041

Clarence Valley Local Strategic Planning Statement

Clarence Valley Community Participation Plan

Consultation**Consultation and engagement activities undertaken to inform the draft Strategy**

Extensive consultation and engagement sessions have occurred with Council staff and various stakeholders including government agencies, non-government organisations and the planning and development industry to inform the development of the draft Strategy.

Council staff consultation

The consultants have led numerous one on one consultation sessions with Council staff and two (2) Council workshops attended by a staff from Development Services, Strategic Planning, Water Cycle, Environmental and Regulatory Services and Community and Engagement sections of Council during the development of the draft Strategy.

- An Issues and Options workshop was held on the 19 June 2023 to present findings from initial research on demographics, constraints and potential housing supply, and to facilitate discussions around current development and limitation with current planning controls.
- A visioning workshop was held on 26 July 2023 to present potential planning interventions for future housing capacity modelling, and to facilitate further discussions around planning controls and potential sites for feasibility testing based on modelling outputs.

Industry stakeholder consultation

The consultants lead two (2) consultation sessions targeted at the planning, development and real estate industry in June 2023 with an aim to facilitate discussions around the current supply and demand for housing and limitations and constraints impacting delivery of diverse and affordable housing product. The invitation was distributed to over 50 targeted stakeholders, with fifteen (15) attendees at the Grafton session held on 19 June 2023, and twelve (12) attendees at the Maclean session held on 20 June 2023. Various follow up emails and conversations have also been undertaken with industry post consultation sessions.

Government agency consultation

The consultants led a government agency consultation session on 18 July 2023, attended by representatives from DPE Northern Region Planning, DPE Biodiversity and Conservation Division, NSW Department of Primary Productions, Regional NSW, Northern Rivers Reconstruction Corporation and NSW SES. The aim of the sessions was to facilitate discussions around potential constraints and other considerations that may impact housing supply within the current residential zoned land; and to gain a better understanding of factors impacting the delivery of diverse and affordable housing across the mid and north coast regions.

Affordable and social housing consultation

The consultants led an online consultation session targeted at the affordable and social housing sector on 20 July 2023, attended by representative from the Department of Family and Community Services, North Coast Community Housing, Social Futures, Anglicare and Gurehlgam. The aim of the session was to facilitate discussions around barriers and opportunities for social and affordable housing in the Clarence Valley and identify potential short-term interventions for delivery.

Annexure 3 of the draft Strategy provides further detail on the findings of the engagement activities undertaken during the preparation of the draft Strategy.

Proposed consultation on the draft Strategy and Policy**Community Engagement**

Further engagement with the wider community, and key stakeholders is important to ensure a fully informed Strategy and implementation of actions in the future.

The draft Strategy will be placed on public exhibition, allowing submissions for a minimum six (6) weeks in accordance with Council's Community Participation Plan, beginning on Friday 27 October until Friday 8

December 2023. The draft Strategy will be accessible via Council's On-Exhibition and Clarence Conversations webpages.

Advertisements and notifications regarding the public exhibition of the draft Strategy will also be made via Council's E-news Noticeboard and social media platforms, as well as via other media such as the Clarence Valley Independent newspaper and Channel 7 news. Email notifications including links to the draft Strategy on Council's On-exhibition webpage will also be sent out to all stakeholders that have been involved in preliminary consultation and engagement activities to close the loop and ensure all stakeholders have the opportunities to have their say on the draft Strategy.

Community drop in session during the public exhibition period are also being organised at key locations and events including Grafton, Yamba and Maclean to encourage involvement and ensure the final Strategy generally reflects the expectations and aspirations of the local community and stakeholders.

Legal and Risk Management

The exhibition of the draft Strategy includes a wide range of broad policy objectives and future actions that do not pose a legal or other risk to Council. The draft Strategy does not contain prescriptive or site-specific actions or priorities that can or should be used by investors, businesses or individuals. Any action taken on the basis of the draft Strategy would be speculative.

The draft Strategy however proposes future changes to Council's planning controls including the *Clarence Valley Local Environmental Plan 2011*, Contributions Plans and Development Controls, which will be reported to Council for decision and further consideration prior to amendments to these controls.

Climate Change

Impacts of climate change have been considered in the development of this draft Strategy. New housing will need to be in locations that appropriately manage the known risk of natural hazards, such as flood, bushfire, sea level rise or other extreme weather events, or be built or designed of resilient materials and specifications to withstand the risks of natural hazards. In addition, areas of high environmental value such as vegetated land were excluded from the capacity modelling to support biodiversity and ecological functions to provide resilience for our community and adaptability to climate change into the future.

The draft Strategy, if adopted along with the Green Infrastructure Strategy 2023, will improve planning outcomes and guide Council decision making to ensure a safer, greener, more sustainable, liveable and connected communities.



Affordable Housing Policy

Responsible Manager (Title)	Murray Lane – Manager Development and Land Use Planning		
Adopted by Council	Date	Minute Number	
File Reference Number	DWS	Version	Review Due
Document(s) this policy Supersedes	Affordable Housing Policy 2015		
Community Plan Linkage	1.8 Society - An appropriate mix of housing that meets the various stage of life		

1 Purpose

The purpose of the Policy is to support the delivery of diverse and affordable housing in the right locations to meet the needs of Clarence Valley's current and future residents at every stage of life.

2 Definitions

Act means the Environmental Planning and Assessment Act 1979

Adaptable housing means housing that meets Australian Standard AS4299-1995 and can therefore be easily and cost effectively adapted to meet the needs of seniors and/or people with disability with minimal disturbance to the dwelling's inhabitants.

Affordable housing is defined by the Act as housing for very low-income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

Clarence Valley LEP means Clarence Valley Local Environmental Plan 2011.

Council means Clarence Valley Council.

Housing stress refers to a situation where a household pays more than 30% of its gross income on housing costs and that household is in the bottom 40% of national equivalised incomes.

Housing SEPP means the State Environmental Planning Policy (Housing 2021). This is a State-wide policy that aims to facilitate the supply of diverse and affordable housing options across NSW.

Key workers are those workers who are employed in roles essential to the functioning of the local area, and who are typically paid low to moderate salaries. For example, police, fire fighters, teachers, childcare workers.



Low-income household means a household with a gross income between 50% and 80% of the median household income and pays no more than 30% on rent or is eligible to occupy rental accommodation under the National Rental Affordability Scheme and pays no more than the rent that would be charged if the household were to occupy rental accommodation under the Scheme.

Moderate-income household means a household with a gross income between 80% and 120% of the median household income and pays no more than 30% on rent, or is eligible to occupy rental accommodation under the National Rental Affordability Scheme, and pays no more than the rent that would be charged if the household were to occupy rental accommodation under the Scheme.

Planning proposal is a document and supporting information that explains the intended effect and justification for a local environmental plan (LEP) or an amendment to an LEP (for example, a spot rezoning).

Social housing is secure and affordable rental housing provided by the Land and Housing Corporation for people on low incomes who are unable to access suitable accommodation in the private rental market. Social housing includes public, Aboriginal and community housing.

Very low-income household is defined by the Housing SEPP as a household with a gross income lower than 50% of the median household income and pays no more than 30% on rent, or is eligible to occupy rental accommodation under the National Rental Affordability Scheme, and pays no more than the rent that would be charged if the household were to occupy rental accommodation under the Scheme.

3 Background

Access to affordable, appropriate, and secure housing is a basic human right. It also essential for creating a prosperous and thriving community that is socially, economically, and environmentally sustainable in the long-term.

In 2023, Council prepared the Clarence Valley Local Housing Strategy, which highlights the urgent need for more diverse and affordable housing options to meet the needs of residents. Based on an analysis of demographic indicators, and housing supply and demand, there is a mismatch between the housing that is needed in Clarence Valley and what is being delivered by the market. There is a growing need for more diverse and affordable housing to better meet current and future needs, including smaller homes and housing for students, older people, and key workers. However, the delivery of diverse and affordable housing is a significant challenge.

Most local housing continues to be delivered in the form of large, detached dwellings. The lack of smaller dwellings means one or two person households have few options, whilst the low supply of rental housing and tight vacancy rates mean some households cannot find a home. This situation places certain residents at risk of homelessness or forces them to live in substandard housing, including dwellings that are overcrowded.

A lack of housing diversity in terms of housing types, size, tenure and price, is a serious issue that will worsen over time if the types of housing that are supplied, predominantly large, detached houses, do not change to meet changing housing needs.

Smaller, accessible dwellings that are located close to centres and services are needed to house Clarence Valley's ageing population and to provide appropriate accommodation for smaller households. There are also broader environmental, social and economic benefits of minimising urban sprawl in favour of more compact growth patterns.

3.1 Affordable housing

Affordable housing is separate and distinct from social housing. The statutory definition of affordable housing specifically relates to housing that is developed under an environmental planning instrument for households with very low, low, and moderate incomes. Mortgage repayments or rents for such housing are priced so these households can meet their other essential living costs, such as food, clothing, transportation, medical care, and education.

Affordable housing can be delivered or owned by private developers, investors, Governments, charitable organisations, and not-for-profit community housing providers (CHPs). While some affordable housing dwellings are owner-occupied, in most cases they are leased and managed by a community housing provider or private investor.

Occupants of affordable housing include younger residents looking to move out of home, key workers, people with a disability, single parents and elderly residents looking to downsize. Given that the needs and preferences of occupants differ within and between each group, and change over time, diversity in this sector is essential.

As shown in Figure 1, affordable housing is part of a wider 'housing spectrum' ranging from homelessness and fully subsidised crisis housing at one end, to completely unsubsidised market housing/home ownership at the other. People may move back and forth along the spectrum throughout their lifetime, depending on life circumstances, aspirations, and capacity. For some people, affordable housing provides a stepping-stone to market housing. For others, it provides an essential safety net during challenging times so they can continue to fully participate in society.

Figure 1 – Housing spectrum



Source: *Housing 2041* (NSW Government)



3.2 Housing diversity

Increasing the supply of a diverse mix of housing options across the housing spectrum is key to maximising affordability outcomes and satisfying community needs. It also helps to create vibrant and sustainable urban neighbourhoods, that are better integrated, more cohesive, with reduced levels of social disadvantage.

Through the application of this Policy, Council seeks to support the direct delivery of affordable housing (as defined by the Act) as well as the indirect delivery of affordable housing (in the broader sense) by promoting housing diversity.

Housing diversity includes lot sizes, the number of bedrooms, tenure, or whether housing is suitable for special needs groups, including seniors, students, people with disability, and/or is culturally responsive to the needs of First Nations communities.

The North Coast Regional Plan promotes the diversity of housing choices in existing areas to give people more options at different stages of life and to reduce pressure on greenfield release areas on farmland and biodiversity. This also maximises the use of existing and new infrastructure and provide greater access to jobs, services and lifestyle opportunities.

4 Policy statement

4.1 Scope

This policy applies to all development involving a residential component in the Clarence Valley LGA.

4.2 Guiding principles

In applying this Policy, Council will be guided by the following key principles.

- a) Affordable housing is essential social infrastructure and a basic human right.
- b) Affordable housing must aim to create mixed and balanced communities.
- c) Affordable housing must be created and managed so that socially diverse residential population, representative of all income groups, is developed and maintained in a locality.
- d) Affordable housing must be made available to very low, low and moderate income households, or a combination of these households.
- e) Affordable housing must be rented to appropriately qualified tenants and at an appropriate rate of gross household income.
- f) Land provided for affordable housing must be used for that purpose.
- g) Buildings provided for affordable housing must be managed to maintain their continued use for affordable housing.
- h) Affordable housing must consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings in the area.



5 Implementation

5.1 General

In exercising its plan-making and decision-making functions under Part 3 the Act, Council will encourage the delivery of:

- a) affordable and low-cost infill housing in high-amenity locations that are in walking distance to public transport and other services and facilities.
- b) a diverse mix of smaller (studio, one and two bedroom) strata dwellings
- c) subdivisions offering a mix of lot sizes, including smaller lots (400 square metres or less) and diverse housing types, reflective of market demand.
- d) adaptable housing to meet the needs of seniors and people with disability.

5.2 Development applications

Note: Under the current NSW contributions framework, Council may no longer impose conditions of consent requiring contributions for affordable housing without an Affordable Housing Contribution Plan in place, that is authorised by its Local Environmental Plan. Action 3.2 of the draft 2023 Clarence Valley Local Housing Strategy is to progress the preparation of a local or regional Affordable Housing Contribution Scheme and update Clarence Valley LEP to authorise the Scheme.

- a) For development applications involving residential development on land that would otherwise be considered and determined under the under the Housing SEPP except that it does not strictly meet the location requirements, but involves the delivery of affordable housing, Council will consider the application of the Housing SEPP provisions where appropriate, along with other relevant policies.
- b) Where 10 or more dwellings are proposed, the development must include an appropriate mix of dwelling sizes, including studio and 1-and 2-bedroom dwellings, reflective of local needs. At least 5% of the dwellings (rounded up to the nearest whole number) must be designed in accordance with Livable Housing Australia's Livable Housing Design Guidelines. Where 1 dwelling is designed in accordance with the Liveable Housing Design Guidelines, the dwelling must achieve 'platinum' level accreditation. Where 2 or more dwelling are designed in accordance with the Liveable Housing Design Guidelines, at least half of these dwellings must achieve 'platinum' level accreditation and half must achieve 'gold' level accreditation. Planning proposals



5.3 Planning proposals

Note: Action 3.3 of the draft 2023 Clarence Valley Local Housing Strategy is to prepare separate Voluntary Planning Agreements (VPA) Policy and Guideline to outline the processes, procedures and general requirements for negotiating and preparing VPAs, calculating the value of contributions, and assessing feasibility.

For all planning proposals involving a residential component, Council will:

- a) consider and ensure that adequate planning controls are place to ensure the delivery of diverse housing options, consistent with Clarence Valley Local Housing Strategy.
- b) seek to negotiate a planning agreement to encourage private investment in social and affordable housing.

Requirements for such planning agreements are as follows:

- a) The contribution may include land for affordable housing, direct provision of affordable housing on-site, or a cash contribution for affordable housing within the local area.
- b) In certain circumstances, a monetary contribution for off-site delivery of affordable housing may be more appropriate. For example, where the planning proposal relates to a site with a high land value.
- c) The value of the planning agreement must be equivalent to 50% of the unearned increment of land value uplift arising from the planning proposal.
- d) A valuation must be obtained to provide an estimate of the land value uplift that is likely to arise from the planning proposal, using a direct sales-comparison method.
- e) For planning agreements involving the direct provision of affordable housing on-site:
 - i. The proposed affordable housing must be for households with low or very low incomes, or a combination of both.
 - ii. Where 10 or more dwellings are proposed, the development must include an appropriate mix of dwelling sizes, including studio and 1-and 2-bedroom dwellings, reflective of local needs. At least 5% of the dwellings (rounded up to the nearest whole number) must be designed in accordance with Livable Housing Australia's Livable Housing Design Guidelines. Where 1 dwelling is designed in accordance with the Liveable Housing Design Guidelines, the dwelling must achieve 'platinum' level accreditation. Where 2 or more dwelling are designed in accordance with the Liveable Housing Design Guidelines, at least half of these dwellings must achieve 'platinum' level accreditation and half must achieve 'gold' level accreditation.
- f) In negotiating a VPA, consideration will be given to:
 - i. The dedication of the affordable housing dwellings to Council and the timing of such dedication.
 - ii. Criteria for assessment of future tenants, or reference to a policy of the nominated housing provider/manager which specifies such criteria.



- iii. The lodgement of a security and any other mechanisms to ensure due delivery of the contribution.
- iv. Site-specific conditions and any other relevant matters.

6 Appeal/objections process

Nil.

7 Related Documents

This Policy should be read in conjunction with:

- a) Environmental Planning and Assessment Act 1979
- b) State Environmental Planning Policy (Housing) 2021
- c) North Coast Regional Plan 2041
- d) Clarence Valley Local Strategic Planning Statement 2020
- e) Clarence Valley Housing Strategy 2023

8 Review and monitoring

Council is committed to ongoing research into housing needs and issues in the Clarence Valley LGA. The outcomes of such research will continue to form the basis of local housing policy formulation and implementation.

ITEM 07.23.194 PLANNING PROPOSAL TO AMEND CLARENCE VALLEY LOCAL ENVIRONMENTAL PLAN 2011 TO PERMIT AN ADDITIONAL USE (RURAL SUPPLIES) AT 4 RIVER ST, PALMERS ISLAND

Meeting	Council	24 October 2023
Directorate	Environment & Planning	
Prepared by	Senior Strategic Planner (Policy), Alex Wells	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	<ul style="list-style-type: none"> A. Revised Bitzios TIA 24 February 2023 (Separate Cover) ⇒ B. September 2023 TfNSW Response - Rural Supplies Store Palmers Island Planning Proposal ↓ C. March 2021 TfNSW Response to Original Planning Proposal - Palmers Island Rural Store ↓ D. September 2023 Engineering Comments Revised TIA & Response to TfNSW (Confidential) 	

SUMMARY

At its July 2023 meeting, Council considered a report that addressed planning proposal PP-2022-2655 which sought to amend the *Clarence Valley Local Environmental Plan 2011* to permit an additional use with consent, for a Rural Supplies store at Lot 11 DP 1259162, at 4 River Street, Palmers Island.

Due to significant road safety and traffic flow concerns, after considering the proponent's Traffic Impact Assessment (TIA) report and proposed traffic treatments (**Attachment A**), it was recommended that Council not proceed with the planning proposal. However, Council resolved to defer the matter until a future meeting and requested that the matter be referred to Council's Local Traffic Committee (LTC) and to Transport for NSW (TfNSW). Council's LTC considered the matter at its 3 October 2023 meeting, including updated advice from TfNSW (**Attachment B**) and resolved to recommend that the planning proposal not proceed.

OFFICER RECOMMENDATION

That Council:

1. advise the proponent of the former planning proposal (PP-2022-2655) of the recommendation of the Local Traffic Committee and that Council will not support any new planning proposal to amend the *Clarence Valley Local Environmental Plan 2011* for an additional use to be permitted with consent of 'Rural Supplies' at Lot 11 DP 1259162, being 4 River Street, Palmers Island where ingress/egress is via Yamba Road.
2. endorse the recommendation of Council's Local Traffic Committee which states: *That the access on Yamba Road associated with Planning Proposal 2022-2655 is not supported because a commercial access at this location would compromise the functionality of Yamba Road and the safety of road users.*

LINKAGE TO OUR COMMUNITY PLAN

Theme Society

Objective We will have a safe, active and healthy region

KEY ISSUES

The former planning proposal (PP-2022-2655) to provide for the additional use of 'Rural Supplies' to be permitted with consent for this particular location on Yamba Road has significant traffic and road safety risk associated with the proponent's intention of using Yamba Road as the sole ingress and egress point for the proposed new facility. The location of the proposal is illustrated in **Figure 1** by the red box and as marked with a red star on the aerial image in **Figure 2** below.



Figure 1 - Location Plan of proposed Rural Supplies store

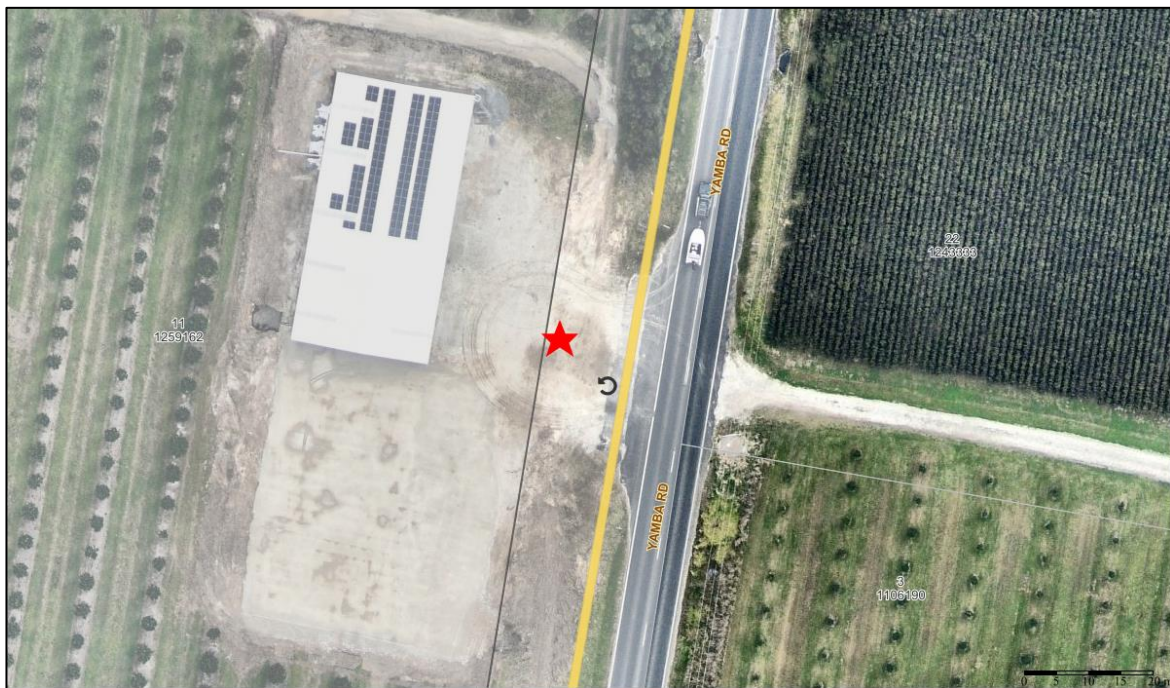


Figure 2 – Aerial Image - Proposed Rural Supplies Store Location on Yamba Road

Council’s Development Engineers maintain the following concerns with respect to the proposed development.

- Yamba road is a high speed, high traffic, classified Regional Road.
- The proponent’s suggested treatment to facilitate ingress and egress from the proposed Rural Supplies (retail) store to Yamba Road includes a median strip to stop right hand turns into and out of the development and for vehicles to U-turn onto Yamba Road from Yamba Street and Middle Road (**Figures 3 – 5** below).
- Neither of these treatments are considered satisfactory. The U-turn by vehicles onto Yamba Road is a significant safety concern, particularly from the south at Middle Road (**Figure 4**) where the speed zone is 90km/h.
- There is a considerable distance between the proposed facility entry which is adjacent to the 90km/h

speed zone and the proposed Middle Road U-turn treatment (**Figure 5**) which cannot be addressed through minor adjustments to the location of the speed zone sign.

- The installation of a median would require widening of Yamba Road to achieve the required offsets from the median and left turning movements.
- The only safe option is access from the minor road (Yamba Street). TfNSW advice suggests that if this option is pursued, additional works to the intersection with Yamba Road may still be required.

After reviewing the two versions of the TIA submitted by the proponent, TfNSW has provided updated advice (**Attachment B**). This most recent advice confirms that their previous advice dated 5 March 2021 (**Attachment C**) remains valid. It also suggests the proponent would need to demonstrate that safe ingress and egress is not possible using the adjacent minor road (Yamba Street) as suggested by Council staff.

In the most recent advice, TfNSW acknowledged that Council, as the Roads Authority for Yamba Road, is responsible for the assessment of the traffic implications and that the proposed arrangements for the development are acceptable from a safety/efficiency perspective. From the information provided by the applicant, all options consider access via Yamba Road only, and Council’s Development Engineers assessment (confidential **Attachment D**) is that this presents a significant safety hazard which would otherwise be avoided if the access was provided via the minor road, Yamba Street.

Other impacts of the proposed development in its current format include the occupation/impediment to Council vehicles using operational land as a road material stockpile site for the proposed southern U-turn area as shown in **Figure 4** below.

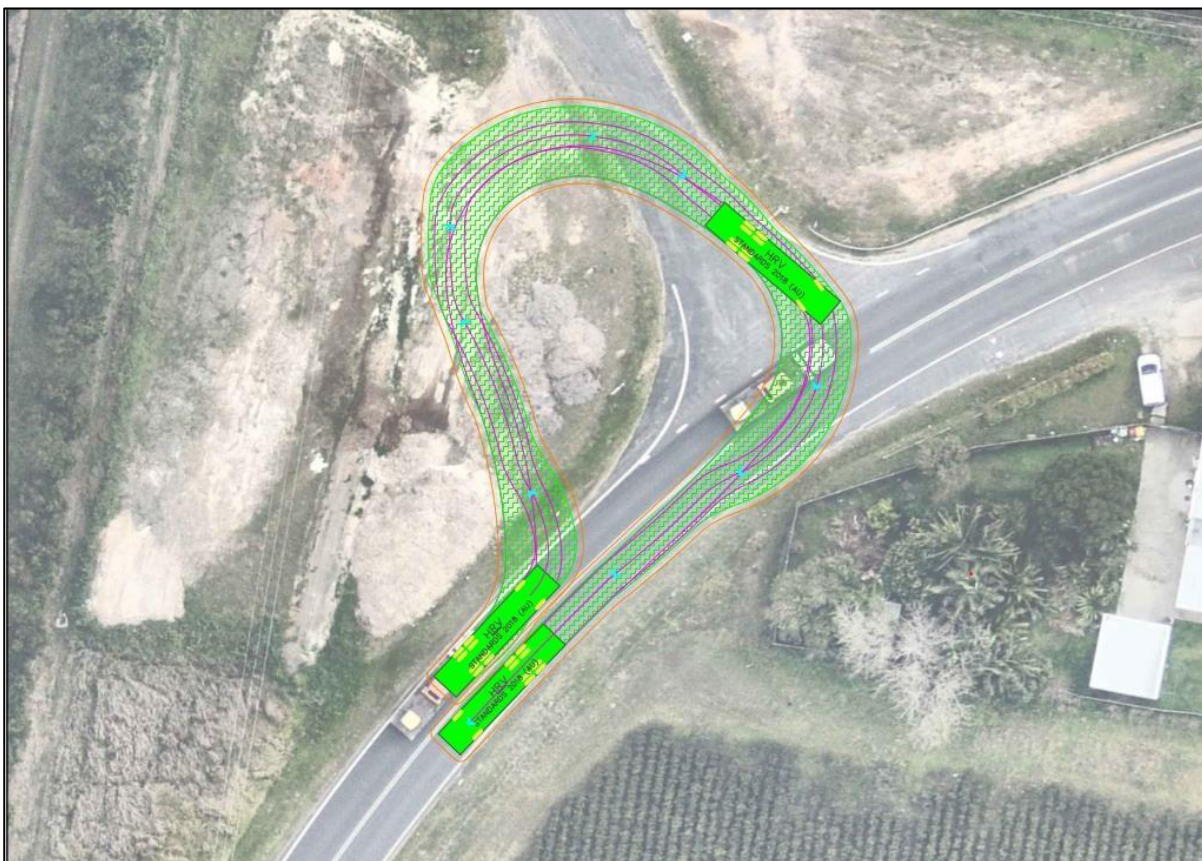


Figure 3: Proposed U-Turn treatment at Yamba Street for vehicles returning to the south after exit from the proposed rural store

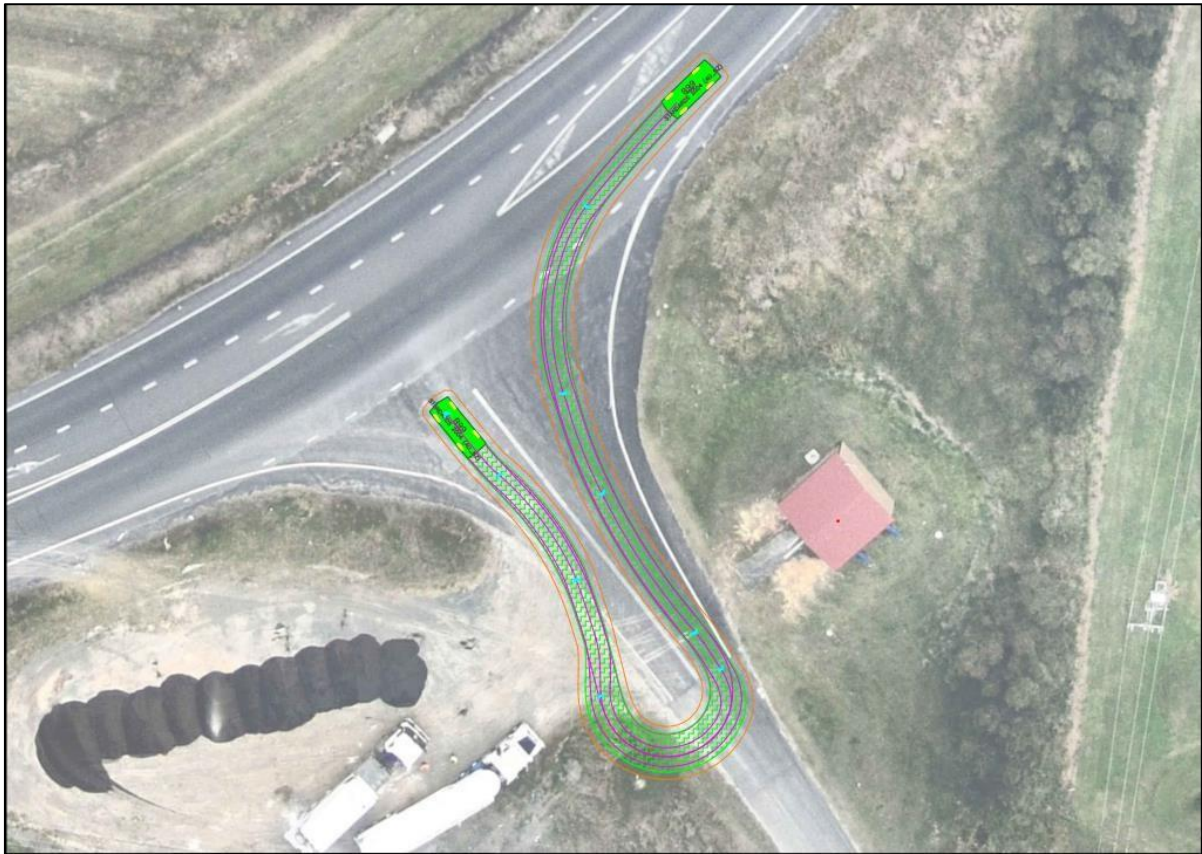


Figure 4: Proposed U-Turn treatment for vehicles from Yamba direction to access proposed rural store



Figure 5: Proposed U-turn treatments showing proposed rural store access and current speed zones

Council's LTC considered the matter at its 3 October 2023 meeting as well as the updated advice from TfNSW. The TfNSW advice confirmed the currency of its previous advice in relation to the traffic and road safety implications of the planning proposal. The LTC formed a quorum and resolved unanimously to recommend that Council not proceed with the planning proposal, as follows:

That the access on Yamba Road associated with Planning Proposal 2022-2655 is not supported because a commercial access at this location would compromise the functionality of Yamba Road and the safety of road users.

The planning proposal has also been discontinued by DPE as the statutory timeframe had lapsed and the Gateway determination is no longer valid. Given DPE have already discontinued it, no further action is required by Council. However, it is possible that the proponent may intend to lodge a new planning proposal with the same access arrangements to and from Yamba Road. In order to finalise the matter, it is therefore recommended that Council inform the proponent of the recommendation of the LTC and that as a result, Council will not support any future planning proposal that seeks to use the same access arrangements to and from Yamba Road.

BACKGROUND

A report to Council in June 2021 recommended that Council not support the planning proposal, however Council voted to support the proposal to proceed. At that time no TIA had been provided.

There have been multiple correspondences between the proponent and Council staff focussed on the Traffic Impact Assessment (TIA) that was submitted in July 2022 as part of the revised proposal. Council staff then referred this updated proposal to DPE to seek a gateway determination, which was provided by DPE in August 2022. The Gateway determination included the need to consult with the following agencies - Department of Primary Industries – Agriculture; NSW Department of Planning and Environment – Floodplain Management Division; Transport for NSW; Yaegl Local Aboriginal Land Council.

Following the evaluation of the TIA by Council's Development Engineers and after various correspondences, a meeting between key Council staff, the proponent and consultant was held in October 2022 and the multiple concerns regarding the TIA were articulated. At the meeting, the proponent agreed to provide a revised TIA. After the meeting, the proponent's consultant emailed Council indicating the possibility of altering the store location to the corner of Yamba Street & Yamba Road to address the concerns, however, this did not occur.

In summary, the revised TIA was submitted in February 2023 and sought to maintain ingress/egress directly from Yamba Road and suggested a median strip and two U-turn areas at the existing Yamba Road/Yamba Street and Yamba Road/Middle Road intersections as the treatment for any traffic and road safety concerns.

Council's Development Engineering evaluation of the revised TIA concludes that the proposed treatment of median strip and two U turn areas as inappropriate for the site given the heavy traffic load and high-speed environment. As such Council staff recommended to Council at its 25 July 2023 meeting that the planning proposal not proceed. This resulted in Council resolving (Minute 07.23.117) to refer the matter to the LTC and TfNSW as follows:

COUNCIL RESOLUTION - 07.23.117

Novak/Toms

That Council

1. defer Item 07.23.117 Intention Rural Supplies
2. refer the applicants new Traffic Assessment to Transport NSW and CVC Traffic Committee
3. receive a report including the recommendation from Transport NSW and CVC Traffic Committee to a Council meeting.

Voting recorded as follows

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

CARRIED

COUNCIL IMPLICATIONS**Budget/Financial**

N/A

Asset Management

N/A

Policy and Regulation*RTA's Guide to Traffic Generating Developments and Australian Standard 2890**Clarence Valley Local Environmental Plan 2011**Environmental Planning and Assessment Act 1979**Clarence Valley Council Rural Zones Development Control Plan 2011***Consultation**

Consultation with the proponent's consultant, A Fletcher and Associates, has been extensive. This has also included a meeting involving Council staff, the consultant and the proponent, Pridel Pty Ltd.

Consultation with Transport for NSW and the Local Traffic Committee is discussed above.

Consultation has occurred with Council's Civil Services team as part of the assessment process.

Initial consultation with the Department of Primary Industries indicated no objections to the proposal to permit an additional use with consent (Rural Supplies) but did not support the original planning proposal that also included re-zoning from RU1 'Primary Production'.

Legal and Risk Management

The applicant has a right to request a review of Council's decision after Council advises of this in writing, but there is no right of appeal to the Land and Environment Court.

Climate Change

N/A

Transport for NSW



12 September 2023

File No: NTH21/00098/02
Your Ref: REZ 2021/003

General Manager
Clarence Valley Council
Locked Bag 23
Grafton NSW 2460

Attention: Dr Alex Wells, Senior Strategic Planner (Policy)

Yamba Road (MR152) – Proposed Traffic Treatment for proposed rural store – Lot 11 DP 1259162 – 4 River Street Palmers Island.

I refer to Councils email, dated 11 August 2023 requesting Transport for NSW (TfNSW) review of proposed traffic treatments associated to Planning Proposal PP-2022-2605 seeking to amend the *Clarence Valley Local Environmental Plan 2011* to permit an additional use with consent on the land for a Rural Supplies store at the abovementioned land.

TfNSW understand PP-2022-2605 has since been discontinued by Department of Planning and Environment (DPE) in correspondence dated 15 August 2023. Notwithstanding, TfNSW previous response to this matter dated 5 March 2021 remains relevant in regard to access to Yamba Road in this location.

Yamba Road is a classified (Regional) road (MR 152). As the Roads Authority, Council sets standards, determines priorities and carries out works on this road. It is appropriate for Council to consider and determine if proposed arrangements for the development are acceptable from a safety and efficiency perspective.

Given the above, TfNSW entrusts Council to assess and manage the traffic implications of this proposal. TfNSW recognises that any proposed or conditioned works on Yamba Road would require Section 138 consent from Council and concurrence from TfNSW under Section 138 of the *Roads Act, 1993*.

TfNSW has reviewed the additional Traffic Information (TI), prepared by Bitzios Consulting dated 23 February 2023 in conjunction with the original Bitzios Traffic Impact Assessment (TIA) dated 29 March 2022 and provides the following advice to assist Council if a new Planning Proposal is pursued:

1. Councils letter requesting TfNSW advice dated 10 August 2023 identifies that Council staff previously recommended all access to the proposed rural store is to be via Yamba Street, a local road. Council should be satisfied that sufficient evidence or justification has been provided to demonstrate that access cannot be safely or practicably achieved via Yamba Street. Where access is proposed from Yamba Street, the intersection with Yamba Road may require upgrading.

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2. Council should be satisfied safe and efficient access can be achieved to the proposed development. Any proposed raised central median on Yamba Road restricting access to left in/left out only should be appropriately lit, be sufficiently delineated / offset from the travel lane and be supported by purpose-built U-turn facilities rather than relying on uncontrolled U-turns. It may be more appropriate to consider the need for a right turn treatment to improve the safety of the right turn movement. Any proposed roadworks on the classified road should be supported by a [Strategic Design](#) and comply with Australian Standards, Austroads Guidelines and Council Standards.

TfNSW understands that if Council wish to progress the proposal, the Planning Proposal will be prepared and progressed in accordance with DPEs [Local Environmental Plan Making Guideline](#), dated August 2023.

If you have any further enquiries regarding the above comments please do not hesitate to contact Leisa Sedger, Development Services Case Officer on [REDACTED] via email at: [REDACTED]

Yours faithfully

[REDACTED]
Court Walsh
Team Leader Development Services
North Region | Community & Place
Regional & Outer Metropolitan

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5 March 2021

TfNSW Ref: NTH21/00098/01
Your Ref: REZ2021/0003

The General Manager
Clarence Valley Council
Locked Bag 23
GRAFTON NSW 2460

Attention: Terry Dwyer

Dear Sir,

**RE: Planning Proposal – Rezoning from RU1 to RU2.
Lot 11 DP 1259162, River Road, Palmers Island (REZ2021/0003)**

I refer to your letter dated 14 April 2021 requesting comment from Transport for NSW (TfNSW) in relation to the abovementioned Planning Proposal.

Roles and Responsibilities

The key interests of TfNSW are the safety and efficiency of the transport network, the needs of our customers and the integration of land use and transport in accordance with Future Transport Strategy 2056.

Yamba Road is a classified (Regional) road (MR 152). Clarence Valley Council is the Roads Authority for all public roads (other than freeways or Crown roads) in the local government area pursuant to Section 7 of the *Roads Act 1993*. TfNSW is the roads authority for freeways and can exercise roads authority functions for classified roads in accordance with the Roads Act.

Council is responsible for setting standards, determining priorities and carrying out works on Local and Regional roads. However TfNSW concurrence is required prior to Council's approval of works on classified (Regional) roads under Section 138 of the *Roads Act 1993*.

In accordance with Clause 101 of the *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) the Consent Authority is to have consideration for the safety, efficiency and ongoing operation of the classified road as the development has frontage to a classified road. TfNSW is given the opportunity under Clause 104 to comment on traffic generating developments listed under Schedule 3.

It is emphasised that the following comments are based on the information provided to TfNSW at this time. They are not to be interpreted as binding upon TfNSW and further comment may be provided following formal review of any development application referred by the appropriate Consent Authority.

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Transport for NSW Response

TfNSW understands that the application is part of a preliminary review of a privately lodged Planning Proposal, intended to make 'rural supplies' permissible under the CVC LEP. We have reviewed the information provided and make the following comments to assist Council in assessment of the proposal.

1. We note that your letter advises that if a use such as 'rural supplies' were to be approved through the development consent process, access would be to and from Yamba Road which is a major traffic link in the regional road network. Access for any new development onto Yamba Road must not compromise the functionality of the road or the safety of road-users.
2. Approval of access would be through section 138 of the Roads Act and the concurrence of TfNSW will be required. Council and the proponent should be aware at this stage in the planning process that, as the location proposed is in a high-speed environment, significant roadworks may be required to provide a safe and efficient access to any future development. Any new intersection works will need to be designed to the current speed limit.
3. TfNSW recognises that the change in zoning is a matter for Council to decide, particularly the removal of land from the RU1 Zone and the suitability of introducing new permissible uses through the RU2 landuse table. However, there are a number of those additional uses that may place inappropriate pressure on the regional road network, and Council will need to be satisfied that the safety and efficiency of the network can be maintained.
4. In respect to considering a Schedule 1 amendment for *rural supplies* on the subject land, the comments above relating to access are relevant and need not be repeated.


In summary, it is requested that Council give strong consideration to the impact of allowing commercial uses to establish in this rural location, and the transport infrastructure needed to support such uses.

Any roadwork on classified road/s is to be designed and constructed in accordance with the current Austroads Guidelines, Australian Standards and [TfNSW Supplements](#).

TfNSW highlights that in determining the application under the *Environmental Planning and Assessment Act 1979*, it is the Consent Authority's responsibility to consider the environmental impacts of any roadworks which are ancillary to the development. This includes any works which form part of the proposal and/or any works which are deemed necessary to include as requirements in the conditions of project approval.

If you have any further enquiries regarding the above comments please do not hesitate to contact Cheryl Sisson, Development Services Case Officer or the undersigned on (02) 6640 1362 or via email at: development.northern@transport.nsw.gov.au

Yours faithfully,


for Matt Adams
Team Leader, Development Services
Community and Place | Region North
Regional & Outer Metropolitan
Transport for NSW

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ITEM 07.23.195 ANCHORAGE HOLIDAY PARK - REQUEST TO CONSIDER REDUCTION IN WATER CONNECTION FEE

Meeting	Council	24 October 2023
Directorate	Environment & Planning	
Prepared by	Senior Development Planner, Patrick Ridgway; Manager Water Cycle, Greg Mashiah	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	<ul style="list-style-type: none"> A. Notice of Determination - as amended DA2019-0195 (Separate Cover) ⇒ B. ACT2022-0349 Approved Engineering Design Plans 42 Marandowie Drive ILUKA NSW 2466 (Separate Cover) ⇒ C. Construction Certificate CC2022-0049 (Separate Cover) ⇒ D. Section 68 Letter of Approval ACT2022-0349 (Separate Cover) ⇒ E. Correspondence (between CVC staff and the applicant) (Separate Cover) ⇒ 	

SUMMARY

Council's adopted fees and charges include two different types of water connection fees:

- A connection fee for a "standard" connection, where the fee includes the cost of tapping plus a capital component. The capital component is reduced by any previous capital payments (developer contributions); and
- A connection fee for a fire service. This fee is for the cost of tapping only; any non-fire related consumption recorded through a fire service is charged at four times the water consumption charge.

Many developments are required to install larger meters than otherwise required for their consumption to meet fire fighting standards. The developer makes a commercial decision whether to install a dedicated fire service (which requires separate internal plumbing to the fire fixtures only) or to install a larger water meter which services both their normal plumbing as well as fire fighting purposes.

For the Manufactured Home Estate (MHE) 33 dwellings were approved under DA2019/0195. The design submitted by the developer was for a single water connection with a 100mm water meter servicing both fire fighting purposes and consumption in the MHE dwelling units. The developer was required to pay the applicable fee in the fees and charges for a 100mm meter. The developer is now requesting that they be refunded the capital component of the connection fee in excess of the demand of their development as calculated for water developer contributions, or alternatively that the capital component in excess of the demand from their development be used as credit towards their sewer developer contributions.

The request is referred to Council for consideration at the request of the applicant. The report provides an assessment of the application and a recommendation for Council's consideration.

OFFICER RECOMMENDATION

That Council does not support the request for a refund or reduction to the connection fees charged for a 100mm diameter water meter in relation to DA2019/0195.

LINKAGE TO OUR COMMUNITY PLAN

Theme Infrastructure

Objective We will have communities that are well serviced with appropriate infrastructure

KEY ISSUESConnection to Watermain and Associated Costs

The charge levied for the provision of the 100mm water meter requested by the developer was correctly calculated in accordance with Council's adopted Fees and Charges. Notably a 100mm meter retains the potential for peak instantaneous demand and is charged for accordingly – this is the established and appropriate approach in terms of infrastructure planning.

The applicant was advised the cost of a 100mm meter included a capital component calculated at a rate of 45 equivalent tenements (ETs), which results in surplus water headworks credit for the site. This is because the ETs paid for as part of the 100mm water meter connection are greater than the demand generated by the approved development (33 units x 0.8ET per three-bed room unit = 26.4ETs) and results in a surplus of 18.6ETs (45 – 26.4 = 18.6ETs), or \$96,162 based on adopted Fees and Charges 2022/2023 (being when the applicant paid the fee).

Further, Council staff advised the applicant of an alternative solution to provide a 100mm dedicated fire service for fire fighting purposes (which does not have any capital component in the fees and charges) and a parallel separate smaller metered line for residential potable water supply. This alternative solution would have resulted in the applicant paying water headworks charges totalling a maximum of 26.4ET, which may be sufficient for the capital component of a smaller sized meter, and the connection fee for the fire service.

The applicant has advised that by the time alternative solutions were proposed in late July 2022 (i.e. when the applicant's consultants were advised by Council staff), all stormwater, sewer and 100mm water main were already in place with power/Telstra to follow and that these alternatives needed to be highlighted prior to the issue of the Construction Certificate. The applicant has advised Council that they were not previously aware of the cost implications of the proposed single 100mm watermain option. A summary of the dialogue between the applicant and Council staff is included in **Attachment E**.

The design of water and sewer plans are undertaken by professional consultants, and it is Council officers' role to assess the plans as presented to determine if they are acceptable in accordance with the relevant conditions of consent, design guidelines and policies. That the professional consultant has admitted they were not aware of applicable fees under the fees and charges for their proposed design is not considered justification for a fee reduction. Council staff have charged the correct fee for the design as submitted. Under the *Local Government Act 1993* Council staff do not have any delegation to waive an adopted fee.

As commented by the applicant, Council had previously advised that the charges could be staged as proposed by the developer. This advice applies to developer contributions; water connection fees as outlined in the fees and charges are required to be paid "up front" prior to installation of a water meter.

Options

In determining the request from the Applicant, Council has the following options to consider.

1. Not support the request for a refund or reduction in the water connection fee while a single 100mm diameter water meter is installed to service both the development's potable water and water hydrant supply. This is the officer recommendation as the connection fee was correctly calculated based on the design the applicant submitted.
2. Support the request from the applicant, reduce the applicable connection fee and partially refund the capital component of the meter connection fee, being calculated at the rate of the unused 18.6ETs for a refund of \$96,162.00 plus interest accrued. As noted in the Budget/Financial implications section below, under Section 409(3) of the *Local Government Act 1993* the refund would need to be from the General Fund. This is not the officer recommendation.

Under Section 409(3) of the *Local Government Act 1993* any monies paid to the water fund cannot be credited to another fund.

The developer may also choose to install a dedicated fire service water meter with new internal pipework to service the hydrants, and replace the 100mm meter servicing the development's consumption with a smaller sized water meter. In that instance the applicable fee for the smaller sized water meter would apply and the developer would be refunded the difference between the 100mm water meter connection fee and the smaller water meter connection fee. This option has also suggested to the applicant, however due to the cost of the additional internal pipework it is understood they are not proposing to proceed with this option.

The capital component of the 100mm water meter provides capital "credit" towards future development (in this case, 18.6ETs), which means if the proponent was to further develop the site they will not need to pay water developer contributions until the "credit" is exceeded.

If the Council agrees to the request for a reduced connection fee (by an amount similar to a refund the applicable credit surplus of a minimum of 18.6 ETs), it will be considered to set a precedent. Numerous developments have elected to install a single larger water meter than required by their consumption to meet fire fighting requirements. If Council endorses Option 2, this outcome may create a precedent where other

developments with similar arrangements of a single water connection servicing both consumption and fire fighting purposes would potentially argue an entitlement to a refund, unless the Council resolution clearly specifies why this development does not set a precedent.

BACKGROUND

To progress the development in accordance with the conditions of consent, separate applications for works under a Construction Certificate were applied for on 3 February 2022 and issued under CC2022/0049 on 13 May 2022 (**Attachment C**). Also, a Section 68 *Local Government Act 1993* application for sewerage work, stormwater drainage and water supply works were applied for on 13 April 2022 under application ACT2022/0349 to obtain a Certificate of Compliance for Water and Sewer. The Water and Sewer Plan that was submitted, with a 100mm diameter water meter was approved under ACT2022/0349 (**Attachment D**) on 13 May 2022.

On applying of the payment of the fees for the Certificate of Compliance, the applicant was advised that fees of \$232,650 was required. This included a water connection fee for the 100mm diameter water meter (Equivalent Tenement of 45 ET x \$4,375 = \$196,875.00) and sewer connection.

The relevant fee as per Council's adopted Fees and Charges 2022/2023 is provided below. Of note, an applicant seeking a meter larger than 50mm needs to seek a quotation from Council to be informed of the fee, as the tapping cost of these sized mains can vary significantly. The applicant did not seek a quotation in this case.

Above 50mm Service – for properties not charged an availability charge prior to 28th June 2005 or for an additional connection (less any capital contributions paid)	Water Connection Fees	Tapping fee at cost plus capital component as calculated
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This approach to variable fees and the need to seek a quotation also applies to fire services over 50mm.

COUNCIL IMPLICATIONS

Budget/Financial

As noted in the report if Council agrees to the request for a refund, it will be considered to set a precedent and there are numerous developments where a similar situation applies. As the water meter connection fees under the adopted fees and charges have been correctly applied, were Council to resolve to refund part of the connection fee, under Section 409(3) of the *Local Government Act 1993* the refund (plus any future refunds as a result of the precedence set) would be required to be met by the General Fund.

Asset Management

A single 100mm diameter water meter is installed to service the development's potable water and water hydrant supply which meets Council's service infrastructure requirements.

Policy and Regulation

- Environmental Planning and Assessment Act, 1979
- Local Government Act 1993
- Water Management Act 2000
- Environmental Planning and Assessment Regulation 2000
- Environmental Protection, Recreation and Special Use Zones Development Control Plan (DCP)

Consultation

The following sections of Council were consulted in preparation of this report:

<i>Internal Section or Position</i>	<i>Comment</i>
Manager Technical Services	Comments provided
Manager Water/Sewer Operations	Comments provided
Manager Development and Land Use Planning	Comments provided
Development Planner	Comments provided

Legal and Risk Management

The only avenue for legal appeal against an adopted Council fee is if the process outlined in the *Local Government Act 1993* for setting of fees and charges was not followed.

CORPORATE & COMMUNITY**ITEM 07.23.196 POLICY REPORT**

Meeting	Council	24 October 2023
Directorate	Corporate & Community	
Prepared by	Coordinator Corporate & Customer Experience, Lynette Burley	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	A. Data Breach Policy V1.0 (Draft) ↓ B. Privacy statement and privacy management plan V9.0 (Draft) ↓	

SUMMARY

This report recommends action in relation to Council policies.

OFFICER RECOMMENDATION

That Council

1. place the following policies on exhibition and subject to there being no submissions that change the intent of the policies that they be adopted:
 - a. Data Breach Policy V1.0 (Draft)
 - b. Privacy statement and privacy management plan V9.0 (Draft)
2. note the adoption of the following policies that received submissions that did not change the intent of the policy.
 - a. Public Interest Disclosure Policy V2.0 – 1 submission
 - b. Keeping Animals Policy V2.0 – 9 submissions

LINKAGE TO OUR COMMUNITY PLAN

Theme Leadership

Objective We will have a strong, accountable and representative Government

KEY ISSUES**Policies for exhibition****1a. Data Breach Policy**

The Data Breach Policy V1.0 is a new policy that provides guidance to how Council will respond to a data breach in accordance with the Privacy and Personal Information Protection act 19998 (NSW) (PIPP Act) as well as the new NSW Mandatory Notification of Data Breach Scheme (MNDB).

1b. Privacy Statement

The Privacy Statement and privacy management plan has been updated inline with the new NSW Mandatory Notification of Data Breach Scheme (MNDB). The new plan is version 9. There have also been some grammatical updates.

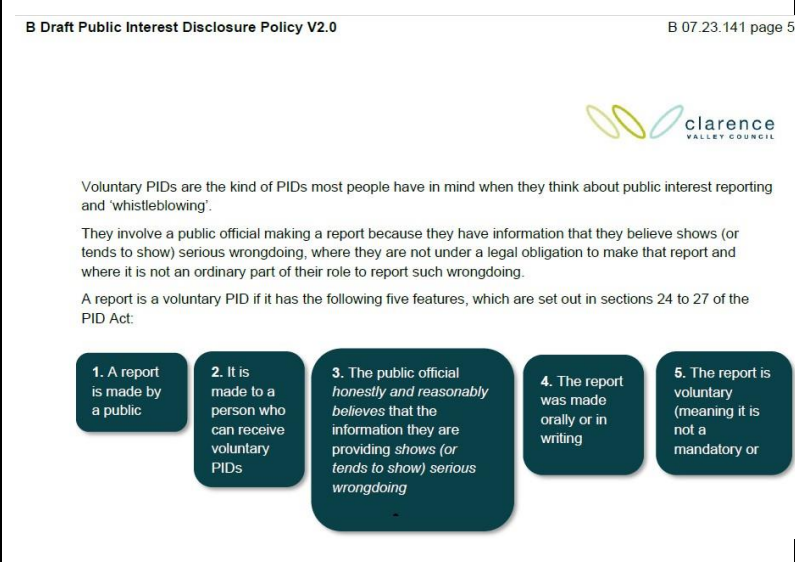
Policies to be noted as adopted post submission

2a. Public Interest Disclosure Policy V2.0 received one submission. The comments were related to formatting and grammatical errors that have been updated or reworded as noted in the background. There have been no changes that update the intent of the policy.

2b. Keeping Animals Policy V2.0 received nine submission. Submissions were taken into consideration and some minor updates were made as outlined in the background. There have been no changes that update the intent of the policy.

BACKGROUND

Note submissions and response from Policy owners for the two policies out on public exhibition.

Public Interest Policy			
Submitter	Page	Comment	Response
Leigh Chiplin Yamba, 2464	1	The General Manager and other nominated disclosure officers and managers within Clarence Valley Council have specific responsibilities under the PID Act. [New para, not dot point.]	Updated
	5	<p>Incomplete text in text boxes:</p> <p>B Draft Public Interest Disclosure Policy V2.0 B 07.23.141 page 5</p> 	Updated
	7	<ul style="list-style-type: none"> a <i>disclosure officer for another agency</i> – ways to contact disclosure officers for other agencies is are located in an agency’s PID policy which can be found on their public website 	Not updated based on wording from model policy from Ombudsman’s Office
	7	<p>Need to check if this is correct:</p> <p>Making a report to a Member of Parliament or journalist</p> <p>Disclosures to MPs or journalists are different to other reports. You can only disclose a report of wrongdoing as a voluntary PID to an MP or journalist in the following circumstances:</p> <ul style="list-style-type: none"> You must have first made substantially the same disclosure (described here as a ‘previous disclosure’) to someone who can receive disclosures. The previous disclosure must be substantially true. You did not make the previous disclosure anonymously. You did not give a written waiver of your right to receive information relating to your previous disclosure. You did not receive the following from Clarence Valley Council: <ul style="list-style-type: none"> – notification that Clarence Valley Council will not investigate the serious wrongdoing and will also not refer the previous disclosure to another agency, or – the following information at the end of the investigation period: 	This is correct as per the model policy from Ombudsman’s Office

	<ul style="list-style-type: none"> o notice of Clarence Valley Council decision to investigate the serious wrongdoing o a description of the results of an investigation into the serious wrongdoing <ul style="list-style-type: none"> • o details of proposed or recommended corrective action as a result of the previous disclosure or investigation. 	
11	A disclosure officer will be allocated to the maker of the report	Updated
13	If an interview internal review is conducted, they will complete	Updated
15	<p>If confidentiality cannot be maintained or is unlikely to be maintained, Clarence Valley Council will:</p> <ul style="list-style-type: none"> • advising advise the person whose identity may become known • updating update the agency’s risk assessment and risk management plan • implementing implement strategies to minimise the risk of detrimental action • providing provide additional supports to the person who has made the PID <p>reminding remind persons who become aware of the identifying information of the consequences for failing to maintain confidentiality and that engaging in detrimental action is a criminal offence and may also be a disciplinary matter.</p>	Reworded
16	the agency will discuss protection options with the maker which may including include remote working	Reworded
16	If Council become(s) becomes aware	Updated
16	• any Any such allegations should be reported to the Disclosure Coordinator. [New para, not dot point.]	Updated
17	until the recommendations have been been implemented.	updated
18	with security access for the Disclosure Coordinator and the General Manager access .	Reworded

Keeping Animals Policy V2.0		
Submitter	Comment	Response
Noble, Laura Grafton	<p>1. Purpose/policy objectives The first point - What is this about? This surely can't be the main/important reason to develop such a policy. The Policy could make an acknowledgement sentence after the list of objectives, and perhaps rephrase so did does not focus on bird clubs?, there are Vets and dog groups.</p> <p>2. 3.2.2 The last point "Predation on local fauna" put at the top of the list.</p> <p>3. 3.2.3 Should include as the 2nd point Predation on pets and fauna in neighbouring properties.</p> <p>4. Recommended requirements for cattle, deer, etc - 2nd point. In rural areas it is not practical to establish or maintain another fence-line one metre from the existing boundary fence. Never seen any rural properties with such infrastructure. Large rural properties aren't all commercial farmers but hobby farmers with sheep, cattle and horses, etc. "Recommended requirement" needs some review/clarification or description in the "Policy Statement"?</p> <p>5. Cats - Have another Sub-heading – Regulation requirement before "Advice", as the first two points are mandatory and should also include desexing. - "Advice/Regulation requirement" comment can also apply to other animals mentioned.</p> <p>6. Dogs - Have another Sub-heading – Regulation requirement before "Advice", as the first four points are mandatory and should also include desexing. It should also include that it is a legal requirement to pick up your dog's poo in public places. The last point is "Advice". "under the effective control.....over the age of 18": is this correct? Or is it age 16 and over"?</p>	<p>Changes to Policy recommended.</p> <p>Objectives to be modified and some aspects clarified or added.</p>
Orange, Ben Grafton	<p>I believe that it should be an offence for cats to be able to roam free outside of the owners property at any time of the day as well as a curfew of 6:00 pm for them to be kept inside. I also believe roosters should be banned from being kept in Grafton.</p>	<p>The NSW Companion Animals Act allows cats to roam. Council cannot control roaming cats unless legislation changes. No change to Policy needed.</p> <p>Existing provisions regarding roosters adequate and do not require change in Policy.</p>
Phillips, Amanda Grafton	<p>Cats need a curfew. Pet cats who roam live shorter lives on average and have higher rates of disease than those that are contained. They also cause significant harm to native wildlife.</p>	<p>Noted. See also earlier comments regarding cats and NSW legislation. No change to Policy provisions.</p>

<p>Maslen, Peter Gulmarrad</p>	<p>A letter submission is attached. The policy needs stronger attention to enforcement of potential impacts of domestic animals on the environment, its fauna, flora and general degradation to the ecology. Concerned about cats roaming and Council's inability to enforce greater control on cats and associated impacts on the natural environment and ecology. Recognises that a range of other animals covered by this Policy can have significant detrimental impacts on the environment and repeats many provisions of the Policy in this submission. Some changes requested to specific animal clauses as well as powers for issuing orders and enforcement. Submission in attachments</p>	<p>Control of cats remains problematic and constrained in NSW as indicated earlier. Some changes to the Policy recommended in response to comments.</p>
<p>Finlay, Rae-Ann South Grafton</p>	<p>I don't agree with keeping cats in enclosures. Cats are not the only animals that prey on other animals.</p>	<p>Comment noted. No change to Policy recommended.</p>
<p>Linley, Barbara Maclean</p>	<p>Thank you on behalf of Lions Club of Clarence - Environmental for the opportunity to make a submission. We believe the Keeping Animal Policy could be written in a more user friendly and concise way. Community Plan Linkage :Leadership" we will have a strong, accountable and representative government does not make sense in relation to what follows??? Policy objectives is the first sentence relevant? Definitions - Terminology could be improved eg the use of the word " nuisance " Is ambiguous and misleading. 3.2.2 Given the Clarence Valley has so many vulnerable species predation on local fauna needs to be higher up the list. Implementation in alphabetical order please. Fowls / poultry 12 birds can be kept in residential areas needs to be re-examined Cats and dogs . No more than two property unless registered breeders. Microchipping and registration is mandatory NOT advice Dogs and cats are to be desexed unless used for breeding purposes (permits required) Other . It's a legal requirement to collect your animals faeces when out of the owners property Council now needs to use the Protection of Environment Operations Act and orders under the Companion Animals Act to enforce cats from predation on native fauna.</p>	<p>The core role of the Policy is to provide advice or education so owners of animals keep them appropriately. While this has a range of benefits, including reduced impact to the natural environment, it is not the main purpose or objective of the Policy. Notwithstanding that, changes to the Policy objectives are recommended. Adjusting the order of animals listed in the Policy to be alphabetical is agreed to. Some changes to specific animal provisions in the Policy are recommended. Control of cats remains constrained due to legislative provisions in NSW.</p>
<p>Abbott, Gillian Maclean</p>	<p>Badly written. Community Engagement not Leadership should be Community Plan Link. Purpose - should be just that. Not breeders etc Definitions - should provide links all relevant bodies and Govt. regulations and statutory rules.</p>	<p>Some changes similar to those mentioned in earlier submissions are relevant and recommended.</p>

	<p>Background - too many words, could be in point form.</p> <p>Managing Barking Dogs- where are community justice centres in CV, do they know you intend to inundate them with problems normally associated with Ranger duties?</p> <p>Why are cats not desexed????</p> <p>The Implementation should be in animal alphabetical order.</p> <p>Where are all our designated protection areas with associated maps?</p> <p>This document is badly worded, not designed to inform and assist the community. It appears to be designed to disengage the community and make Council less responsible.</p>	<p>Community Justice Centres are associated with local Courts and are established for purposes of resolving matters such as nuisances relating to keeping animals.</p> <p>There are no wildlife protection areas established under the Companion Animals Act in the Clarence Valley. Establishment needs to be coordinated and strategic and it is not within the scope of this Policy review. The Animal Control and Animal Shelter Strategy (to be prepared this financial year) should contain recommendations in that regard.</p>
<p>Biodiversity Advisory Committee Grafton</p>	<p>At the Meeting #6 of the CV Biodiversity Advisory Committee, the following 2 documents were raised as action items and the committee felt it would be worthwhile to be considered for the Keeping of Animals Policy. Following from previous discussions about cat controls, members would like the motions to be considered as part of a broader strategy to improve biodiversity outcomes.</p> <p>Additional documents in attachments</p>	<p>The documents provided via the Committee relate to management of cats, including establishment of wildlife protection areas. These matters are most appropriately addressed under the Animal Control and Animal Shelter Strategy (to be prepared this financial year) and not in this Policy review.</p> <p>This Policy should again be revised once the abovementioned Strategy is adopted.</p>
<p>Hage, Colleen</p>	<p>Thank you for the opportunity to make my submission on behalf of Clarence Environmental 22/6/2023 In ref. to the council’s “Keeping Animals Policy” I do find the Policy rather complicated and lengthy. My main concern with this submission is domestic Cats and the rapid rate at which cat numbers are increasing all over the valley, it seems cat owners (sadly) but conveniently turn a blind eye to their predator pets by allowing them to roam ... 2 cats per household, no more, should be part of “keeping animals” policy along with yearly checks on all ownership law, desexing / vaccination etc.</p>	<p>The focus of this submission relates to provisions for keeping and management of cats. Legislation restricts substantive change to this Policy, however some clauses relevant to cats are recommended for change.</p>

	<p>I have been a resident of Wooloweyah for over 40 years and have witnessed many changes. Sadly the biggest change here is the increase of neighbourhood cats with no law keeping tabs on them!!! and the devastating loss of many of our much loved wildlife. Gone are many native ground birds, (NB. I have photos of feathers and roaming predator cats to prove this) lizards, sugar glider .. Gone!!!! It's fact, cats when allowed to roam, they are out to kill. Cats are cats domestic or not yet are hunters / killers, fierce fighters. The Possums / Sugar Gliders of Wooloweyah (and I'm sure all over the valley) have been a real target of the roaming Cat. NB. Cats roam up to 4 blocks from their home this is a staggering thought. Once out who knows where their Cat is!!! I'm all for a "cats cannot roam policy "As a local and a member of Lyons of the Clarence Environmental group roaming Cats are a great concern.</p>	
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COUNCIL IMPLICATIONS

Budget/Financial

N/A

Asset Management

N/A

Policy and Regulation

As outlined in the report.

Consultation

Internal staff in the key subject matter areas and policies out for public submission.

Legal and Risk Management

As outlined in the report.

Climate Change

N/A



Policy

Data Breach Policy

Responsible Manager (Title)	Manager Organisational Development		
Adopted by Council	Date	Minute Number	
File Reference Number	ECM	Version	Review Due
Document(s) this policy Supersedes			
Community Plan Linkage	Leadership		
	We will have a strong, accountable and representative government		

1 Purpose

The purpose of this policy is to provide guidance on how Council will respond to a data breach in accordance with the Privacy and personal Information Protection Act 1998 (NSW) (PIPP Act), including the adherence to the NSW Mandatory Notification of Data Breach Scheme (MNDB).

The MNDB Scheme applies to breaches of 'personal information' as defined in section 4 of the PIPP Act, meaning information or an opinion about an individual whose identify is apparent or can reasonably be ascertained from the information or opinion.

Clarence Valley Council is bound by the PIPP Act, and this policy and related procedures will provide guidance to ensure that Council complies with the PIPP Act in relation to Data Breaches.

2 Definitions

Council – Clarence Valley Council

CCTV – Closed Circuit Television

PIPP Act – Privacy and Personal Information Protection Act 1998

HRIP Act – Health Records and Information Privacy Act 2002

IPP – Information Protection Principles

HPP – Health Privacy Principles

GIPA Act – Government Information (Public Access) Act 2009

IPC – Information and Privacy Commission



MNDB – NSW Mandatory Notification of Data Breach Scheme (under section 4 of the PIPP Act)

3 Background/legislative requirements

Privacy and Personal Information Protection Act 1998 No 133
Mandatory Data Breach Reporting 2018 (NDB) Scheme
Mandatory Notification of Data Breach (MNDB) Scheme 2023
Privacy Statement and privacy management plan

4 Policy statement

Clarence Valley Council is committed to ensuring people's privacy is protected in accordance with the PIPP Act. This policy will apply from the date of adoption. This policy will be reviewed as required as best practice and if government directives or legislation changes.

5 Implementation

While Council is committed to protecting the privacy of personal and health information, there is always some risk of a data breach. In the event of an eligible data breach, Council will respond according to the process below, in accordance with the MNDB Scheme.

5.1 What is an eligible data breach?

An eligible data breach occurs where:

1. There is unauthorised access to or unauthorised disclosure of, personal information held by a public sector agency or here is a loss of personal information held by a public sector agency in circumstances that are likely to result in unauthorised access to, or unauthorised disclosure of, the information, and
2. A reasonable person would conclude that the access or disclosure of the information would be likely to result in serious harm to an individual to whom the information relates.

Some examples of data breaches include:

- accidental loss or theft of information or equipment on which information is stored (e.g., loss of a paper record, laptop, or USB stick)
- accidental or unauthorised disclosure of personal information (e.g., an email containing personal information is sent to the incorrect person)
- unauthorised access to information, or systems that hold information, by way of malicious behaviour, phishing attacks, or malware



- Publicly publishing a person's private information in a Council report, business paper or other communication

5.2 Responding to a data breach

If you believe there has been a data breach involving Council, you will need to notify the Privacy Officer, who will assist in assessing and managing the breach and work to make sure it does not happen again.

All suspected or confirmed data breaches and 'near misses' must be reported immediately to the Privacy Officer.

To determine the nature of the breach, Council will consider:

- the type of information that was disclosed
- the number of individuals affected, and
- the risk of harm that could be caused to individuals and Council by the breach.

Council will take the following steps to manage a data breach

Contain

Council will take immediate actions to contain the breach to minimise any resulting damage or harm.

Evaluate

Council will undertake an assessment within 30 days where there are reasonable grounds to suspect there may have been an eligible data breach.

During this assessment period, Council will make all reasonable attempts to mitigate the harm done by the suspected breach.

During any assessment, Council will decide whether a breach is an eligible data breach or there are reasonable grounds to believe the data breach is an eligible data breach.

To determine the following steps, the type of information involved in the breach will be assessed, including any risks associated with the breach. This will also include assessing what caused the breach, who has been impacted, and any foreseeable harm to the affected individuals/organisations.

Notify

In accordance with the MNDB Scheme being introduced, and other changes to the PIPP Act effective from 28 November 2023, Council will provide notifications to the Privacy Commissioner and affected individuals in the event of an eligible data breach of an individuals personal or health information.

Council will notify the individuals/organisations affected as soon as possible to enable them to take any steps needed to protect themselves and advise them of their rights to complain to the Privacy Commissioner.

Council may decide not to notify in some circumstances if notification is likely to cause more harm than it would alleviate.

Councils' default position is to voluntarily report data breaches to the Privacy Commissioner. See the NSW IPC website for more on data breach notification.



Council may be required by contract or by other laws or administrative arrangements to take specific steps in response to a data breach. These may include taking specific remediation or containment steps, or engaging wit or notifying external stakeholders in addition to the Privacy Commissioner), where a data breach occurs.

Act

Any additional action identified to mitigate risks or harm will be implemented.

Prevent

Council will identify steps it can take to prevent similar breaches from occurring.

5.3 Data breach Incident register

Council will maintain an internal register for eligible data breaches. Each eligible data breach will be entered on the register a will include where practicable:

- Who was notified
- When the breach was notified
- The type of breach
- The details of steps taken by Council to mitigate harm done by the breach
- The details of the actions taken to prevent future breaches
- The estimated cost of the breach

5.4 Data breach notification register

Council will maintain and publish a notification website on Clarence Valley Councils website. This register will include any public data breach notification issued by Council.

A public data breach notification is a notification made to the public at large rather than a direct notification to n identified individual.

The data breach notification register will include public data breach notifications.

5.5 Public data breach notification

The MNDB Scheme provides for a public data breach notification to occur in two circumstances:

- 1) Council **must** make a public notification if it is unable, or it is unreasonably practicable to notify any or all of the individuals affected by the data breach directly, or
- 2) Where the General Manager decide to make a public notification. The issuing of a public notification under these circumstances does not excuse Council from the requirement to make direct notifications to affected individuals if it is reasonably practicable to do so

The PIPP Act does not prescribe the information that must be included on the register. However, the purpose of the register is to ensure that individuals are able to access sufficient information about a data breach to determine whether they may be affected by the breach and take action to protect their personal information.



Council will provide the following information on the public data breach notification register:

- What happened
- What has been accessed
- What the agency is doing, and
- What an affected individual can do

6 Appeal/objections process

6.1 Making a privacy complaint

To inquire how Council handles your personal information or raise a concern, please contact our Privacy Officers. The Council's Privacy Officers can be reached at:

Clarence Valley Council

Phone: 02 6643 0200

Email: council@clarence.nsw.gov.au

Mail: PO Box 23 Grafton NSW 2460

COUNCIL encourages informal resolution of privacy issues.

However, if you believe COUNCIL has breached the PPIP Act or HRIP Act about your personal information, you have the right to seek a formal process known as an 'internal review'.

6.2 Internal Review

An internal review under Part 5 of the PPIP Act is an internal investigation that the Council conducts into a privacy complaint. Council will assess the complaint and if it has complied with the privacy principles and then communicate the findings with the applicant.

Applications for an internal review must:

- be in writing (we recommend using the internal review application form developed by the NSW Information & Privacy Commission)
- be addressed to Council's Privacy Officer
- be made within six months of when you first became aware of the conduct, and
- be related to your personal information (including health information).

Upon receiving the application, the Privacy Officer will appoint a Reviewing Officer to conduct the internal review. The Reviewing Officer must not be substantially involved in any matter relating to the application and must be suitability qualified.

Council will complete the internal review as reasonably practicable in the circumstances. If the review is not completed within 60 days, you can seek an 'external review'.

The Council must notify the Privacy Commissioner of an internal review application as soon as practicable after its receipt, keep the Commissioner informed of the review's progress, and notify the Commissioner of the review's findings and the action it proposes to take. Council may also provide a copy of any submission by the Privacy Commissioner to the applicant.

Council will notify the applicant in writing within 14 days of completing the internal review of:

- the findings of the review
- actions proposed to be taken by Council (if any), and



- the right of the applicant to have their complaint reviewed by the NSW Civil and Administrative Tribunal ('external review').

A copy of the final review report should also be provided to the Privacy Commissioner, where it departs from the draft review report.

An internal review checklist has been prepared by the NSW Information & Privacy Commission and can be accessed from its website <http://www.ipc.nsw.gov.au>.

6.3 Role of the Privacy Commissioner

The Privacy Commissioner has an oversight role in how agencies handle privacy complaints and is entitled to make submissions to Council about internal reviews. Council is required to consider any relevant material submitted by the Privacy Commissioner. The Council must provide the Privacy Commissioner with a draft of the council's internal review report to enable the Privacy Commissioner to make a submission.

6.4 External review

If the applicant disagrees with the outcome of an internal review or is not notified of an outcome within 60 days, they have a right to seek an external review. The applicant can appeal a decision to review the Council's conduct to the NSW Civil and Administrative Tribunal (NCAT). An appeal must be lodged with NCAT within 28 days of the Council's determination. NCAT may order Council to change its practices, apologise or take steps to remedy any damage. NCAT may also award compensation if warranted.

The contact details for NCAT are:

NSW Civil and Administrative Tribunal
Administrative and Equal Opportunity Division
Phone: 1300 006 228 Level 10, John Maddison Tower, 86-90 Goulburn Street, HAYMARKET NSW 1240
Mail: PO Box K1026, SYDNEY NSW 2000

Alternative to Lodging an Internal Review

If a person does not want to apply for internal review with Council, they may contact the Privacy Commissioner directly, not as an external review mechanism, but as a complaint.

The contact details for the Privacy Commissioner are:

NSW Information and Privacy Commission
Phone: 1800 472 697
Email: ipcinfo@ipc.nsw.gov.au
Mail: PO Box 7011, SYDNEY NSW 2001

7 Related Documents

- Privacy Statement and Privacy Management Plan
- Data Breach Procedure
- CVC Code of Conduct
- CVC Information Management Policy
- CVC Risk Management Policy



Enquiries concerning the Data Breach policy should be made to Council's Privacy Officer:

Director Corporate & Community,
Clarence Valley Council
Locked Bag 23,
Grafton NSW 2460
Telephone: 02 6643 0200
Email: Council@clarence.nsw.gov.au
www.clarence.nsw.gov.au



Policy

Privacy statement and privacy management plan

Responsible Manager (Title)	Director Corporate & Community		
Adopted by Council		Minute Number:	
File Reference Number		Version: V9.0	Review Due: September 2025
Document(s) this policy Supersedes	V.0 – 28/06/2022		
Community Plan Linkage	Leadership – We will have a strong, accountable and representative government		

1 Purpose

This policy outlines Council's approach to collecting and managing personal information and the requirements under the Privacy and Personal Information Protection Act 1998 (PPIP Act) and the Health Records and Information Privacy Act 2002 (HRIP Act).

2 Definitions

Council – Clarence Valley Council
 CCTV – Closed Circuit Television
 PPIP Act – Privacy and Personal Information Protection Act 1998
 HRIP Act – Health Records and Information Privacy Act 2002
 IPP – Information Protection Principles
 HPP – Health Privacy Principles
 GIPA Act – Government Information (Public Access) Act 2009
 IPC – Information and Privacy Commission
 MNDB – Scheme a under section 4 of the PIPP Act

3 Background/legislative requirements

The PPIP Act and the HRIP Act protect personal information and protect individuals' privacy. Section 33 PPIP Act requires all Councils to prepare a Privacy Management Plan.

The NSW privacy laws set out privacy principles that guide the handling of personal information (including health information).

These privacy principles include:

- 12 Information Protection Principles (IPPs), and
- 15 Health Privacy Principles (HPPs).



Plain language summaries of the IPPs and HPPs are available from the NSW Information & Privacy Commission's website.

This Plan also incorporates the modifying effects of the Privacy Code of Practice for Local Government in applying the 'public register' provisions of Part 6 of the PPIP Act. Council has also prepared Privacy Management Procedures which sets out guidelines for staff on compliance with the PPIP Act and the HRIP Act.

Legislation that is relevant to this Plan includes:

- Local Government (General) Regulation 2009
- Local Government Act 1993
- Privacy and Personal Information Protection Act 1998
- Privacy and Personal Information Protection Regulation 2019
- Public Interest Disclosures Act 1994
- Health Records and Information Privacy Act 2002
- Health Records and Information Privacy Regulation 2017
- Government Information (Public Access) Act 2009
- State Records Act 1998

4 Policy statement

Council collects and manages personal information while performing its activities, functions, and duties. Privacy is important to us, and Council takes all reasonable and appropriate steps to protect the privacy of individuals as required by law.

This privacy statement provides information about collecting personal or health information and how the Council may use that information.

4.1 Collection of Personal Information

Council will only collect personal information for a lawful purpose. Council will collect only as much information as is reasonably necessary to carry out the function for which the information is required.

In addition to requesting information directly from you, Council may also obtain information from other government agencies and third parties. Any personal data obtained from a third party is treated the same as if you provided it.

In addition, if it is health information, Council will advise the person from whom it is collecting the information:

- that the information is being collected by Clarence Valley Council and provide contact details for Council,
- that they can request access to the information,
- of the types of persons or organisations to whom Council usually discloses information of this kind,
- if any law requires the information to be collected by Council, and
- the main consequences (if any) for the person if all or part of the information is not provided. (Health Principle 4)

Anyone engaged by Council as a private contractor or consultant that involves collecting personal information must agree to be bound not to collect personal information by any unlawful means.



4.2 Use of information

We may use your personal information to provide or improve our services to you, confirm your right to the information you have requested from us, or inform you about additional services that may be of interest to you or to which you may be entitled. We may also use your personal information to provide you with notices, newsletters, and updates.

Information collected by the Council will not be provided to a third party such as another individual, customer or contractor, or a government department or service provider, without your prior knowledge or consent unless there is a statutory or legal requirement or where it would reasonably expect for this to occur. For example, for Council to meet its service provision responsibilities.

Council may use personal information for a purpose other than for which it was collected in the following circumstances:

- where the use is in pursuance of Council's lawful and proper functions, and Council is satisfied that the personal information is reasonably necessary for the exercise of its functions; or
- where personal information is used to confer an award, prize, benefit or similar form of individual recognition upon a particular person.

An example is the Rates Record that Council holds under Section 602 of the LGA, which may also be used to:

- notify neighbours of the proposed development.
- evaluate a road opening; or
- evaluate a tree preservation order.

Exemption

Council is exempt from compliance with Principle 10 in the following circumstances:

- in situations where compliance is reasonably likely to affect Council's conduct of an investigation detrimentally,
- where Council is required to use personal information, it holds to investigate a complaint properly,
- if the use is for law enforcement purposes or the investigation of financial fraud, or
- if the information is to be supplied to the Office of Local Government or the Premier's Office.

4.3 Accuracy of your personal information

Reasonable care is taken to ensure that the personal information collected, used, or disclosed is accurate, complete, and current.

It is essential that the information Council holds about individuals is accurate to perform our functions and meet the needs of all residents. We welcome members of the public to propose amendments to their personal information.

If a person suspects that the personal information that Council holds is incorrect, incomplete, or out of date, they have the right to amend that information (including corrections, deletions, or additions) under IPP 8 and HPP 8.

To request to amend the Council's information, you may need to supply additional information to assure Council that the proposed amendment is factually correct and appropriate. Council will not charge a fee to process an application to amend a record and seek to notify any routine recipients once the change(s) have been made.

Council will accept that the information it holds is relevant, accurate, up-to-date, complete and not misleading unless it:



- is advised to the contrary,
- has information that suggests otherwise, or
- judges that the information has not been updated for some time and may therefore be wise to make contact to confirm the personal information is correct.

4.4 Where Council is not prepared to amend

In some instances, the Council may refuse to amend the personal information. As an alternative, Council may attach a statement (also known as an addendum) from the individual to accompany the information, in accordance with IPP 8 and HPP 8.

4.5 Access to Personal Information

Individuals can request access to their information without unreasonable delay or expense (IPP 7 and HPP 7).

If you wish to access the Council's personal information about you, please contact Council in writing. If you require assistance in doing this, please contact the Privacy Officer, who will be able to assist you.

If an application for access to personal information is particularly complex, it may be referred to as an application under the Government Information (Public Access) Act 2009 (the GIPA Act).

Members of staff wishing to exercise their right to access consented personal information (that may not be directly accessible to them) should also apply in writing or direct their inquiries to the Manager Corporate and Community, who will handle the application.

4.6 Limits on disclosure of personal information

Council will not disclose personal information to another person or body unless the disclosure is directly related to the purpose for which the information was collected or where Council has no reason to believe that the individual concerned would object to the disclosure.

However, Council may disclose personal information to another person or body where the disclosure:

(a) is made to a public sector agency or public utility on the condition that:

- i. the agency has approached Council in writing.
- ii. Council is satisfied that the information is to be used by that agency for the proper and lawful function/s of that agency, and
- iii. Council is satisfied that the personal information is reasonably necessary to exercise that agency's function/s.

(b) relates to personal information which has been collected about an individual, and the disclosure is to confer upon that person an award, prize, benefit, or similar form of personal recognition,

(c) is directly related to the purpose for which the information was collected, and the individual concerned is reasonably likely to have been aware of the intended recipients of that information ('directly related' can mean the disclosure to another person or agency to deliver a service which supplements that of Council or disclosure to a consultant to assess or review the delivery of a program to which the original collection relates),



- (d) is necessary to prevent or lessen a serious or imminent threat to the life or health of the individual concerned or another person,
- (e) is made to a law enforcement agency in connection with proceedings for an offence or law enforcement purposes or to ascertain the whereabouts of a missing person,
- (f) is authorised by subpoena, search warrant or another statutory instrument,
- (g) is reasonably necessary for the protection of public revenue,
- (h) is necessary to investigate an offence,
- (i) is necessary to enable Council to investigate a complaint,
- (j) is to an investigative agency,
- (k) is to the Office of Local Government,
- (l) is to the Premier's Office
- (m) is for research purposes, or
- (n) in the case of health information, if the disclosure is reasonably necessary for
 - i. the funding, management, planning or evaluation of health services,
 - ii. the training of employees or volunteers, or
 - iii. research, or the compilation or analysis of statistics, in the public interest, and either
 - A. that purpose cannot be served by the disclosure of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained, and it is impracticable to seek the consent of the individual, or
 - B. reasonable steps are taken to de-identify the information, and the information is not published in a generally available publication. (Health Principle 10)
- (o) if the disclosure of health information is to provide information to an immediate family member for compassionate reasons and:
 - i. the disclosure is limited to the extent reasonable for those compassionate reasons,
 - ii. the individual is incapable of giving consent,
 - iii. the disclosure is not contrary to any wish expressed by the individual (and not withdrawn) of which Council is aware or could make itself aware by taking reasonable steps, and
 - iv. if the immediate family member is under 18, Council reasonably believes that the family member has sufficient maturity to receive the information. (Health Principle 11)

Where a potential employer requests council, it may verify that a current or former employee works or has worked for Council, the duration of that work, and the position occupied during that time. This exception shall not permit Council to give an opinion as to that person's suitability for a particular job with any potential employer unless Council is satisfied that the person has provided their consent for Council to provide a reference, which may include an opinion as to that person's suitability for the position for which they have applied.

Before the Council gives health information to another person or organisation, it will do everything reasonably necessary to prevent unauthorised use or disclosure of the information. (Health Principle 5)

This Principle does not apply to the information held on Public Registers.



4.7 Special restrictions on disclosure of personal information

Council will not disclose personal information relating to an individual's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership, health or sexual orientation unless the disclosure is necessary to prevent a serious or imminent threat to the life or health of the individual concerned or another person.

The Privacy statement makes provision for Council to depart from this Principle, in relation to s19(2) above, where a potential employer requests council outside New South Wales to provide personal information. In these circumstances, Council may verify that a current or former employee works or has worked for Council, the duration of that work, and the position occupied during that time. This exception does not permit Council to give an opinion as to that person's suitability for a particular job with any potential employer unless Council is satisfied that the person has provided their consent for Council to provide a reference, which may include an opinion as to that person's suitability for the position for which they have applied.

In addition, Council may disclose the personal information set out in Principle 12 to another person or body where the disclosure:

- is to another agency that is conducting a lawful investigation,
- is necessary to investigate an offence,
- is to the Department of Local Government,
- is to the Premier's Department, or
- is for research purposes.

4.8 Instances in which Clarence Valley Council may not be able to provide access

There are some instances where Council may not be able to provide access to certain information. These are set out in the GIPA Act (overriding public interest against disclosure).

If you are seeking access to information that relates to another person, your application must be made under the GIPA Act.

5 Implementation

5.1 Personal Information

5.1.1 What is personal information?

Personal information is defined in s.4 PPIP Act to mean: "*information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.*"

It includes a person's name, address, and phone number and can also include such things as vehicle registration (if personalised) and email address. It also provides information relating to an individual's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership, health, or sexual orientation.

Health information is personal information that is information or an opinion about:



- a health service provided, or to be provided, to an individual,
- an individual's express wishes about the future provision of health services to them,
- other personal information collected in connection with the donation of human tissue,
- genetic information that is or could be predictive of the health of an individual or their relatives or descendants, or
- the physical or mental health or a disability (at any time) of an individual.

5.1.2 What is NOT personal information?

Where Council is requested to provide access or make a disclosure, and that information has already been published. Council will rely on the provisions of the relevant Act that authorises the Council to hold that information and not the PPIP Act (for example, section 8 of the Government Information (Public Access) Act 2009 (GIPA Act)).

There are some kinds of information that are not personal information, such as:

- Information about someone dead for more than 30 years
- Information about someone that is contained in a publicly available publication, and
- Information or an opinion about a person's suitability for employment as a public sector official.

Council considers the following to be publicly available publications:

- An advertisement contains personal information in a local, city or national newspaper.
- Personal information on the Internet.
- Books or magazines printed and distributed broadly to the general public.
- Council Business papers or that part available to the general public.
- Personal information that may be a part of a public display to the general public.

Information published in this way ceases to be covered by the PPIP Act. Council's decision to post in this way must be in accordance with PPIP Act.

5.2 Application of this plan

The PPIP Act, HRIP Act and this Plan apply, wherever practicable, to:

- Councillors
- Council employees
- Consultants and Contractors of Council
- Council owned businesses
- Volunteers
- Members of Council committees (including community members of s.355 and Advisory committees)

Council will ensure that all parties are made aware that they must comply with the PPIP Act, the HRIP Act, and any other Privacy Code of Practice and this Plan.

5.3 Personal information held by Council

Council holds personal information concerning Councillors, such as:

- Personal contact information,
- Complaints and disciplinary matters,



- Pecuniary interest returns, and
- Entitlements to fees, expenses, and facilities.
- Photos and images from official engagements/activities/events.

Council holds personal information concerning its customers, ratepayers, and residents, such as:

- Rates records,
- Contact information such as names and residential/ mailing addresses of individuals
- Property ownership details and information regarding concessions
- Information regarding contact made with Council, including requests, inquiries, or complaints requests for access to information made under the PPIP Act and the Government Information (Public Access) Act (GIPA Act),
- Development applications and submissions
- Library lending records
- Financial information (e.g., debt recovery or financial hardship applications)
- Burial and cremation records
- Closed Circuit Television (CCTV) footage
- Donation, grant, and sponsorship applications
- Submissions and information collected through Council's community engagement and consultation activities include entries to competitions from children
- Public access forum applications
- Enforcing regulations and legislation
- Site inspections and audits
- Recording, investigating, and managing complaints and allegations
- Consultation with the community, businesses, and other stakeholders, and
- Photos and images from community events/activities

Council holds personal and health information concerning its current and former employees and contractors, including:

- Recruitment material
- Personal contact information
- Disciplinary matters
- Pecuniary interest returns
- Wage and salary entitlements
- Health information (such as medical certificates and workers' compensation claims)
- Pre-employment medical information
- Workers' compensation investigations
- Public interest disclosure investigations
- Leave and payroll data (including supporting medical certificates)
- Performance management plans
- Disclosure of interest returns, and
- Incident reports (WHS, workers compensation)



5.4 How Clarence Valley Council collects personal information

Personal information may be collected by Council in writing, via email, through online or physical forms, through supporting documents, over the phone, or in person at Council's Customer Service Centres in the following ways:

- Incident reports
- Medical assessment reports
- Submissions
- Council forms
- Application forms to receive a service
- CCTV footage
- Public registers
- Financial transaction records
- Contracts
- Over the phone
- Counter enquiries, and
- Online services.

Council may also engage contractors or third parties to perform work on behalf of the council that requires them to collect personal information. In these instances, Council includes clauses in its contracts that require contracted service providers to comply with the same privacy obligations as Council.

5.5 Direct and indirect collection

Council will usually collect information directly from an individual; however, information may need to be collected from others in some instances. For example, where the data is provided by a parent or guardian of a person under the age of 16, if the individual has authorised collection from another source, or there are circumstances to justify collection from an alternative source (IPP 2 & HPP 3).

Council occasionally will indirectly collect personal information about an individual when an award, prize, benefit, or similar form of personal recognition is intended to be conferred upon that person. The Privacy Code of Practice for Local Government makes a provision for this so that Council can depart from the requirement of IPP 2 to collect information directly from an individual. In these circumstances, Council only collects necessary information.

In instances where personal information is received that Council has not directly asked for, it is considered unsolicited information. Such information is not deemed to have been 'collected' by Council, and therefore the ordinary Collection privacy principles do not apply. However, the retention, use and disclosure privacy principles will still apply to any such information in Council's possession.

Where an individual, a group or a committee not established by Council, gives Council unsolicited personal or health information, then that information should still be treated following this Plan, the Codes, the HRIP Act and the PPIP Act for the purposes of IPPs 5-12 and HPPs 5-15 which relate to storage, access, use and disclosure of information.

Note that for the purposes of s.10 of the HRIP Act, Council is not considered to have "collected" health information if the receipt of the information by the Council is unsolicited.

S.4(5) of the PPIP Act also provides that personal information is not "collected" by Council if it is unsolicited.



5.6 CCTV Cameras/Footage

Council may use public place video surveillance in accordance with NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed-Circuit Television in Public Places. If it does so, Council will comply with the provisions of the Workplace Surveillance Act.

Council is exempt from IPP 4 (excessive, intrusive collection) concerning collecting individual data by using a CCTV camera that the Council has installed to film in a public place. Council endeavours to position CCTV cameras, so no other landowners are filmed (unless it is not reasonably practicable to avoid filming the other land when filming the public place).

5.7 Information collected from websites

Council may, from time to time, collect personal information via third party websites that provide services on behalf of the Council. Examples include, but are not limited to:

- Online survey websites; Council may use online survey websites to conduct surveys and community consultations. Some surveys may collect names and contact details of respondents, usually voluntarily, if a respondent wishes to be contacted about survey findings.
- On-line applications; Council may utilise online software applications to assist Council in interacting with its customers efficiently. Examples could include booking to attend Council Library Events, applying for grants, booking facilities and assets through Bookable, etc. Whilst these applications may be accessed from Council's website; users must familiarise themselves with that provider's Privacy Policy

Council enters into appropriate agreements with such online application providers to ensure that any personal information collected through these channels is appropriately stored and dealt with. Council ensures that the provider has an appropriate Privacy policy which becomes part of any agreement. Customers re-directed to a third-party website should familiarise themselves with that provider's Privacy Policy.

5.8 Storage of Personal Information

Council takes reasonable steps to store personal information securely and only keeps it as long as is necessary for our services, activities, and functions. When the time comes to dispose of the information we have collected, it will be disposed of safely and appropriately (IPP 5 & HPP 5).

Council may comply with Principle 5 via any or all of the following policies and protocols:

- Policy on Access to Council Documents
- Information Management Policy
-
- Protocol on Access to Personnel Records
- General Records Disposal Schedule for Local Government.

Personal information is stored electronically, in physical files, and in Cloud storage through third-party hosting services. Council implements reasonable security safeguards to protect this information from being accessed, used, modified, or shared by unauthorised persons.

The following applies to the information Council holds:

- Only Council employees can access personal information
- Employees will make every effort to ensure personal information is accurate before using it
- Employees will use personal information only for the purpose for which it was collected
- Employees will not disclose personal information about a person to anyone without the consent of the person it concerns unless they are required or permitted to by law.



Electronic information is stored on secure information systems. Networks will be secure and require individual logins. New systems are assessed for compliance with the PPIP Act and HRIP Act. Hard copy files and sensitive information are securely stored when not being used.

In practice, Council has IT security requirements, including passwords, set out in Council's Information and Communication Technology policy. Council's Information Management Policy will manage Paper-based and electronic records.

5.9 Applications for suppression of general information (not public registers)

Under s.739 of the Local Government Act (LGA), a person can make an application to suppress specific material that is available for public inspection in circumstances where the material discloses their place of living if the person considers that the disclosure would place their safety or their family at risk.

Similarly, a person about whom personal information is contained (or proposed to be included) in a public register may request Council under section 58 of the PPIP Act to remove the information from or not placed on the register.

Council will suppress the information in accordance with the request unless Council believes that the public interest in maintaining public access to the information outweighs any individual claim to hide the information, in accordance with section 58(2) of the PPIP Act.

When in doubt, the Council will err in favour of suppression.

Any information removed from or not placed on a public register may still be used for Council functions, but it cannot be disclosed to other parties.

An application for suppression should be made in writing addressed to the Director Corporate & Community and must outline the reasons for the request. The Council may require supporting documentation where appropriate.

5.10 Public registers

What is a public register?

A public register is defined in section 3 of the PPIP Act: "...*public register means a register of personal information required by law to be, or is made, publicly available or open to public inspection (whether or not on payment of a fee).*"

Section 57 of the PPIP Act sets out very stringent controls over disclosing personal information contained in a public register. It provides that where Council is responsible for keeping a public register, it will not disclose any personal information held in that register unless it is satisfied that the information is to be used for a purpose relating to the register or the Act under which the register is kept.

A distinction needs to be drawn between "public registers" within the meaning of Part 6 of the PPIP Act and "non-public registers". A "non-public register" is a register, but it is not a "public register" for the purposes of the PPIP Act. For example, the register might not be publicly available, or it may not contain personal information.

Disclosure about public registers must comply with Part 6 of the PPIP Act and the Privacy Code. A person cannot access personal information about another person unless the personal information is contained in a public register. Where personal information is collected in a public register, then Part 6 of the PPIP Act applies to determine whether access to that information will be given to another person.

Accordingly, Council will permit public access to one entry or one page of a public register without requiring the applicant to state their purpose for access. However, more extensive access will not be granted unless the



applicant furnishes Council with a statutory declaration as to the proposed use of the information to be obtained from the register and that use conforms with the purpose for which the register is kept.

Disclosure about all other personal information must comply with the Information Protection Principles outlined in this Plan and the Privacy Code, including personal information that is not published.

The Council holds the following public registers:

Records of Approvals (s113 LGA) – the primary purpose is to identify all approvals granted under the Local Government Act.

Rates Record (s602 LGA) – the primary purpose is to record the value of a parcel of land and record rate liability for that land. The secondary purpose includes recording the owner or lessee of each parcel of land.

Register of Pecuniary Interests (s449-450A LGA) – the primary purpose is to determine whether or not a Councillor or member of a Council committee has a financial interest in a matter with which Council is likely to be concerned. There is a corresponding public accountability purpose, and third-party access is a secondary purpose.

Land Register (s53 LGA) – the primary purpose is to identify all land vested in Council or under its control. The secondary purpose includes consideration of public accountability as to the land held by the Council. Third-party access is, therefore, a secondary purpose.

Register of Consents and Approvals (s100 EP&A Act) – the primary purpose is to identify applications for development consent and other approvals, confirm determinations on appeal and identify applications for complying development certificates.

Record of Building Certificates (s149G EP&A Act) – the primary purpose is to identify all building certificates. Contributions Register (s34 EP&A Act) – the primary purpose is to identify the s94 contributions or s94A levies imposed on development consents.

Register of Licences (s308 POEO Act) – the primary purpose is to identify licences granted under the Act.

Record of Impounding (ss30 & 31 Impounding Act) – the primary purpose is to identify any impounding action by Council.

5.11 Other registers

Council may have other registers that are not public. The Information Protection Principles, this Plan, any applicable Codes and the PPIP Act apply to those registers or databases.

5.12 Transparency, Access, and Correction

Section 13 of the PPIP Act requires a Council to take reasonable steps to enable a person to determine whether the Council holds personal information about them. If Council has any information about a person, upon request, it will advise them on the nature of that information, the primary purposes for which it is held, and that person's entitlement to access. As a matter of practicality, not every item of personal information, however insignificant, will be capable of ascertainment.

Under section 20(5) of the PPIP Act, Information Protection Principle 6 is subject to any applicable conditions or limitations contained in the Government Information (Public Access) Act 2009 ("GIPA Act"). Council must consider the relevant provisions of the GIPA Act.

Any person can apply to Council by completing the appropriate form and submitting it to Council. An example is in Appendix 1.

Where Council receives an application or request by a person as to whether Council holds information about them, Council will undertake a search of its records to answer the enquiry. Council may ask the applicant to describe what dealings the applicant has had with Council to assist Council in searching.



Council will ordinarily respond to applications of this kind within 28 days of the application being made. The fee structure is proportional to the Council's GIPA Act rate structure.

A person wishing to have access to a public register to confirm their details needs only to prove their identity to Council before having access to their personal information.

Council will take reasonable steps to enable a person to find out about the personal information it holds, the purposes for which it is used, and how a person may gain access to the information held by Council, as required by IPP 6 & HPP 6. This Plan helps to serve that purpose.

Individuals have a right to know:

- Whether Council holds information about them
- The nature of the information being held
- The primary purpose(s) for which it is being used
- How they can access their information, and
- How they can correct this information if it is not accurate

Persons whose personal information is held by Council may apply to Council to amend that information to ensure it is:

- accurate,
- relevant, having regard to the purpose for which it was collected, and
- up-to-date, and
- not misleading.

Council is exempt from complying with Principle 8 in situations where compliance is reasonably likely to detrimentally affect Council's conduct of an investigation.

If Council is not prepared to amend the personal information as requested, then Council may attach to the information any statement provided by the applicant.

Council will seek to notify, where reasonably practicable, the recipients of personal information of any amendment made to the information.

Note that for the purposes of s.10 of the HRIPA, Council is not considered to have "collected" health information if the receipt of the information by Council is unsolicited.

S.4(5) of the PPIP Act also provides that personal information is not "collected" by Council if it is unsolicited.

5.13 Complaints and Breaches

If you believe that there has been a breach of your privacy by the Council, you may make a complaint in writing to Council's Information Privacy Officer.

5.14 Additional Health Principles

Wherever it is lawful and practicable, Council will give individuals the opportunity not to identify themselves when entering into transactions with Council.

Council will not transfer health information either:

- interstate, or
- to a Commonwealth agency, except in compliance with Health Principle 14.



Council will not include health information about an individual in a health records linkage system except in compliance with Health Principle 15. For this principle's purposes, a health records linkage system is a computerised system designed to link health records for individuals held by different organisations to facilitate access to health records.

5.15 Data Breaches

While Council is committed to protecting the privacy of personal and health information, there is always some risk of a data breach. In the event of an eligible data breach, Council will respond according to the process below, in accordance with the MNDB Scheme.

What is an eligible data breach?

An eligible data breach occurs where :

1. There is unauthorised access to or unauthorised disclosure of, personal information held by a public sector agency or here is a loss of personal information held by a public sector agency in circumstances that are likely to result in unauthorised access to, or unauthorised disclosure of, the information, and
2. A reasonable person would conclude that the access or disclosure of the information would be likely to result in serious harm to an individual to whom the information relates.

Some examples of data breaches include:

- accidental loss or theft of information or equipment on which information is stored (e.g., loss of a paper record, laptop, or USB stick)
- accidental or unauthorised disclosure of personal information (e.g., an email containing personal information is sent to the incorrect person)
- unauthorised access to information, or systems that hold information, by way of malicious behaviour, phishing attacks, or malware
- publicly publishing a person's private information in a Council report, business paper or other communication

Responding to a data breach

If you believe there has been a data breach involving Council, you will need to notify the Privacy Officer, who will assist in assessing and managing the breach and work to make sure it does not happen again.

All suspected or confirmed data breaches and 'near misses' must be reported immediately to the Privacy Officer.

To determine the nature of the breach, Council will consider:

- the type of information that was disclosed
- the number of individuals affected, and
- the risk of harm that could be caused to individuals and Council by the breach.

Council will take the following steps to manage a data breach

Contain



Council will take immediate actions to contain the breach to minimise any resulting damage or harm.

Evaluate

Council will undertake an assessment within 30 days where there are reasonable grounds to suspect there may have been an eligible data breach.

During this assessment period, Council will make all reasonable attempts to mitigate the harm done by the suspected breach.

During any assessment, Council will decide whether a breach is an eligible data breach or there are reasonable grounds to believe the data breach is an eligible data breach.

To determine the following steps, the type of information involved in the breach will be assessed, including any risks associated with the breach. This will also include assessing what caused the breach, who has been impacted, and any foreseeable harm to the affected individuals/organisations.

Notify

In accordance with the MNDB Scheme being introduced, and other changes to the PIPP Act effective from 28 November 2023, Council will provide notifications to the Privacy Commissioner and affected individuals in the event of an eligible data breach of an individuals personal or health information.

Council will notify the individuals/organisations affected as soon as possible to enable them to take any steps needed to protect themselves and advise them of their rights to complain to the Privacy Commissioner.

Council may decide not to notify in some circumstances if notification is likely to cause more harm than it would alleviate.

Councils' default position is to voluntarily report data breaches to the Privacy Commissioner. See the NSW IPC website for more on data breach notification.

Council may be required by contract or by other laws or administrative arrangements to take specific steps in response to a data breach. These may include taking specific remediation or containment steps, or engaging wit or notifying external stakeholders in addition to the Privacy Commissioner), where a data breach occurs.

Act

Any additional action identified to mitigate risks or harm will be implemented.

Prevent

Council will identify steps it can take to prevent similar breaches from occurring.

Data breach Incident register

Council will maintain an internal register for eligible data breaches. Each eligible data breach will be entered on the register a will include where practicable:

- Who was notified
- When the breach was notified
- The type of breach
- The details of steps taken by Council to mitigate harm done by the breach
- The details of the actions taken to prevent future breaches
- The estimated cost of the breach

Data breach notification register

Council will maintain and publish a notification website on Clarence Valley Councils website. This register will include any public data breach notification issued by Council.



A public data breach notification is a notification made to the public at large rather than a direct notification to an identified individual.

The data breach notification register will include public data breach notifications.

Public data breach notification

The MNDB Scheme provides for a public data breach notification to occur in two circumstances:

- 1) Council **must** make a public notification if it is unable, or it is unreasonably practicable to notify any or all of the individuals affected by the data breach directly, or
- 2) Where the General Manager decides to make a public notification. The issuing of a public notification under these circumstances does not excuse Council from the requirement to make direct notifications to affected individuals if it is reasonably practicable to do so

The PIPP Act does not prescribe the information that must be included on the register. However, the purpose of the register is to ensure that individuals are able to access sufficient information about a data breach to determine whether they may be affected by the breach and take action to protect their personal information.

Council will provide the following information on the public data breach notification register:

- What happened
- What has been accessed
- What the agency is doing, and
- What an affected individual can do

5.16 Investigative Functions

Where Council is conducting an investigation, it will have regard to any appropriate direction of the Privacy Commissioner under section 41 of the PPIP Act that may affect the application of Information Protection Principle 6. The recommendations are made from time to time and are available on the IPC website.

5.17 Existing exemptions under the Act

Compliance with Information Protection Principle 6 is also subject to certain exemptions under the Act. If one of those exemptions applies, Council need not comply. The statutory exemption will be relied upon only in limited circumstances, and legal advice should usually be obtained.

Section 25(a) of the PPIP Act permits non-compliance with Information Protection Principle 6, where Council is lawfully authorised or required not to comply with the principle.

Section 25(b) of the PPIP Act permits non-compliance with Information Protection Principle 6, where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

5.18 Reporting matters

The Council will issue a statement to be included on its Web page and in its Annual Report concerning the nature of personal information it regularly collects, the purpose for which the personal information is used and an individual's right to access their personal information.

Both the PPIP and the HRIP Acts contain information concerning offences for certain conduct of public sector officials and other persons. For example, there are offences relating to:

- corrupt disclosure and use of personal and health information by public sector officials
- inappropriately offering to supply personal or health information that has been disclosed unlawfully.



5.18.1 Offences can be found in s62-68 of the PPIP Act.

It is an offence for Council to:

- Intentionally disclosing or using personal information for any unauthorised purpose
- Offer to supply personal information that has been disclosed unlawfully
- Hinder the Privacy Commissioner or their employees from doing their job

5.18.2 Offences can be found in s68-70 of the HRIP Act.

It is an offence for Council to:

- Intentionally disclosing or using health information for any unauthorised purpose
- Offer to supply health information that has been disclosed unlawfully.

5.19 Supporting documentation- Privacy Management Procedures

Council has prepared Privacy Management Procedures for staff. These procedures detail how Council deals with personal information and health information it collects to ensure that it complies with the PPIP Act and the HRIP Act.

Council ensures that its staff know and understand this Plan through training and awareness activities. How it applies to the work they do, so they know what their privacy obligations are, how to manage personal information in their work, and what to do if they are unsure. Council takes steps to ensure that all Council staff are acquainted with the general provisions of the PPIP Act, the HRIP Act and in particular, the 12 IPPs, the 15 HPPs, the Public Register provisions, the Privacy Code of Practice for Local Government, this Plan, and any other applicable Privacy Code of Practice.

Some of the ways Council promotes awareness of privacy among employees are by:

- publishing this Plan on the Council's website
- communicating regularly with employees about privacy,
- including this Plan in Induction Programs,
- providing an online training module as part of its Induction Program
- offering training (in-person and online)
- promotional activities via Councils Intranet

When employees have questions about managing personal information under this Plan, they may consult their People Manager or the Privacy Officer.

5.20 Minimising risk through public awareness and staff training

To make members of the public aware of what personal and health information is being collected and what it is being used for, to who it is disclosed, and how it can be accessed or amended, Council will place and promote its Policy as open-access information on its web site.

This Policy and Council's Privacy Management Procedures, which further explain how staff deal with personal and health information in compliance with Council's policies and procedures and the Privacy legislation, are available on Council's staff intranet.

Front-line staff and regulatory staff who deal with the public and collect personal or health information will be provided with access to this Policy, the Privacy Management Procedures and online learning resources.

Gaining familiarity with the Policy and the Privacy Management Procedure is incorporated into Council's staff induction activities.

The Council's committees formed under Section 355 of the Local Government Act and its Advisory committees are informed of this Policy.



5.21 Promoting Privacy

Council reinforces compliance with the PPIP Act and HRIP Act by:

- Endorsing this Policy and making it publicly available
- Providing a copy of this Policy to relevant oversight bodies such as the Audit, Risk, and Improvement Committee
- Reporting on internal reviews to the IPC
- Identifying privacy issues when implementing new systems, services, and processes.

5.22 Employee awareness

Council ensures that its employees know and understand this Policy and its application to their work. Council promotes awareness of privacy obligations among employees by:

- Publishing Council's Policy on Council's intranet and website
- Providing advice to employees about Council's obligations under the PPIP Act and HRIP Act
- Ensuring Council forms and applications comply with privacy legislation
- Including this Policy in induction packs
- Providing Online training module on commencement and yearly refreshers
- Promoting the IPC's privacy resources and online training.

5.23 Public awareness

This Policy provides information to members of the public about how Council manages personal and health information. The Policy is publicly available as open access information under the GIPA Act. Council promotes public awareness of the Council's Privacy Management Plan by:

- Publishing the Policy on Council's website
- Providing copies of the Policy on request
- Informing external customers about the Policy when responding to personal and health information inquiries.

5.24 Confidentiality

The obligation of confidentiality is additional to and separate from that of privacy. Nevertheless, a duty to withhold information lies at the heart of both concepts. Confidentiality attaches to information per se, personal or health information to the person to whom that information relates.

An obligation of confidentiality exists for all employees, whether express or implied, as a matter of law.

The information that may be confidential is also likely to have a separate and independent obligation attached to it in privacy. In that regard, a release for confidentiality will not suffice for privacy purposes. Two different releases will be required, and the person to whom the information relates will be required to provide the release in the case of privacy.

5.25 Exemptions, directions, and codes of practice

5.25.1 Exemptions to the Information Protection Principles (IPPs)

Part 2, Division 3 of the PPIP Act contains exemptions that may permit Council not to comply with IPPs in certain situations. These include the following:



- Council is not required to comply with IPPs 2-3, 6-8, or 10-12 if lawfully authorised or required not to do so
- Council is not required to comply with IPP 2 if the information concerned is collected in relation to court or tribunal proceedings.

5.25.2 Exemptions to the Health Privacy Principles (HPPs)

Exemptions are located mainly in Schedule 1 to the HRIP Act and may permit Council not to comply with HPPs in certain situations. For example, Council is not required to comply with HPPs 4-8 and 10 if lawfully authorised or required not to do so.

5.25.3 Privacy codes of practice

A Privacy Code of Practice allows Council to modify the application of:

- an Information Protection Principle (IPP); or
- provisions that deal with public registers.

These Codes also specify how modifications will apply in particular situations.

5.25.4 Privacy Code of Practice for Local Government

This Code provides exemptions to IPP 2, 3, 10 and 11 as follows:

- Access to and copies of a single entry from a public register or de-identified multiple entries can be provided without the need for the applicant to give a reason or a statutory declaration on their purpose (IPP 2)
- Where it is reasonably necessary, Council may indirectly collect, use, or disclose personal information to confer an award, prize, or similar form of individual recognition on the person to whom the information relates (IPP 2, 3 and 11)
- In pursuance of the Council's lawful and proper functions, Council may use personal information for a purpose other than the purpose for which it was collected (IPP 10)
- Council may disclose personal information to public sector agencies or public utilities on the condition that:
 - i. the agency or public utility has made a written request to Council (an email will suffice).
 - ii. Council is satisfied that the personal information is to be used by that agency or public utility for their proper and lawful function(s); and
 - iii. Council is satisfied that the personal information is reasonably necessary to exercise that agency utility's function(s) (IPP11).

6 Appeal/objections process

6.1 Making a privacy complaint

To inquire how Council handles your personal information or raise a concern, please contact our Privacy Officers. The Council's Privacy Officers can be reached at:

Clarence Valley Council

Phone: 02 66430200

Email: council@clarence.nsw.gov.au



Mail: PO Box 23 Grafton NSW 2460

COUNCIL encourages informal resolution of privacy issues.

However, if you believe COUNCIL has breached the PPIP Act or HRIP Act about your personal information, you have the right to seek a formal process known as an 'internal review'.

6.2 Internal Review

An internal review under Part 5 of the PPIP Act is an internal investigation that the Council conducts into a privacy complaint. Council will assess the complaint and if it has complied with the privacy principles and then communicate the findings with the applicant.

Applications for an internal review must:

- be in writing (we recommend using the internal review application form developed by the NSW Information & Privacy Commission)
- be addressed to Council's Privacy Officer
- be made within six months of when you first became aware of the conduct, and
- be related to your personal information (including health information).

Upon receiving the application, the Privacy Officer will appoint a Reviewing Officer to conduct the internal review. The Reviewing Officer must not be substantially involved in any matter relating to the application and must be suitability qualified.

Council will complete the internal review as reasonably practicable in the circumstances. If the review is not completed within 60 days, you can seek an 'external review'.

The Council must notify the Privacy Commissioner of an internal review application as soon as practicable after its receipt, keep the Commissioner informed of the review's progress, and notify the Commissioner of the review's findings and the action it proposes to take. Council may also provide a copy of any submission by the Privacy Commissioner to the applicant.

Council will notify the applicant in writing within 14 days of completing the internal review of:

- the findings of the review
- actions proposed to be taken by Council (if any), and
- the right of the applicant to have their complaint reviewed by the NSW Civil and Administrative Tribunal ('external review').

A copy of the final review report should also be provided to the Privacy Commissioner, where it departs from the draft review report.

An internal review checklist has been prepared by the NSW Information & Privacy Commission and can be accessed from its website <http://www.ipc.nsw.gov.au>.

6.3 Role of the Privacy Commissioner

The Privacy Commissioner has an oversight role in how agencies handle privacy complaints and is entitled to make submissions to Council about internal reviews. Council is required to consider any relevant material submitted by the Privacy Commissioner. The Council must provide the Privacy Commissioner with a draft of the council's internal review report to enable the Privacy Commissioner to make a submission.



6.4 External review

If the applicant disagrees with the outcome of an internal review or is not notified of an outcome within 60 days, they have a right to seek an external review. The applicant can appeal a decision to review the Council's conduct to the NSW Civil and Administrative Tribunal (NCAT). An appeal must be lodged with NCAT within 28 days of the Council's determination. NCAT may order Council to change its practices, apologise or take steps to remedy any damage. NCAT may also award compensation if warranted.

The contact details for NCAT are:

NSW Civil and Administrative Tribunal
 Administrative and Equal Opportunity Division
 Phone: 1300 006 228 Level 10, John Maddison Tower, 86-90 Goulburn Street, HAYMARKET NSW 1240 Mail:
 PO Box K1026, SYDNEY NSW 2000

Alternative to Lodging an Internal Review

If a person does not want to apply for internal review with Council, they may contact the Privacy Commissioner directly, not as an external review mechanism, but as a complaint.

The contact details for the Privacy Commissioner are:

NSW Information and Privacy Commission
 Phone: 1800 472 697
 Email: ipcinfo@ipc.nsw.gov.au
 Mail: PO Box 7011, SYDNEY NSW 2001

6.5 Annual reporting

Council must report on the number of reviews and complaints received in its Annual Report to demonstrate accountability and transparency.

6.6 Responsibilities of the Privacy Officer

To ensure compliance with the PPIP Act and the HRIP Act, the Privacy Officer will review all contracts and agreements with consultants and other contractors, rates notices, application forms, and other written requests. Council routinely collects personal information to ensure that Council complies with its collection obligations.

The Privacy Officer will also ensure Council in its public areas has special provisions for working with computer screens. Computer screens may require:

- fast screen savers.
- face the computers away from the public; or
- only allow the record system to show one record at a time.

Council's electronic databases should also be reviewed to ensure that they contain procedures and protocols to check the accuracy and currency of personal information.

The Privacy Officer will also provide opinions within Council as to:

- whether the personal information is collected for a lawful purpose
- if that lawful purpose is directly related to a function of the Council
- whether or not collecting that personal information is reasonably necessary for the specified purpose.

Any further concerns of a legal nature will be referred to Council's solicitor.



7 Related Documents

Other related policies, procedures and guidelines include:

- CVC Code of Conduct
- CVC Code of Meeting Practice
- CVC Councillors Access to Information & Interaction with Staff Policy
- CVC Governance Framework
- Model Privacy Management Plan for Local Government 2013 (Division of Local Government)
- Privacy Governance Framework 2016 (NSW Information & Privacy Commission)
- Guide to Making Privacy Management Plans August 2012 (NSW Information & Privacy Commission)
- Privacy Code of Practice
- CVC Complaints Management Policy
- Council's Information and Communication Technology policy
- CVC Public Interest Disclosures Policy
- CVC Information Management Policy
- CCTV Code of Practice
- CVC Risk Management Policy
- CVC Delegations Register
- CVC Debt Recovery - Ordinary Rates and Annual Charges
- CVC Debt Recovery – Water Billing Policy
- CVC Library Regional Library Circulation and Membership

8 Attachments

APPENDIX 1: Application under Section 13 of the Personal Information Protection Act 1998: To determine whether Council holds personal information about a person.

APPENDIX 2: Application under Section 15 of the Privacy and Personal Information Protection Act 1998 – For Alteration of Applicant's Personal Information

Enquiries concerning the Privacy Management Plan should be made to Council's Privacy Officer:

Director Corporate & Community,
Clarence Valley Council
Locked Bag 23,
Grafton NSW 2460
Telephone: 02 6643 0200
Email: Council@clarence.nsw.gov.au
www.clarence.nsw.gov.au



Appendix 1

Application under Section 13 of the Privacy and Personal Information Protection Act 1998 – To determine whether Council holds Personal Information about a person.

Personal information held by Council

I, (name)..... of

(address),

request the General Manager of Council provides the following:

Does Council hold personal information about me?

If so, what is the nature of that information?

What is the primary purpose for keeping the information?

Am I entitled to access the information?

My address for response to this Application is:

.....
.....
.....

Note to applicants:

Should you provide your address or any other contact details Council will not record those details for any other purpose other than to respond to your application.

As an applicant, you have a right to access personal information concerning yourself that the Council holds under section 14 of the Privacy and Personal Information Protection Act 1998 (“the Act”).

There is a separate application form to gain access. Council may refuse to process this application in part or in whole if:

- there is an exemption to section 13 of the Act; or
- a Code of Practice may restrict the operation of section 14.



Appendix 2

An application under Section 15 of the Privacy and Personal Information Protection Act 1998 – For Alteration of Applicant’s Personal Information

Personal Information held by Council:

I, (name).....

of (address),

request Council to alter personal information regarding myself in the following manner: I propose the following changes:

.....
.....
.....

The reasons for the changes are as follows:

.....
.....

The documentary basis for those changes is as shown in the attached documents:

.....
.....

Note to Applicants:

You have a right to request appropriate amendments are made (whether by way of corrections, deletions, or additions) to ensure that the personal information held by Council:

- (a) is accurate, and
- (b) regarding the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up to date, complete and not misleading.

If Council is not prepared to amend the personal information requested by you, Council must take such steps as are reasonable to attach the information to Council records in such a manner as is capable of being read, any statement provided by you.

If your personal information is amended, you are entitled under the Privacy and Personal Information Protection Act 1998 (“the Act”), if it is reasonably practicable, to the have recipients of that information notified of the amendments made by the Council.

Council may refuse to process your application in part or in whole if:

- there is an exemption to section 15 of the Act; or
- a Code of Practice may restrict alteration.

ITEM 07.23.197 Q1 2023/2024 GOVERNANCE REPORT

Meeting	Council	24 October 2023
Directorate	Corporate & Community	
Prepared by	Coordinator Corporate & Customer Experience, Lynette Burley	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	Nil	

SUMMARY

This report summarises the status of legal proceedings, complaints lodged, Government Information (Public Access) applications, new and/or updated Disclosure of Interest returns and insurance claims for Q1 2023-24 (1 July 2023 to 30 September 2023).

OFFICER RECOMMENDATION

That Council receive and note the Q1 2023/2024 Governance Report.

LINKAGE TO OUR COMMUNITY PLAN

Theme Leadership

Objective We will have a strong, accountable and representative Government

KEY ISSUES*Legal Activities*

Council sought legal advice across various activities: Property and environmental and regulatory services. There were no outlays for court proceedings taken by or against Council to report.

Complaints Management

Council received four (4) complaints this quarter. All were dealt within the timeframes outlined in Councils Complaint Management Policy.

Government Information (Public Access) (GIPA) Applications

During the period, three (3) GIPA formal applications were determined, a decrease from five (5) in Q4 2022-23. The applications were for a diverse range of information. Summaries of the information provided and reasons for the non-provision of information as per the GIPA Act are available on Council's Disclosure Log of Access Applications page <https://www.clarence.nsw.gov.au/Council/Governance-and-transparency/Disclosure-log-of-access-applications>. For all three (3) applications, partial access was determined. The bases for withholding information under Section 14 of the GIPA Act were: (i) responsible and effective government; (ii) individual rights, judicial process and natural justice; and (iii) business interests of agencies and other persons.

One (1) internal review of formal access applications was completed during the quarter.

Disclosures of Interest Returns

Compulsory annual disclosures of interest returns were reported at the September Ordinary Council Meeting. Updated returns for Q1 2023/2024 have been called for and will be reported on at the November OCM.

Insurance Claims

To reduce Council's exposure to risk, Council maintains insurance coverage for protection against financial loss, damage and legal liabilities.

Public Liability:

Claim Type	No.	Claim Type	No.
Road defects	7	Trees / Branches	2
Footpath/verge	0	Tree roots	0
Telstra Infrastructure	0	Mowing	0
Essential Energy	1	Bridge	0
Blocked sewer main	1	Other	3

Property: 0 claims or notifications received this quarter

INSURANCE CLAIMS 1 July 2023 TO 30 September 2023

Activity	Total Claims	Not Pursued	Declined	Settled	Pending	Notification	Total Amount Settled
Public Liability - Property	14	0	6	3	2	0	559.00
Public Liability - Injury	0	0	0	0	0	0	0.00
Total	14	0	6	3	2	0	559.00

LEGAL MATTERS

Party	Matter	Legal Action Commenced	Status
Clarence Village Limited vs Council	Levying of sewer charges on non-rateable land	15 May 2023	pending

Claim: A completed claim form is received by Council, or a written letter of demand served on Council.

Settlement: A compensation amount agreed upon by Council in response to an incident in which Council was proven negligent.

Notification: A person notifies Council of their intention to claim but never follows through to the lodgement stage.

Pending: An ongoing investigation, and 'negligence' has not been determined.

Declined: The claimant has not been able to provide Council with a reason as to why they think Council is at fault.

BACKGROUND*Legal Proceedings*

The report on legal proceedings is to contain details of the legal proceedings that have been taken by or against Council, except in cases where:

- the security of the Council, Councillors, Council staff or Council property may be threatened
- the privacy of the personal affairs of the person may be contravened by revealing the information
- the proceedings concern a personnel or industrial relations matter involving an individual staff member (for example, unfair dismissal claims, workers compensation claims and personal injury claims)
- the proceedings concern the personal hardship of any resident or ratepayer, or:
- a not for publication order has been made by the relevant Court or Tribunal.

Complaints Management

Under Council's Complaints Management Policy V6.0 a request for a service or information about a service is not a complaint. However, they may escalate into a complaint if action is not taken within designated timeframes or is undertaken in an unprofessional or substandard manner.

The following are not complaints under Council's Complaints Management Policy:

- an objection to a Development Application (DA) or a submission made to Council in response to a call for public comment
- a concern for service levels that are the result of limits set by Council Policy, and not the result of organisational or mechanical breakdown
- Code of Conduct complaints.

Under the policy, Council has committed to respond substantially to any complaint (other than a competitive neutrality complaint) within 21 business days after it is received. The report is also to contain details of the amounts, costs and expenses paid or received by the Council.

Government Information (Public Access) Applications

The purpose of the Government Information (Public Access) Act 2009 (GIPA) is to open government information to the public by:

- (a) authorising and encouraging the proactive public release of government information by agencies
- (b) giving members of the public an enforceable right to access government information, and:
- (c) providing that access to government information is restricted only when there is an overriding public interest against disclosure.

Information is not disclosed; if disclosing, it would also disclose:

- private information about a third party
- details of legal action or law enforcement
- details that would undermine competitive neutrality in connection with any functions of Council or
- details that would endanger or prejudice any system or procedure for protecting the environment.

Disclosures of Interests

The Office of the Information and Privacy Commission released Information Access Guideline 1: For Local Councils on the Disclosure of Information (returns disclosing the interests of councillors and designated persons) – September 2019. All returns are to be made publicly available on Council's website. Updated returns and new returns are to be tabled at the next Council meeting after lodgement in accordance with Council's Code of Conduct.

Insurance Claims

To reduce Council's exposure to risk, Council maintains insurance coverage for protection against financial loss, damage, and legal liabilities.

COUNCIL IMPLICATIONS**Budget/Financial**

Any costs incurred or recovered for legal proceedings taken by or against the Council are allocated to the budget areas for the respective matters.

The GIPA Act provides that requests are subject to an initial fee of \$30 to cover the first hour of investigation. After the first hour, there is an additional processing fee of \$30 per hour. Fees can be reduced by 50% if the agency is satisfied:

- the individual making the application is suffering financial hardship, or
- the information applied for is of special benefit to the public generally.

Council's liability for insurance claims is limited to the excess under the respective policy. Claims up to the excess are allocated against the operational budget of the relevant directorate.

Asset Management

N/A

Policy and Regulation

Complaints Management Policy

Government Information (Public Access) Act 2009 (GIPA Act)

Privacy and Personal Information Protection Act 1998

Information Access Guideline 1: For Local Councils on the disclosure of information (returns disclosing the interest of councillors and designated persons) – September 2019

Council's suite of insurance policies

Civil Liabilities Act 2002 No 22

Consultation

Insurance Officer; Finance

Legal and Risk Management

As above

Climate Change

N/A

ITEM 07.23.198 APPLICATION FOR LOCAL PART DAY PUBLIC HOLIDAYS 2024

Meeting	Council	24 October 2023
Directorate	Corporate & Community	
Prepared by	Coordinator Business & Executive Support, Bryanna Boyd	
Reviewed by	General Manager, Laura Black	
Attachments	A. Guidelines for Local Public Holiday and Local Event Day applications ↓ B. CRJC Letter of Support ↓ C. Local Bank Feedback for 2024 Half Day Public Holidays ↓	

SUMMARY

Application for the proposed July 2024 Racing Carnival local part public holidays to NSW Government Department of Premier and Cabinet (DPO&C) Industrial Relations (I/R).

OFFICER RECOMMENDATION

That Council:

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

Event	Date / Time	Location
Ramornie Handicap	Wednesday 17 th July 2024 1.00pm to 5.00pm	Grafton City within the Clarence Valley Council area
Grafton Cup	Thursday 18 th July 2024 1.00pm to 5.00pm	Grafton City within the Clarence Valley Council area

Table 1: Proposed Half Day Public Holidays

LINKAGE TO OUR COMMUNITY PLAN

Theme Leadership

Objective We will have a strong, accountable and representative Government

KEY ISSUES

On 24th July 2023 DP&C I/R wrote to the General Manager inviting applications for local public holidays—half-day or part-day) for 2023-24, noting:

- it is expected that ‘*Council would undertake a public consultation process to assess community sentiment as well as the costs and benefits to regional businesses and local communities [etc.]*’
- that applications be accompanied by a Council resolution and a report on the consultation process and
- that those applications should be received by Friday 10 November 2023.

Consultation process:

Prospective dates/times (as above) for the local part-day public holidays were obtained from the Clarence River Jockey Club (CRJC).

On Friday 1 September 2023 the prospective dates were advertised in Council’s ‘Noticeboard’ Electronic Direct Mail (EDM) service. A Council webpage was created, providing the DP&C’s ‘Guidelines’ (inclusive of information about industrial relations for the days) and maps for the areas impacted. The webpage was available from 1 September to 29th September 2023, conforming to the 28-day exhibition period for policies under the Local Government Act (see Attachment A).

Bus services and banks which had a relevant email address were contacted. Schools in the LGA were not included in this year's consultation process as the proposed half-day public holidays fall within the school holidays. Both the Grafton and Maclean Chambers of Business were advised of the proposed half-day public holidays.

Feedback received

Letters of support for the proposed dates were received from The Clarence River Jockey Club (CRJC) (Attachment B). Email correspondence was received from one bank which voiced no objections. Submissions were received from six submitters whilst on public exhibition, the feedback does not support the endorsement of the request and is outlined below:

Name and suburb	Feedback	Council comment
D Hodson Yamba 2464	As a small business owner in the Clarence Valley, I am disappointed this has even been suggested. In tough economic times and a pending drought on top of it small businesses cannot afford to close their doors and still have to pay staff while not earning a cent. Surely you can all see the lack of logic in gazetting more public holidays than we already have, if anything we need less. It would be bad enough if people taking the holiday off went to the races but let's face it they don't. So why do they need the day off. Please think long and hard about this decision, small businesses in the valley are doing it tough enough without council contributing to the pain with more public holidays. Thank you	To be considered by council
B. Palmer South Grafton 2460	Jacaranda Thursday should be a whole day public holiday. The current half day is ridiculous as the "holiday" commences after all the festivities are finishing! Grafton does not need two half day holidays for horse racing, and these holidays can be put into something for all the community like Jacaranda.	The Jacaranda half day PH for 2024 was endorsed by Council in 2022. Council makes application for part day PH based on request and an endorsement by Council. Other feedback to be considered by council
J Hunter Yamba 2464	My submission regarding local public holidays for horse racing is as follows: I 100% do not support this idea. Public holidays should NOT be given for horse racing or any other type of event which encourages addiction (gambling) and other anti-social behaviour (alcohol). Further, small businesses in the Valley are already struggling with costs and staffing issues and this will further exacerbate this problem. If people want to go to the races they cab choose to use Annual Leave and make appropriate arrangements with their employer. To be honest this reeks of a dirty deal with the racing industry - who thought of it - it in no way is justifiable!!	To be considered by council
J Burley South Grafton 2460	I think a public holiday isnt necessary. People who want to go to the races can take holiday time. As a small business holder in the Clarence valley we certainly can't afford to close and then pay for a staff member on a public holiday. I understand those who love the races wanting to go so it should be encouraged for them to have their paid leave available to them on these days.	To be considered by council
R Burley Grafton 2460	I am a business owner and 20 year resident of the CV. I don't ever go to the races. I have worked with over 100 different people in CV. Less than 5 of those have gone to the races by choice. Most go because it's part of a corporate event and a requirement. I would support 1 of the 2 days at best, but 2 is an unnecessary interruption to businesses and their daily struggle to survive. Horse racing does not bring prosperity to the CV other than short term Hospitality and CRJC turnover. Not one	To be considered by council

	of the visiting punters walked into my store last year, and the same could be said for 95% of CBD businesses. It's an antiquated holiday	
C Bullen Grafton 2460	Public holidays for Horse races are ridiculous. NO PUBLIC HOLIDAY!	To be considered by council

BACKGROUND

Clarence Valley consistently hosts four events that have been accompanied by part-day public holidays: Two for the two major races (Ramornie Handicap and Grafton Cup on adjacent days in July), one for the Jacaranda Festival and one for the Maclean Show. The first three of these local public holidays only apply to the Grafton City area; the half-day public holiday for the Maclean Show applies to the police patrol districts of Maclean, Yamba and Iluka. These events are longstanding fixtures on the local calendar, and all provide a focal point for the community and a boost to the local economy.

At the Ordinary Council Meeting held October 2022, Council resolved to authorise the application for the 2024 Maclean Show and Jacaranda Festival dates (Table 2 shown below). As such only the 2024 July Racing Carnival dates remain to be authorised.

Event	Date / Time	Location
Maclean Show	Wednesday 17 th 2024 1.00pm to 5.00pm	The Police Patrol Districts of Maclean, Yamba and Iluka, within the Clarence Valley local government area
Jacaranda Festival	Thursday 31 st October 2024 1.00pm to 5.00pm	Grafton City within the Clarence Valley Council area

Table 2: 2024 Half Day Public Holidays – Previously Authorised

COUNCIL IMPLICATIONS

Budget/Financial

Council staff are entitled to take the part-day public holidays if they work in the areas that they apply to, for example Grafton—and are remunerated for these. This can be accounted for in the flexible work arrangements included in the relevant Local Government awards.

Asset Management

N/A

Policy and Regulation

As Above

Consultation

Chamber of Commerce Grafton & Maclean, Jacaranda Festival, local bus services, banks and public submissions.

Legal and Risk Management

N/A

Climate Change

N/A

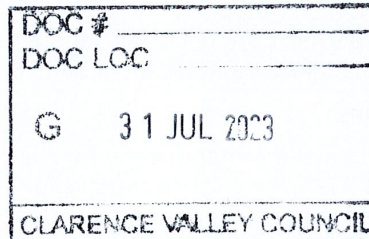
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Premier's Department



Ms Laura Black
 General Manager
 Clarence Valley Council
 Locked Bag 23
 GRAFTON NSW 2460

council@clarence.nsw.gov.au



Ref: A5809235
 24 July 2023

Re: Applications for local public holidays and local event days for 2024 and 2025.

Dear Ms Black,

I am writing to the council regarding applications under the *Public Holidays Act 2010* for the declaration of local public holidays and local event days for 2024 and 2025.

As usual, an application may request the declaration of a half day (12 hours from midnight or midday) or part of a day for a few hours (between specified times) as a local public holiday or local event day to accommodate the holding of an event that is recognised by the local community.

It is expected that a council will undertake a public consultation process to assess community sentiment as well as the **costs and benefits to regional businesses and local communities** of declaring a full or part-day public holiday, including consultation with chambers of commerce, banks, major employers and schools likely to be impacted by the declaration.

Where it is proposed to request a part-day local public holiday, it is expected that the consultation process will include local transport companies and schools and will take account of the transportation arrangements for students on the part-day.

It is important that the application is accompanied by a copy of the council's resolution authorising the making of the application and a report on the consultation process. This includes a list of stakeholders consulted; a copy of notices published in newspapers and/or websites; and a summary of responses received. Failure to undertake the appropriate consultation or provide sufficient information may lead to delays in the processing of a declaration.

Councils should be aware that it is possible to cancel declared holidays if circumstances change or events are cancelled. It is important however, that sufficient notice is provided to the Department to enable the Order to be prepared and published to validly cancel the holiday.

I have attached the *Guidelines for Local Public Holiday and Local Event Day Applications* which will assist the making of applications to the Minister for Industrial Relations.

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 ABN 34 945 244 274

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Biennial Applications

The guidelines provide for the council to make a biennial application for the declaration of full or part-day public holidays and event days. This means that an application may be made for the declaration of full or part-day public holidays and local event days over a period of two consecutive years. However, the application must include additional information which is listed in the attached guidelines on pages two and three.

Where the dates of future events are uncertain, or are determined on a yearly basis, the option remains for the council to make an annual application under the Act.

Timeframe for applications

Should the council wish to make an application for a local holiday or event day in 2024 or a biennial application for 2024 and 2025, it will be necessary for the application to be forwarded to me by **Friday, 10 November 2023** to enable sufficient time for the application to be processed before the Christmas break.

Council's application may be lodged by email to PHapplications@industrialrelations.nsw.gov.au

Consistent with past practice, it is proposed to have an omnibus Order declaring the 2024 and 2025 local public holidays and local event days published on the NSW legislation website early in 2024.

Any inquiries you may have may be directed to the above email address or Mr Jason Tamsett, Industrial Relations Policy, Premier's Department on (02) 9228 5934.

Yours sincerely



Charlie Heuston
**Executive Director – NSW Industrial Relations
Premier's Department**

Attached: Guidelines for Local Public Holiday and Local Event Day Applications

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Premier's Department



Guidelines for Local Public Holiday and Local Event Day applications

The following guidelines are provided to assist in the making of applications to the Minister for Industrial Relations for the declaration of local public holidays and local event days under the *Public Holidays Act 2010* (NSW).

Under the *Public Holidays Act 2010* all public holidays and local event days (including part-days) must be declared by Order of the Minister and published on the NSW legislation website.

In determining whether to apply for a local public holiday or local event day, it is important that the Council be mindful of the potential impact the application will have upon businesses and communities located within designated public holiday areas.

Declaration of a Local Public Holiday

In circumstances where a local public holiday is declared by the Minister, a bank located in the designated holiday area will be required to close during the declared public holiday hours unless the bank is exempted from the requirement to close under Part 3A of the *Retail Trading Act 2008*. Shops located within the designated holiday area are free to open without restriction.

Where it is proposed to request a half-day public holiday, consideration should be given to the effect the half day holiday will have on local schools and on the transport of students who attend school on the day. **In this regard, it is expected that the consultation process with local schools will take account of the transport arrangements for students on the half day.**

Implications for Employers

The public holiday provisions contained in the National Employment Standards of the *Fair Work Act 2009* (Cth) apply to local public holidays declared under the *Public Holidays Act 2010*. This means that all employees irrespective of their former entitlements and whose place of work is within a local public holiday area will be entitled to be absent from work for the day or part day declared to be a public holiday. In addition, employees who work on the day or part day may have an entitlement to penalty rates under a relevant award or enterprise agreement.

In considering an application to the Minister for a public holiday or part-day holiday, it is expected that the Council will consult with the affected community and other relevant stakeholders as to the impact of a local public holiday or part-holiday on businesses located in the local government area.

Declaration of a Local Event Day

The capacity for the Minister to declare a local event day or part day at the request of a local council is also available under the *Public Holidays Act 2010*. The Minister must be satisfied that the day or part day is, and will be observed as, a day of special significance to the community in the area concerned.

The declaration of a local event day or part day does **not preclude banks or shops located within the designated holiday area from opening or trading on the day.**

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Implications for Employers

A declared local event day does not automatically mean that employers in the particular locality are compelled to treat the day as a public holiday. Entitlements to paid leave or penalty rates on a local event day will only arise where agreed to at the workplace level, usually in the form of an enterprise agreement or by contract. This goes some way to restoring the industrial arrangements that existed prior to changes in the Commonwealth workplace laws.

The application process

An application for the declaration of a local public holiday or local event day (including a part-day holiday or event day) must be made in writing to the Executive Director, NSW Industrial Relations, Premier's Department and contain the following information:

1. a statement regarding the history of the event and whether the event day has traditionally been observed as a full or half-day public holiday.
2. the date, the designated area and, if relevant, the hours during which the public holiday or local event day is to be observed;
3. the extent of community consultation undertaken in respect of the proposal;
4. copies of advertisements seeking public comment and a summary of the public's responses;
5. a summary of correspondence to, and responses from, relevant stakeholders, including bank managers; school principals; and chambers of commerce regarding the Council's proposal.
6. internal reports or information prepared for consideration by the Council and a copy of the Council's resolution authorising the making of the application;
7. where an application is made for a public holiday or part-day holiday, details of:
 - alternatives considered by the Council including the declaration a local event day; and
 - arrangements for school students (including the provision of transportation for students attending schools on the day of a part-day public holiday).

Biennial declaration of public holidays and local event days

Applications may be made for the declaration of public holidays and local event days (and part days) over a consecutive two-year period for the holding or celebration of annual events, such as a local show day, race day or carnival.

However, in making an application for a full or part-day public holiday it is expected that the Council will provide additional information focused on the economic and social importance of the event for the designated holiday area. This could include information provided by event organisers, local businesses or relevant industry surveys or statistics.

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Additional information required for biennial applications

Where a Council intends to make a biennial application for the declaration of public holidays or local event days (including part-day declarations), the Council must conduct a consultation process as to the proposal and provide the following information:

- the level of support for and against the application from local businesses and stakeholders
- the benefits to the local community in terms of employment, business activity, tourism and industry promotion of the region
- demonstration of the economic benefits to the local community in terms of employment, business activity, tourism and industry promotion of the region
- details of the importance of the event from a social and community perspective

Sections 5 and 8 of the *Public Holidays Act 2010*

Copies of sections 5 and 8 of the *Public Holidays Act 2010* relating to the declaration of local public holidays and local event days have been included for the information of the Council in Appendix A.

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Appendix A

Sections 5 and 8 of the *Public Holidays Act 2010***s5 Additional public holidays**

- (1) The Minister may by order published on the NSW legislation website declare a specified day or part-day in a particular year to be a public holiday. The order must be published at least 7 days before the public holiday.
- (2) The order can declare a public holiday for the whole State or for a specified part of the State.
- (3) The Minister may by order published on the NSW legislation website cancel a public holiday declared under this section. The order must be published at least 7 days before the public holiday.

s8 Local event days

- (1) The Minister may by order made at the request of the council of a local government area declare a specified day or part-day to be a local event day in the local government area or in a specified part of the local government area.
- (2) The Minister is not to declare a local event day unless satisfied that the day or part-day is, and will be observed as, a day of special significance to the community in the area concerned.
- (3) The order declaring a local event day must be published on the NSW legislation website at least 7 days before the local event day.
- (4) The declaration of a local event day does not make the local event day a public holiday.

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4 October 2023

JULY RACING CARNIVAL – 2024 PART-DAY HOLIDAYS

The Governance Officer
Clarence Valley Council
Locked Bag 23
GRAFTON NSW 2460

Dear Clarence Valley Council

Thank you for the opportunity to provide information supporting the application to have the Council approve part-day public holidays for the two main days of the July Racing Carnival.

I can confirm that the dates for the 2024 July Carnival as Ramornie Handicap Day, Wednesday 17 July 2024, and Grafton Cup Day, Thursday 18 July 2024.

As Council is no doubt aware, the July Racing Carnival is the 'biggest event' that happens in the Clarence Valley each year not only in its direct economic stimulus to Grafton and the Valley but also in its ability to showcase Grafton not only nationally but with the advent of worldwide betting interest internationally to a large audience that view the event on pay television networks and internet providers.

Whilst the 2020 and 2021 Carnivals were clearly impacted by Covid-19 restrictions the Carnivals of 2022 and 2023 have seen significant increases in patronage with visitor numbers remaining high with many racegoers advising difficulty in obtaining accommodation in the Clarence Valley.

The Carnival will only remain popular with visitors to the Valley whilst ever it remains a sporting event with 'Atmosphere'. This can only be achieved whilst ever there is participation from the local community and the reality is this can only occur if the part-day holidays remain in place.

Whilst the economic stimulus is obvious to business like Accommodation Houses, Restaurants, Petrol Stations, Supermarkets etc., there is a much greater influence on the Valley by way of additional wages paid to part time employees at the race meetings in July. Over the two main days alone there are in the vicinity of 500 casual staff who are employed at the races. The great majority of these casual staff live permanently in the Clarence Valley and the direct benefit to them and its clear flow-on are of great importance. For this reason alone, it is imperative that we retain the two part-day holidays into the future.

2

Prior to 2013 for other businesses there was a major issue with the cost of wages at penalty rates because of the full Half Day Public Holiday(s) extending into the nighttime hours which was especially felt by the Pubs, Clubs & Restaurants. This issue however is now of much lesser impact on business in the valley due to the shorter holiday rate hours (1pm-5pm). In fact, the single employer with the largest number of staff receiving penalty rates on the part-day holidays is most likely the CRJC. In the short term we would be the biggest benefactor if the half-day holidays were removed but the long-term negative impact on the Carnival overall would be immeasurable.

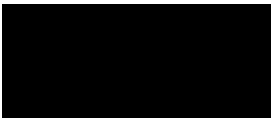
These changes have ensured that race day support industries are now given an opportunity to provide entertainment and visitor facilities, which no doubt has improved the complete Carnival experience for both Clarence Valley residents and visitors alike.

Clearly it has now become much more viable for the local business mentioned above to operate, this has made it more attractive for people to remain in the valley after the races rather than drift away to neighbouring towns such as Coffs Harbour.

I am sure the current part-day public holiday time limit 1pm-5pm has had a significant positive impact for the other business in the valley especially those providing food and beverage facilities after the races, and I feel a continuation of those restrictions will continue to benefit the valleys business and ensure the long-term viability and popularity of the July Racing Carnival.

I would be happy to discuss this matter further and provide any other information if required.

Yours faithfully,



Michael Beattie
Chief Executive Officer
Clarence River Jockey Club

From: [Amanda Verhagen](#)
Sent: Thursday, 5 October 2023 1:49 PM
To: [Bryanna Boyd](#)
Subject: RE: 2024 Grafton July Racing Carnival dates

You don't often get email from averhagen@westpac.com.au. [Learn why this is important](#)

Hello Bryanna.

I have got clarification to your email. Westpac Group have no objections to this proposal. Consequently, if they are approved, our co-located Westpac & St.George Grafton branch will close from 1pm on each of the dates in question

Amanda

Amanda Verhagen
 Bank Manager
 Westpac and St. George Grafton

10 Prince Street, Grafton NSW 2460
 M 0403 901 623
 F (02) 9055 3005
 E averhagen@westpac.com.au



From: Bryanna Boyd <Bryanna.Boyd@clarence.nsw.gov.au>
Sent: Wednesday, October 4, 2023 12:08 PM
To: Amanda Verhagen <averhagen@westpac.com.au>
Subject: 2024 Grafton July Racing Carnival dates

CAUTION: This email originated from outside of the Westpac Group. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good Afternoon Amanda,

The 2024 Grafton July Racing Carnival dates have been gazetted for consultation with the public. In line with the practice of previous years, Council now seeks the opinion of local banks on the proposed part-day public holidays, as per the table below.

Event	Dates	Location
Ramornie Handicap	Wednesday 17 Jul 2024 from 1pm to 5pm	Grafton City within the Clarence Valley Council area
Grafton Cup	Thursday 18 July 2024 from 1pm to 5pm	Grafton City within the Clarence Valley Council area

If you could please advise if you have no issue with the half-day public holidays that would be great.

Many thanks,

Bryanna Boyd
 Coordinator Business & Executive Support
 02 6643 0803
www.clarence.nsw.gov.au



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



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Think of the environment. Please don't print this e-mail unless you really need to.

Confidential communication
Westpac Banking Corporation (ABN 33 007 457 141, AFSL 233714)
Westpac Institutional Bank is a division of Westpac Banking Corporation

ITEM 07.23.199 COUNCIL MEETING CHECKLIST - UPDATE ON ACTIONS TAKEN

Meeting	Council	24 October 2023
Directorate	Corporate & Community	
Prepared by	Corporate Support, Michelle West	
Reviewed by	General Manager, Laura Black	
Attachments	A. Actions List - Completed ↓	
	B. Actions List - Outstanding ↓	
	C. Rolling Checklist from 2019-2021 ↓	

SUMMARY

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

OFFICER RECOMMENDATION

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

LINKAGE TO OUR COMMUNITY PLAN

Theme Leadership

Objective We will have a strong, accountable and representative Government

KEY ISSUES

A checklist is issued to Managers and relevant staff after each Council meeting to enable them to provide comments on the status of resolutions adopted by Council. The attached checklist contains actions taken on all Council resolutions from the previous month's meeting and the status/progress on all Council resolutions that have not yet been fully implemented. Those items marked as complete will not appear on any future checklists if the officer's recommendation is adopted.

BACKGROUND

A formal monthly report is required for each Council meeting, including full checklist from the previous month and any outstanding actions from earlier meetings.

COUNCIL IMPLICATIONS**Budget/Financial**

N/A

Asset Management

N/A

Policy and Regulation

Local Government Act 1993 S355 (1)

Consultation

Staff, Managers

Legal and Risk Management

N/A

Climate Change

N/A

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Completed

Meeting Date	Item No.	Report Title	Council Resolution	Officer	Comments
26/09/2023	07.23.154	Election of a Mayor for the Period of September 2023-September 2024	COUNCIL RESOLUTION - Day/Toms That 1. the General Manager, as Returning Officer, call for nominations for the election of a mayor. 2. the form of the mayoral election be by way of open voting (by show of hands). 3. each of the nominees be invited to address the meeting for a maximum of 5 minutes.	Lee Boon	06 Oct 2023 11:58am Bryanna Boyd - Completion Completed by Bryanna Boyd on behalf of Lee Boon (action officer) on 06 October 2023 at 11:58:10 AM - Completed
26/09/2023	07.23.155	Election of a Deputy Mayor for the Period of September 2023-September 2024	COUNCIL RESOLUTION - Toms/Day That 1. Council elect a deputy mayor for the period September 2023 – September 2024. 2. the General Manager, as Returning Officer, call for nominations for the election of deputy mayor and conduct the election by way of Open Voting (by show of hands). 3. each of the nominees be invited to address the meeting for a maximum of 3 minutes.	Lee Boon	06 Oct 2023 11:58am Bryanna Boyd - Completion Completed by Bryanna Boyd on behalf of Lee Boon (action officer) on 06 October 2023 at 11:58:01 AM - Completed
26/09/2023	07.23.156	Community Asset Program (CAP)	That Council seek the support of the Local State Member, Richie Williamson MP to coordinate an urgent meeting with the Minister for Regional NSW, the Hon. Tara Moriarty MLC with the Mayor and senior staff to discuss the outcome of the CAP Panel deliberations.	Laura Black	06 Oct 2023 11:54am Bryanna Boyd - Completion Completed by Bryanna Boyd on behalf of Laura Black (action officer) on 06 October 2023 at 11:54:26 AM - Email sent to Richie Williamson's office requesting this on 29.9.23. Received confirmation that representations were being made to the Minister that day.
26/09/2023	07.23.157	Councillors Listening Tour	That the information contained in the report be noted.	Lee Boon	04 Oct 2023 4:24pm Lee Boon - Completion Completed by Lee Boon (action officer) on 04 October 2023 at 4:24:06 PM - Noted
26/09/2023	07.23.158	DA2020/0543 - 36 Lot Subdivision - Orion Drive, Yamba	That Council defer considering the DA2020/0543 for one month to allow Yaegl Traditional Owners to be consulted.	James Hamilton	03 Oct 2023 3:51pm James Hamilton - Completion Completed by James Hamilton (action officer) on 03 October 2023 at 3:51:55 PM - Yaegl TOAC contacted 28/09/2023 to make comment regarding Development Application.
26/09/2023	07.23.161	Local Heritage Grants 2023/2024	That Council endorses allocation of funding to applicants in accordance with the 'Grant Offer' column in the table at Attachment 1 to this report with each Applicant required to sign a written agreement and comply with any relevant conditions and acquittal requirements.	Deborah Wray	05 Oct 2023 10:02am Michelle West - Completion Completed by Michelle West on behalf of Deborah Wray (action officer) on 05 October 2023 at 10:02:06 AM - Heritage Grants have been sent out to all successful applicants as per Council resolution.

ACTION SCHEDULE FROM COUNCIL MEETING

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					05 Oct 2023 9:56am Deborah Wray Heritage Grants have been sent out to all successful applicants as per Council resolution.
26/09/2023	07.23.164	Policy Report	That Council 1. place the following policies on exhibition and subject to there being no submissions that change the intent of the policies that they be adopted: a. Code of Meeting Practice (Attachment A) b. Donated facilities on public land V4.0 (Attachment B) c. Naming of parks, reserves and facilities V4.0 (Attachment C) d. Commercial recreational activities on public land V3.0 (Attachment D) 2. note the adoption of the following policies that received submissions that did not change the intent of the policy. a. Borrowing Policy V9.0 (Attachment E) b. Structures and Vegetation in close proximity to flood levees Policy V3.0 (Attachment F) c. Environmental Management Policy V1.0 (Attachment G) 3. note the adoption of the following policies, as no submissions were received: a. Playground Policy V2. b. Risk Management Signage at Recreational Facilities Policy V5.0	Lynette Burley	05 Oct 2023 8:24am Lynette Burley - Completion Completed by Lynette Burley (action officer) on 05 October 2023 at 8:24:21 AM - draft policies placed on exhibition, adopted added to web page, ECM and policy register
26/09/2023	07.23.165	Committees Report	That Council: 1. note the resignation of Aimee Rush (by email) from the Dundurrabin Community Centre Management Committee, effective 9 th August 2023. 2. note the resignation of Stephen Rush (by email) from the Dundurrabin Community Centre Management Committee effective 9 th August 2023. 3. note the resignation of Sam Ayling (by email) from Dundurrabin Community Centre Management Committee, effective 1 st August 2023	Lynette Burley	05 Oct 2023 8:25am Lynette Burley - Completion Completed by Lynette Burley (action officer) on 05 October 2023 at 8:25:05 AM - completed
26/09/2023	07.23.168	Clarence Valley Citizens of The Year 2024 - Awards	That Council: 1. endorse the Clarence Valley Citizens of the Year Awards and Australian Citizenship Ceremony to be held as a combined event on 25 January at 10am in Yamba. 2. endorse the proposed nomination dates for 2024 Clarence Valley Citizens of The Year Awards. 3. nominate Councillor Novak as the Advocate for the event.	Bryanna Boyd	06 Oct 2023 11:27am Bryanna Boyd - Completion Completed by Bryanna Boyd (action officer) on 06 October 2023 at 11:27:55 AM - Nominations opened and advertised.
26/09/2023	07.23.169	Items for Information	That Council 1. Note the Items for Information as listed below - Correspondence from Minister for Local Government - Correspondence from Member for Clarence (Various topics) - Correspondence from Spatial Services Regarding - Correspondence from University of Wollongong - Arts Northern Rivers - Board Meeting - Minutes - 25 August 2023 - Biodiversity Committee Meeting Minutes 14 June 2023 - Biodiversity Committee Meeting Minutes 17 August 2023 - Clarence Regional Library Committee Meeting Minutes 28 July 2023	Lee Boon	06 Oct 2023 11:56am Bryanna Boyd - Completion Completed by Bryanna Boyd on behalf of Lee Boon (action officer) on 06 October 2023 at 11:56:50 AM - Letter to Minister sent 29.9.23.

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			<ul style="list-style-type: none"> - Floodplain Risk Management Committee Minutes 11 September 2023 2. Write to the Minister for Roads as advised by Narelle Underwood, Executive Director of Spatial Services and include the information from Shirley Adams daughter. 3. Seek the support of the local member Richie Williamson MP in making representations to the Minister for Roads. 		
26/09/2023	07.23.170	Council Meeting Checklist - Update on Actions Taken	That the schedule of actions on Council resolutions be noted and those resolutions marked as complete be removed from the rolling checklist.	Lee Boon	04 Oct 2023 4:24pm Lee Boon - Completion Completed by Lee Boon (action officer) on 04 October 2023 at 4:24:16 PM - Noted
26/09/2023	07.23.171	Monthly Finance Report - August 2023	That Council: <ul style="list-style-type: none"> 1. note the monthly financial information report for August 2023 attached to this report. 2. endorse the proposed General Fund variations as set out in this report totalling (\$363,830), for inclusion in the September Quarterly Budget Review Statement to be reported in October 2023. 3. endorse the proposed variations, which decrease the Financial Reserves by \$15,000, to be included in the September Quarterly Budget Review Statement to be reported in October 2023. 4. note and endorse the grant applications as identified in Attachment B. 	Nick Harvey	06 Oct 2023 2:03pm Nick Harvey - Completion Completed by Nick Harvey (action officer) on 06 October 2023 at 2:03:06 PM - All budget variations loaded into budget system accordingly
26/09/2023	07.23.172	Monthly Investment Report - August 2023	That the report indicating Council's funds investment position as at 31 August 2023 be noted.	Nick Harvey	06 Oct 2023 2:03pm Nick Harvey - Completion Completed by Nick Harvey (action officer) on 06 October 2023 at 2:03:44 PM - Ledgers and investment register updated accordingly
26/09/2023	07.23.173	Extension To Office Of Local Government Financial Reporting Requirements Sought	That Council submit a request to the Office of Local Government for extension for lodgement of the 2022/2023 Annual Financial Statements to 22 December 2023.	Nick Harvey	06 Oct 2023 2:06pm Nick Harvey - Completion Completed by Nick Harvey (action officer) on 06 October 2023 at 2:06:11 PM - Request for extension sent to Office Of Local Government
26/09/2023	07.23.174	Cultural and Sports Trust Fund 2023	That Council approve a donation from the Clarence Valley Cultural and Sports Trust Fund for \$300 each to assist: Thomas Beohm and Charlie Rouse who have both been selected to compete at the Hockey NSW Australian U13's Carnival in Newcastle between the 22nd – 29th September 2023.	Lainie Edwards	09 Oct 2023 1:40pm Lainie Edwards - Completion Completed by Lainie Edwards (action officer) on 09 October 2023 at 1:40:41 PM - Complete 09 Oct 2023 1:39pm Lainie Edwards Decision letters have been signed and emailed to both recipients.
26/09/2023	07.23.175	Alcohol Prohibited Area Temporary Revocation - Jacaranda Festival	That Council revoke the alcohol prohibition area at Market Square, See Park and Memorial Park for the 2023 Jacaranda Festival from Friday 20 October 2023 to Sunday 5 November 2023.	Rachelle Passmore	03 Oct 2023 11:42am Rachelle Passmore - Completion

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For Action - Open/Confidential - Completed

					Completed by Rachelle Passmore (action officer) on 03 October 2023 at 11:42:41 AM - Jacaranda Festival manager and CVC events officer notified. 03 Oct 2023 11:41am Rachelle Passmore Jacaranda Festival manager and CVC events officer notified.
26/09/2023	07.23.178	Ulmarra Sewerage Investigation	That Council defer consideration of the Ulmarra Sewer Investigation report for up to two months, pending a presentation by the independent authors of the report on their findings and options.	Greg Mashiah	03 Oct 2023 2:53pm Greg Mashiah - Completion Completed by Greg Mashiah (action officer) on 03 October 2023 at 2:53:13 PM - Consultant PWA requested to present at Councillor Workshop on 10 October 03 Oct 2023 2:52pm Greg Mashiah Consultant PWA requested to present at Councillor Workshop on 10 October
26/09/2023	07.23.179	Bulk Water Supply Agreement Advisory Committee - Further Extension of Term	That Council extend the terms of the Bulk Water Supply Agreement Advisory Committee to 22 December 2023.	Greg Mashiah	03 Oct 2023 2:53pm Greg Mashiah - Completion Completed by Greg Mashiah (action officer) on 03 October 2023 at 2:53:52 PM - Extension of Committee's term noted 03 Oct 2023 2:53pm Greg Mashiah Extension of Committee's term noted
26/09/2023	07.23.181	Local Traffic Committee	That the recommendation of the Local Traffic Committee determined on 7 September 2023 be adopted by Council.	Alana Brooks	09 Oct 2023 10:30am Alana Brooks - Completion Completed by Alana Brooks (action officer) on 09 October 2023 at 10:30:40 AM - Applicant notified
26/09/2023	07.23.183	RFT 22/49 Yamba Library and Community Centre Redevelopment	That Council: 1. Accept the tender from Bennett Constructions for RFT22/49 Yamba Library and Community Centre Redevelopment at a cost of \$16,256,053.00 (GST inclusive) to be funded in accordance with the funding strategy – Attachment B. 2. Delegate authority to the General Manager to approve appropriately deemed variations to the Contract and those variations be reported to Council within the Quarterly Budget Review Statement (QBRs) once the Contract is finalised.	Rick Johnson	09 Oct 2023 10:47am Rick Johnson - Completion Completed by Rick Johnson (action officer) on 09 October 2023 at 10:47:47 AM - 1. The tender be awarded to Bennett Constructions for RFT22/49 Yamba Library and Community Centre Redevelopment at a cost of \$16,256,053.00 (GST inclusive) to be funded in accordance with the funding strategy., 2. General Manager to approve appropriately deemed

ACTION SCHEDULE FROM COUNCIL MEETING

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					variations to the Contract and those variations be reported to Council within the Quarterly Budget Review Statement (QBR).
26/09/2023	10.23.002	Regional Growth Environment and Tourism Fund	That Council seek the urgent support of the Local State Member, Richie Williamson MP to coordinate an urgent meeting with the Minister for Regional NSW, the Hon. Tara Moriarty MLC with the Mayor and senior staff to discuss the State Government budget announcement of \$6.72 million for the Clarence Valley for Calypso Yamba Holiday Park Redevelopment, and how the funds can be accessed.	Lee Boon	09 Oct 2023 10:33am Bryanna Boyd - Completion Completed by Bryanna Boyd on behalf of Lee Boon (action officer) on 09 October 2023 at 10:33:46 AM - Email to Local Member sent 29.9.23 and received confirmation that representations were being made to the Minister that day
26/09/2023	07.23.159	Lower Clarence Flood Model 2022 Update and Flood Planning Levels	That Council: 1. defer consideration of the impact of the Lower Clarence Flood Model 2022 on flood planning levels for future property development pending a workshop where the communications plan for public exhibition is discussed 2. receive a report to the October 2023 Ordinary Council meeting on Item 1 above	Lee Boon	04 Oct 2023 4:24pm Lee Boon - Completion Completed by Lee Boon (action officer) on 04 October 2023 at 4:24:59 PM - Workshop arranged

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

Meeting Date	Item No.	Report Title	Council Resolution	Officer	Comments
26/04/2022	07.22.063	Yamba bypass - update and next steps	That 1. Council engage a professional services contractor to prepare a preliminary environmental assessment to identify key project risks, assist with scoping a future environmental impact assessment and to determine the planning pathway, utilising funds (up to \$150,000) allocated at MIN 6a.19.027 (October 2019). 2. On completion the preliminary environmental assessment be reported to Council to determine next steps. 3. Council note it will require Federal and/or State government assistance to progress the Yamba Bypass project beyond the preliminary environmental assessment stage.	Adam Cameron	

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

23/08/2022	07.22.184	Compulsory Acquisition of Easement Over Crown Land, being Lot 3 DP1005547, Yamba	That Council approve the submission of additional documentation to the Office of Local Government to provide evidence of the public purpose of the acquisition in support of the original application to compulsorily acquire the two drainage easements and Right of Carriageway over Reserve 58617, Lot 3 DP 1005547, Yamba.	Eloise Casson	<p>11 Jul 2023 1:44pm Eloise Casson The acquisition has now been gazetted. We are now awaiting the compensation valuation from the Valuer General.</p> <p>16 May 2023 8:17am Eloise Casson Due to the election of the new labour state government, all Government Land Transactions have been put on hold. Finalisation of this matter via Gazette Publication is on hold until Crownlands recommence their land transactions. No expected date has been provided to Council at this time.</p> <p>12 Apr 2023 7:02am Eloise Casson The acquisition has been approved by the OLG. We are now waiting on the valuer general to determine the compensation payable by the developer.</p> <p>13 Mar 2023 1:23pm Eloise Casson The acquisition has now been approved by the OLG. The valuer general is now determining the compensation payable to Crown Lands.</p> <p>05 Dec 2022 7:52am Eloise Casson Still waiting on decision from the OLG.</p> <p>14 Nov 2022 1:45pm Eloise Casson Still waiting on a decision from the Office of Local Government.</p> <p>11 Oct 2022 1:59pm Eloise Casson This resolution has been forwarded to Public Works Advisory who have resubmitted Councils compulsory acquisition application to the minister. Awaiting decision.</p>
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ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

23/08/2022	07.22.185	Permanent Road Closure of Part Harold Tory Drive, Yamba - Counteroffer to Purchase	<p>That Council:</p> <ol style="list-style-type: none"> 1. Accept the offer received from the Landowners of Lot 163 DP1265281 for the section of road reserve adjoining their property as detailed in Confidential Attachment B. 2. Decline the offer received from the Landowners of Lot 162 DP 1265281 for the section of road reserve adjoining their property and make a counteroffer as detailed in Attachment B. 3. Allocate responsibility to pay any GST applicable to the sale prices to the applicants, as per the standard road closure process. 4. Note any costs associated with consolidation of Lots are to be borne by the purchasers. 5. Delegate authority to the General Manager to execute all documentation associated with the sale of Road Reserve adjoining Lots 162 and 163 DP1265281. 	Eloise Casson	<p>11 Jul 2023 1:25pm Eloise Casson The owners of 4 Harold Tory Drive have entered into a deed of agreement. The survey has been completed and subdivision cert issued. Current awaiting registration by LRS.</p> <p>16 May 2023 8:20am Eloise Casson Awaiting surveyor to lodge Subcert Application.</p> <p>12 Apr 2023 7:04am Eloise Casson The survey plans have now been prepared. A subdivision certificate will be lodged with Council. Once received, the plans will be lodged to LRS for registration.</p> <p>13 Mar 2023 1:36pm Eloise Casson The surveyor has been engaged and is currently preparing the plans for lodgement.</p> <p>05 Dec 2022 7:52am Eloise Casson Waiting on Landowner to execute and return the amended Deed of Agreement.</p> <p>14 Nov 2022 1:45pm Eloise Casson Still waiting on the amended Deed of Agreement to be issued by the Solicitor.</p> <p>11 Oct 2022 2:00pm Eloise Casson The landowners of 2 Harold Tory Drive have decided not to move forward with their road closure. The landowners of 4 Harold Tory Drive are contionuing. The solicitor has been instructed to amended the agreement to include the owners of 4 Harold Tory Drive only. Awaiting on the amended deed to be issued.</p>
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ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

<p>23/08/2022</p>	<p>07.22.186</p>	<p>Proposed Acquisition of Part Lot 1 DP 335226 and Proposed Sale of Part Lots 721 and 722 DP 1148111</p>	<p>That Council</p> <ol style="list-style-type: none"> 1. Acquire approximately 41sqm of Lot 1 DP 335226 at 72-74 River Street, Maclean to resolve a current encroaching, as depicted light blue in Figure 1 2. Grant approximately 41sqm of Lot 721 and 722 DP 1148111 to the adjoining landowners of Lot 1 DP 335226, refer green in Figure 1 and a Right of Way 3m wide over the driveway servicing Council-owned property in lieu of compensation, refer yellow in Figure 1. 3. Classify the acquired land as Operational and consolidate with Lot 721 DP 1148111 4. Allocate \$6,000.00 from the property reserve to carry out items i, ii and iii above 5. Allow the landowners of Lot 1 DP 335226 to purchase an additional portion of Lots 721 and 722 DP 1148111, refer dark blue in Figure 1 for a purchase price to be determined by valuation 6. Delegate authority to the General Manager to execute all documentation associated with the acquisition of part of Lot 1 DP335226 and sale of part of Lot 721 and Lot 722 DP1148111. 7. Share the cost of rectifying the encroachment of the Council driveway equally with the Landowners of Lot 1 DP 335226. 8. Note the cost of the purchase of land depicted dark blue in Figure 1 will be borne wholly by the landowners of Lot 1 DP 335226, including but not limited to; valuation, survey fees and Council's legal fees. 	<p>Eloise Casson</p>	<p>11 Jul 2023 1:41pm Eloise Casson During the May 2023 Ordinary Meeting, item: 07.23.082, the landowners counter offer was accepted. Contracts have been amended and we await an executed copy from the landowners solicitor.</p> <p>16 May 2023 8:22am Eloise Casson This matter will be reported again to the May 2023 Ordinary Council meeting. The report will seek to consider the landowners counter offer.</p> <p>12 Apr 2023 7:05am Eloise Casson We have now received a response from the landowners via their solicitor along with the valuation. The landowners have requested a reduced purchase price and property staff are currently discussing potential ways forward with the landowner. It is expected that a second report to Council will be required.</p> <p>13 Mar 2023 1:24pm Eloise Casson Sale contracts have been issued to the landowners solicitor. We have not received any response from them at this stage. Council's solicitor is seeking an update.</p> <p>05 Dec 2022 7:51am Eloise Casson Awaiting response from the landowners solicitor.</p> <p>14 Nov 2022 1:46pm Eloise Casson Sale contracts have been issued to the landowner's solicitor. Waiting for the contracts to be executed and returned to Council.</p> <p>11 Oct 2022 2:02pm Eloise Casson The landowner has engaged their own solicitor and the sale contracts for the first part of the process (being the acquisition of the encroachment area in exchange for a small portion of land and an easement) have been issued to their solicitor. Once the landowner has entered into the contracts, the surveyor</p>
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ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

27/09/2022	07.22.221	Coastal Management Program - Stage 1 (Estuary) Scoping Study and Pilot Hill Geotechnical Studies	<p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt the <i>Clarence River Estuary Coastal Management Program Stage 1 Scoping Study</i> and proceed with Stages 2, 3 and 4 (subject to grant funding). 2. Consider the allocation of Council's funding contribution to the Stage 2,3 and 4 study in preparation of the 2022/2023 draft budget. 3. Adopt the following short-term options for Pilot Hill Yamba as recommended by FSG (geotechnical consultants), subject to grant funding: <ol style="list-style-type: none"> a. Review and repair existing instrumentation b. Review monitoring program c. Additional geotech investigations d. Update slope stability analysis and risk assessment e. Undertake stormwater and landscaping improvements where recommended 4. Include funding of the matching contribution for the Pilot Hill Yamba investigations as one of the projects within the Category D Local Government Recovery – Local Council Support "Improved drainage and flood immunity initiatives" allocation resolved at the August Meeting. 5. Investigate the feasibility of releasing land risk zoned properties from this study if they are zoned LRZ2 "acceptable/tolerable risk" and these properties have submitted their own current geotechnical reports to Council and report back to Council. 	Greg Mashiah	<p>08 Aug 2023 9:29am Greg Mashiah Draft Coastal Management Program (Stage 2) Hazard Assessment is considering landslip issue at Pilot Hill; draft report scheduled for submission by the end of August.</p> <p>19 Oct 2022 8:54am Greg Mashiah 1. Estuary Scoping study placed on website</p>
22/11/2022	07.22.256	Property Rationalisation Update	That Council note the status of the current property rationalisation sales.	Eloise Casson	<p>16 May 2023 8:23am Eloise Casson One of the five properties to be assessed for disposal has been deemed to be unsuitable for disposal as it is required for an ongoing project with Strategic Planning. Four remaining properties are to be assessed.</p> <p>13 Mar 2023 4:09pm Eloise Casson Investigations are still ongoing for the properties identified for potential disposal. We are currently assessing whether any of these properties would be suitable options for the Core and Cluster Women's Refuge Program.</p> <p>05 Dec 2022 7:55am Eloise Casson Investigation of additional properties highlighted in the report has commenced.</p>

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

22/11/2022	07.22.263	Acquisition of Part Lot 254 DP 752810 from the Minister of Education for the Construction of the Coutts Crossing Public School Bus Lane	That Council: <ol style="list-style-type: none"> 1. Proceed with the compulsory acquisition of the land described as part of Lot 254 DP 752810 located at Coutts Crossing, depicted by red hatching on figure 1, for the purpose of road in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>. 2. Make application to the Minister and the Governor for approval to acquire part of Lot 254 DP752810 by compulsory process under section 177(1) of the <i>Roads Act 1993</i> 3. Enter into a deed of agreement and memorandum of understanding (MOU) with the NSW Department of Education for early access to the subject land to commence works prior to the acquisition being completed. 4. Delegate authority to the General Manager to execute documents relating to the compulsory acquisition, the deed of agreement and the memorandum of understanding. 	Eloise Casson	11 Jul 2023 1:45pm Eloise Casson This project is still on pause. Awaiting instructions from Civil Services. 16 May 2023 8:28am Eloise Casson The project remains on pause. 13 Mar 2023 1:28pm Eloise Casson Civil Services have advised that the bus lane project will not be continuing at this time. They have recommended that the acquisition still go ahead once they have determined a different source of funding. The acquisition will remain on hold until this information is received. 05 Dec 2022 7:44am Eloise Casson Council resolution sent to the solicitor to allow agreements to be drafted. Early access agreement expected to be ready by the end of the week.
22/11/2022	08.22.007	Purchase of Site at Brooms Head Holiday Park - On Crown Land	That Council as Crown Land Manager of Brooms Head Holiday Park: <ol style="list-style-type: none"> 1. Allocate a budget of up to \$75,000 (from the Crown Lands Management Reserve) for the purchase of Site 73 at Brooms Head Holiday Park 2. Authorise the General Manager to negotiate the purchase of the structures at Site 73 in consultation with the vendor and a valuer. That Council negotiate with the owner of site 73 Brooms Head Holiday Park.	Maryanne Bristow	06 Apr 2023 9:31am Maryanne Bristow Valuation received and forwarded to site owner. Site owner is obtaining own valuation to be able to proceed with negotiation. Site owner valuation has not been received from site owner as yet
13/12/2022	06.22.014	Fees Waiver Request for Hall Hire for Iluka Community Organisation Planning for Emergencies Inc (ICOPE) for Bi-Monthly Community Meetings in 2023	That Council waive the hall hire fees for the new committee, ILUKA COMMUNITY ORGANISATION PLANNING FOR EMERGENCIES INC.(ICOPE) for their bi-monthly community meetings in the Spencer Street Hall Iluka, for 2023.	Karli Anshaw	12 Apr 2023 8:25am Lee Boon - Reallocation Action reassigned to Karli Anshaw by Lee Boon - Hi Karli

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

13/12/2022	07.22.279	Preparation of a Planning Proposal to Reclassify Land Consisting Lot 1 & 2 DP1270948 to 'Operational' Land	<p>That Council:</p> <ol style="list-style-type: none"> 1. Authorise and allocate funds for the preparation of a planning proposal under section 3.33 of the <i>Environmental Planning and Assessment Act 1979</i> to amend Schedule 4 of the <i>Clarence Valley Local Environmental Plan 2011</i> (CVLEP) to reclassify Lot 1 and 2 DP1270948 from 'community' to 'operational' land and to secure an independent consultant to undertake a public hearing into the reclassification; 2. Delegate authority to the General Manager to: <ol style="list-style-type: none"> (a) Execute all documentation associated with the local plan making functions; (b) Submit the planning proposal to the Department of Planning and Environment seeking a Gateway determination; (c) Seek to be the local plan-making authority; 3. In the event a Gateway determination is issued, publicly exhibit the planning proposal and engage an independent consultant to undertake a public hearing in accordance with legislative requirements, notifying Council intention to reclassify the land; 4. Subject to no submissions or objections being received requiring further consideration by Council: <ol style="list-style-type: none"> (a) Finalise the CVLEP to reclassify the land as 'operational' land; (b) Finalise consolidation of the lots with Lot 21 DP712604; and (c) Transfer ownership of the resultant new land parcel to the Police Citizens Youth Club (PCYC) Grafton 5. Note that in the event submissions or objections regarding the reclassification are received during the hearing and exhibition process, a report will be brought back to Council for further consideration. 6. Note that the contract for sale includes a clause to ensure that if PCYC Grafton opt to dissolve ownership of the facility it will return to Council ownership. 7. 	Jasmine Oakes	<p>11 Oct 2023 3:16pm Jasmine Oakes Planning proposal has been finalised and will be submitted to DPE for Gateway determination this month</p> <p>11 Jul 2023 10:10am Jasmine Oakes Aiming to take the planning proposal to August Council meeting for endorsement to seek Gateway Determination</p> <p>15 May 2023 9:30am Jasmine Oakes Aim to bring planning proposal to June 2023 Council meeting</p> <p>12 Apr 2023 9:18am Jasmine Oakes Planning proposal still being prepared</p> <p>13 Mar 2023 1:47pm Jasmine Oakes planning proposal still being developed</p> <p>09 Jan 2023 12:40pm Jasmine Oakes Planning Proposal being developed within Strategic Planning team</p>
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ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

28/02/2023	07.23.005	Renewal and review of Alcohol Free Zones	<p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt AFZs for areas of Grafton, South Grafton, Maclean, Yamba and Iluka, plus an event-based AFZ in the vicinity of the Grafton Racecourse for the July Racing Carnival, in accordance with the maps provided in the Attachments to this report effective until 30 June 2024; 2. Complete a review of the AFZs in the 2023/2024 financial year in accordance with the NSW Office of Local Government Guidelines with the review to consider the relationship with established Alcohol Prohibited Areas and include, but not be limited to, consultation with NSW Police, Clarence Valley Liquor Accords, holders of liquor licences, local Aboriginal organisations, Chambers of Commerce (or similar) and the community; 3. Delegate authority for Council staff to grant approval or authorisation for consumption of alcohol in association with footpath dining sites within the AFZs provided appropriate checks for risk to the public and nearby amenity are completed and relevant management controls applied; and 4. Seek public comment to establish a new Alcohol Prohibited Area at Lot 7022 DP93040, Through Street, South Grafton and if there is no objection take action to implement that designation. 	Scott Lenton	<p>15 May 2023 4:57pm Scott Lenton Request for AFZ signs to be updated with new dates submitted, AFZ review project included in draft 23/24 Operational Plan, revised process for assessing footpath dining applications in AFZs being implemented and native title considerations being investigated on item 4 prior to consultation commencing.</p>
28/02/2023	07.23.025	Regional Aquatic Centre on Crown Land - Project Update	<p>That Council:</p> <ol style="list-style-type: none"> 1. Remove the dive pool from the scope of the Regional Aquatic Centre basis of safety and construction/operational cost savings. 2. Allocate the next phase of funding from the Local Roads and Community Infrastructure Program (LRCIP) Phase 4 (\$2,051,366) to the upgrade of the Regional Aquatic Centre. 3. Endorse the funding strategy as outlined in the confidential attachment. 4. Receive a report following the outcome of the <i>Community Assets Program</i> grant application and reaffirm in principle support for funding Stage 2 of the project. 	Peter Birch	<p>11 Jul 2023 10:13am Peter Birch Noted and with respect to Point 4 still no advice from the CAG funding application that was expected 30 June. Representations have been made through local member. 15 May 2023 12:04pm Peter Birch Noted. Tender released and has closed. Have not yet had outcome of CAG application 07 Mar 2023 9:24am Peter Birch Procurement process for tender underway and meeting organised with contractors., Liaison with Community Assets Program contacts proceeding</p>

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

28/02/2023	07.23.027	RFT22-36 Maclean Showground Arena Lighting Upgrade (On Crown Land)	That Council: <ol style="list-style-type: none"> 1. Note that no tenders were received for the lighting of the Maclean Showground arena under RFT22-36. 2. Note the scope of the works for the arena lighting at Maclean Showground will be revised in accordance with the detail in the report. 3. Call fresh tenders for the Maclean Showground arena lighting inclusive of the revised scope 4. Under S377 of the Local Government Act, delegate to the General Manager to accept tenders for the Maclean Showground arena lighting. 5. Note that the outcome of the tender will be reported to the Ordinary Meeting of Council. 	Peter Birch	11 Jul 2023 10:15am Peter Birch Investigation on existing light pole suitability complete and tender documents being prepared to utilise existing poles and replace light fittings with LED and cabling 15 May 2023 12:06pm Peter Birch Investigating scope reduction options with suppliers continuing and potential use of retaining existing light poles. 07 Mar 2023 9:23am Peter Birch Noted and fresh tender with amended scope being prepared.
28/02/2023	07.23.028	Smart Energy Park - Mid Scale Solar Farm and Landfill Gas to Energy Project	That Council: <ol style="list-style-type: none"> 1. engage consultants to: <ol style="list-style-type: none"> a. Prepare a detailed design and Review of Environmental Factors (REF) for a solar farm located at the Grafton Regional Landfill. b. Prepare a detailed procurement and business model analysis for item (a) above and the Gas to Energy plant detailed in this report 2. Report the findings of item 1(b) back to Council to inform a decision on how to proceed with the project. 	Richard Roper	11 Jul 2023 12:02pm Richard Roper Procurement advice due July 2023 10 Jul 2023 2:23pm Bryanna Boyd - Reallocation Action reassigned to Richard Roper by Bryanna Boyd - Officer retirement 11 Apr 2023 10:39am Ken Wilson Consultant engaged to provide procurement advice. 13 Mar 2023 2:17pm Ken Wilson RFQ's being prepared for solar detailed design and procurement advice
28/03/2023	07.23.045	Wooloweyah Foreshore Reserve Site Management Plan - On Crown Land	That Council as Crown Land Manager of the Wooloweyah Foreshore Reserve (R95841): <ol style="list-style-type: none"> 1. maintain the status quo in relation to where the rock bollards have been placed (ie. more-or-less in alignment with the property boundary between Lot 101 DP 1003014 and Lot 102 DP 1003014). 2. install signage to define and separate the usage of the rock platform by commercial fishers and the 'approved' boat launching area by recreational users of the reserve. 3. finalise the draft Wooloweyah Foreshore Reserve Site Management Plan (SMP) and undertake broader public consultation, including public exhibition of the revised draft SMP. 	Peter Birch	11 Jul 2023 10:16am Peter Birch Site Management Plan with draft Generic Plan of Management has been on exhibition and submissions being received. Expected to be reported to the August round of Council meetings. 15 May 2023 12:08pm Peter Birch Noted concerning bollards. Signage and SMP completed for next steps.

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

18/04/2023	05.23.002	Maclean Hospital Redevelopment Select Committee	That Council note and support the formation of a select steering Committee to progress the redevelopment of Maclean Hospital.	Lee Boon	<p>13 Sep 2023 2:44pm Lee Boon Mayor Tiley requested meeting wait until after September OCM</p> <p>03 Aug 2023 9:12am Lee Boon Spoke to Mayor regarding this and he has asked to retrieve previously deleted emails. IT attempted to retrieve with no luck.</p> <p>11 May 2023 11:56am Lee Boon Mayor to form committee after meeting with GM of Clarence Health Services</p>
18/04/2023	07.23.060	Proposed Acquisition of Easement over Lot 2 DP 218287 for the Purpose of Stormwater Pump Station	<p>That Council:</p> <ol style="list-style-type: none"> 1. proceed with the acquisition by agreement of the proposed easement over the land described as part Lot 1 DP 218287 located at 15A River Street, Maclean, depicted by black hatching on Figure1, for the purpose of rationalising the stormwater pump station situated at this location in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>. 2. endorse the compensation amount set out in the confidential attachment. 3. delegate authority to the General Manager to execute documents relating to the acquisition. 	Eloise Casson	<p>11 Jul 2023 1:45pm Eloise Casson Local government legal have been engaged and are currently preparing the deed of agreement.</p> <p>16 May 2023 11:30am Eloise Casson Landowner has been notified that the matter has been formally approved by Council. Currently awaiting quotes to engage a solicitor to act for Council in this matter.</p>
18/04/2023	08.23.004	OSF - Clarence Coast Holiday Parks Management Contracts	<p>That Council, as Crown Land Manager of the five Clarence Coast Holiday Parks,</p> <ol style="list-style-type: none"> 1. defer the tender process for a management contract for the Minnie Water and Wooli Holiday Park at the expiration of the current contract due 31 July 2023. 2. seek to negotiate an agreement with the existing park management contractors Jarah Management Pty Ltd for the management and operation of Minnie Water and Wooli Holiday Park for a period of 12 months from 1 August 2023 to 31 July 2024. 3. note that the existing budgets for Wooli Holiday Park of \$110,000 (GST exclusive) and Minnie Water Holiday Park \$200,000 (GST exclusive) PJ996780 will be utilised to fund the management and operation at the parks. 4. defer the tender process for a management contract for the Calypso Yamba Holiday Park at the termination of current contract, due 7 July 2023. 5. directly administer the management and operations of the Calypso Yamba Holiday Park from 8 July 2023 to 7 July 2024. 6. note that the existing budget for Calypso Yamba Holiday Park of \$560,000 (GST exclusive) PJ996780 will be utilised to fund the management and operation at the parks. 	Maryanne Bristow	

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

23/05/2023	06.23.005	Naming of Iluka Reserve (1037709) 'Memorial Park'	<p>That Council:</p> <ol style="list-style-type: none"> 1. as Crown Land Manager of Reserve 10370709, support Iluka Chapter of the Maclean RSL Sub- Branch and Iluka History Group Inc. request to name this reserve 'Iluka Memorial Park'. 2. note the Yaegl TOAC recommendation for the Reserve to be named 'Iluga'. 3. undertake all necessary actions to facilitate the naming or dual naming of this reserve, should council support point one of this motion, 4. note the Centenary Celebrations of the Soldiers Memorial Hall adjacent to the park is being planned for September 2023. 5. if possible, complete the process according to Council's Naming of Parks and Facilities Policy in time for the Centenary celebrations. 	Gavin Beveridge	<p>14 Sep 2023 11:48am Gavin Beveridge Community engagement completed, 0 submissions, proposal submitted to GNB on 6 September 2023.</p> <p>07 Aug 2023 10:34am Gavin Beveridge Community engagement ongoing.</p> <p>18 Jul 2023 3:37pm Gavin Beveridge 3. Community engagement plan developed and implemented, submissions open Friday 21 July and close Monday 21st August 2023.</p> <p>14 Jun 2023 12:38pm Gavin Beveridge 1. Noted., 2. Noted, preference for 'Iluga' to be utilised as placename on proposed Iluka Town Entry signage. Meeting planned with Yaegl to discuss signage on 17 July., 3. Noted, dual naming of reserves not supported by GNB policy. Commence community consultation on proposal to rename Jim Crummy Park to Iluka Memorial Park., 4. Noted., 5. Noted, timeframe not achievable due to GNB process.</p> <p>09 Jun 2023 1:30pm Lee Boon - Reallocation Action reassigned to Gavin Beveridge by Lee Boon - As requested</p> <p>06 Jun 2023 9:17am Lee Boon - Reallocation Action reassigned to Andrew Auglys by Lee Boon - Hey Andrew</p>
23/05/2023	07.23.082	Acquisition of Part Lot 1 DP 335225 and Sale of Part Lots 721 and 722 DP 1148111 to the Adjoining Landowners	<p>That Council</p> <ol style="list-style-type: none"> 1. accept the adjoining landowner's counteroffer for the purchase of Part Lots 721 and 722 DP 1148111 (depicted dark blue on figure 1) as outlined in Confidential Attachment B. 2. advise the adjoining landowner they are to meet all costs involved in the acquisition, land swap, registration of easement and purchase of additional portions of Lots 721 and 722 DP 1148111, including, but not limited to, survey fees, their own legal fees, and Council's legal fees. 	Eloise Casson	<p>11 Jul 2023 1:43pm Eloise Casson The contracts have been amended to reflect the new resolution. We are not awaiting an executed contract from the landowners solicitor.</p>

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

27/06/2023	06.23.010	Proposed National Science Week Workshop "Plastic Waste to Resource"	That Council <ol style="list-style-type: none"> 1. conduct an educational workshop on plastic waste as an event to celebrate National Science Week 2023 and engage Louise Hardman Founder of Plastic Collective and inventor of mobile recycling stations to facilitate the workshop on plastics demonstrating how it is possible to turn plastic waste in remote communities into a valued commodity. 2. liaise with facilitator, Louise Hardman on a date for the workshop during Science Week if possible or in the month of August 2023 if not. 3. register this workshop as an event to celebrate National Science 2023. 4. hold the workshop in council's Environmental Learning Facility (ELF) at Grafton Regional Landfill at 704 Armidale Rd, South Grafton. 5. invite council's Climate Change Committee and interested community members. 6. manage participants to the free community workshop through a booking management system. 	Scott Lenton	09 Oct 2023 10:51am Lee Boon Louise Hardman unavailable, deferred workshops to when she is available. 05 Jul 2023 1:37pm Lee Boon - Reallocation Action reassigned to Scott Lenton by Lee Boon - Hi Scott, I have reassigned to you. If you need Exec Support to do anything just let us know. Thanks
27/06/2023	07.23.092	Call to Phase out Native Forest Logging on Public Land - Motion from Biodiversity Advisory Committee	That Council <ol style="list-style-type: none"> 1. Defer ITEM 07.23.092 – Call to Phase out Native Forest Logging on Public Land till the October 2023 ordinary Council meeting. 2. Request the general manager prepare a report with their recommendation for ITEM 07.23.092 for the October 2023 ordinary Council meeting. 3. Invite written feedback on ITEM 07.23.092 from the following industry groups: NSW CFMEU (Manufacturing), NSW Forestry Corporation, Big River Timbers, Mashall Notaras & Sons Pty Ltd, Koppers Australia, Coffs Harbour Hardwood, Local Land Services, EPA and Timber NSW (Chairperson Andrew Hurford) and other interested parties and the wider Clarence Valley community via a media release. 4. Discuss the ITEM 07.23.092 – Call to Phase Out Native Logging on Public Land at a council workshop to be held before the October meeting. 	Reece Luxton	
27/06/2023	07.23.093	Request for Ecologist Position in Council - Motion From Biodiversity Advisory Committee	That Council supports the recommendation from the Biodiversity Advisory Committee for a qualified ecologist to be added to the Council's organisation structure.	Reece Luxton	

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

<p>23/05/2023</p>	<p>06.23.006</p>	<p>Address Community and Business Concerns Raised After the February and March 2022 Severe Weather and Flood Declarations</p>	<p>hat Council 1. note: a) The Lower Clarence Flood Model Update 2022 – attached to the Clarence River Flood Study Report. b) The NSW Flood Inquiry recommendations https://www.nsw.gov.au/nsw-government/projects-and-initiatives/floodinquiry c) The NSW Government Response to the NSW Parliamentary Select Committee on the Response to Major Flooding across NSW in 2022. https://www.nsw.gov.au/nsw-government/projects-and-initiatives/floodinquiry d) The CSIRO Northern Rivers Resilience Initiative updates https://www.csiro.au/en/research/natural-disasters/floods/Northern-NSW-Resilience-Initiative e) The current stormwater study being undertaken by Council staff for the West Yamba Urban Release Area (informs future maintenance and capital works, and that this study can be used to assist in the assessment of development applications) f) The proposed implementation of the Stormwater Service Charge which will be used to improve maintenance works for stormwater infrastructure across the floodplain. 2. write to the Australian Prime Minister, The Hon Anthony Albanese MP and NSW Premier the Hon Chris Minns MP seeking advice and clarification about building on floodplains after their 2022 media comments. 3. write to the Chairman of Flood Plain Management Australia, Ian Dinham and invite him to give feedback on the Lower Clarence 2023 Flood Model update. 4. investigate adopting a new fee for the independent peer review of flood and stormwater impacts for all development applications that propose more than 50,000m³ of filling (when in an urban area) in the Flood Planning Area of the Clarence Valley Local Environmental Plan 2011, and the fee be incorporated into the 2023/2024 Fees and Charges. 5. review the Clarence Valley Council's Development Control Plans (DCP) to align with current best-practice floodplain development guidance from the Department of Planning and Environment, including updating objectives and controls about flood evacuation. 6. develop and/or host flood awareness education material relevant to the Clarence Valley, in collaboration with the State Emergency Service / Reconstruction NSW (as the lead combat agency). 7. provide a biannual newsletter to community stakeholders to keep them informed about the Clarence Valley Council's current flood studies that are currently underway. 8. seek advice and provide a report to an ordinary meeting within three months, about the budget and resources required to develop a natural disaster resilience strategy, framework and policies for the Clarence Valley community, businesses, and primary industries and make representations to Clarence State MP Richard Williamson, Federal MP Kevin Hogan, Northern Rivers Reconstruction Authority, NSW Agricultural Minister MP Tara Moriarty and NSW Small Business Minister, MP Steve Kamper to secure the required funds to carry out this work. 9. seek advice from the General Manager and provide a report to an ordinary meeting within three months if it is permissible to increase membership of the CVC Community Climate Change Committee from 15 to 25 members to include nominations from Clarence Valley business, Primary Industry, Landcare, First Nations, disability, youth and housing.</p>	<p>Lee Boon</p>	<p>10 Aug 2023 9:07am Lee Boon Point 6., • SES is the designated combat agency for flood, storm and Tsunami., • SES has advised the next iteration of their 3-year community engagement plan is under development and includes a targeted Culturally & Linguistically Diverse program, a flood map visualisation project, and Community-Led Resilience Team training (in conjunction with Red Cross). Timeframes for the rollout of these projects will be included in their plan., • Under Tranche 1 of the Northern Rivers Resilience Initiative – Stream 1 (Increasing flood risk knowledge and awareness), \$3 million has been allocated for a regional community flood risk awareness program across all 7 LGA's impacted by the 2022 floods. The details of this program have not yet been released., • One of the NSW Reconstruction Authority's designated functions is to 'lead public education on disaster risks and certain disaster preparations'. The NSW Reconstruction Authority has not yet released their community engagement/education strategy., • Council will support community education activities where appropriate through the Local Emergency Management Committee and in collaboration with the designated combat agency. 03 Aug 2023 9:33am Lee Boon Double up of Motion., Previous comments, Various actions have been assigned to a number of staff. Updates on each will be given as each action is completed., 1. Noted all parts, 2. Letter sent, 3. Letter sent , 4. Passed to the Manager Development and Land Use Planning, who is actioning , 5. Passed to the Manager Development and Land Use Planning, who is actioning, 6. Passed to the Coordinator Emergency Management & Resilience who is actioning 7</p>
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ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

25/07/2023	07.23.117	Intention not to proceed with PP-2022-2655 to amend LEP 2011 to permit an additional use (Rural Supplies) at 4 River St, PALMERS ISLAND	That Council 1. defer Item 07.23.117 Intention Rural Supplies 2. refer the applicants new Traffic Assessment to Transport NSW and CVC Traffic Committee 3. receive a report including the recommendation from Transport NSW and CVC Traffic Committee to a Council meeting.	Alex Wells	
25/07/2023	07.23.126	RFT22-54 Gravel, Crushed Concrete and Rock Supply for 23/24	That Council accept Tenders from: <input type="checkbox"/> BD & MC Lewis Pty Ltd <input type="checkbox"/> Boral Resources (Country) Pty Ltd <input type="checkbox"/> KIS Quarries Pty Ltd <input type="checkbox"/> McLennan Earthmoving Pty Ltd <input type="checkbox"/> State Quarry Products Pty Ltd for the supply of gravel (base, sub-base and resheeting quality), crushed concrete (base, sub-base and select fill quality) and rock supplies for the remainder of the 2023/2024 financial year.	Ross McCann	07 Aug 2023 2:12pm Bryanna Boyd - Reallocation Action reassigned to Ross McCann by Bryanna Boyd - D Smith has left organisation
25/07/2023	07.23.131	Tender 22/49 Yamba Community Precinct Project - Tender Evaluation and Recommendation	That Council: 1. decline to accept the tender offers for RFT 22/49 Yamba Community Precinct Project as the tenders received were higher than anticipated. 2. not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable vendors over and above those that have responded to this tender. 3. delegate the General Manager or her representative to enter into negotiations with one or more of the tenderers with a view to entering into a contract on terms that are appropriate in relation to the subject matter of the tender. 4. consider the outcome of negotiations for RFT 22/49 at an extraordinary Council meeting prior to the next Council meeting.	Leah Munro	

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

22/08/2023	07.23.136	Planning Proposal (REZ2023/0002) to Reclassify Land Consisting Water Infrastructure at Lawrence and Nymboida to Operational and to rezone the Land at Lawrence to SP2 Infrastructure	<p>That Council:</p> <ol style="list-style-type: none"> 1. endorse planning proposal REZ2023/0002 (Attachment A) to amend Schedule 4 of the <i>Clarence Valley Local Environmental Plan 2011</i> (CVLEP) to reclassify the following land parcels from 'community' to 'operational' land: <ol style="list-style-type: none"> (a) Lot 21 DP1269753 located at 66 High Street, Lawrence; (b) Lot 102 DP1277848 located at 1 Power Station Road, Nymboida; (c) Lots 7, 17 and 63 DP752836 located at 107 Glens Creek Road, Nymboida; and (d) To rezone Lot 21 DP1269753 and Lot 1 DP567494 located at 66 High Street, Lawrence from R2 Low Density Residential to SP2 Infrastructure. 2. delegate authority to the General Manager to: <ol style="list-style-type: none"> (a) Edit and finalise the Planning Proposal as required; (b) Execute all documentation associated with the local plan making functions; (c) Submit the planning proposal to the Department of Planning and Environment seeking a Gateway determination; and (d) Seek to be the local plan-making authority. 3. in the event that a Gateway determination is issued, publicly exhibit the planning proposal and engage an independent consultant to undertake a public hearing in accordance with legislative requirements, notifying Council's intention to reclassify the five (5) land parcels. 4. subject to no submissions or objections being received that require further consideration by Council: <ol style="list-style-type: none"> (a) Finalise the CVLEP to reclassify the five (5) land parcels as 'operational' land; and (b) Finalise the CVLEP to rezone the two (2) land parcels to SP2 Infrastructure. 5. note that if submissions are received that require further consideration of Council, this will be reported to the next available Council meeting after submissions close. 	Jasmine Oakes	<p>11 Oct 2023 3:17pm Jasmine Oakes Planning proposal was submitted to DPE and a Gateway determination was issued on 26 September. The planning proposal is to be publicly exhibited for a minimum 20 day and a public hearing is to be held in regard to the proposed reclassification.</p>
22/08/2023	07.23.137	Rediscover Grafton - Prince Street Activation Trial	<p>That Council:</p> <ol style="list-style-type: none"> 1. retain the various changes made to Prince Street as part of the Rediscover Grafton project, with a further review in 12 months time and minor changes to maintain safety and amenity. 2. increase the length of the disabled parking spaces, through relocating planter boxes, line marking, and wheel stops, and prohibit parking in the areas where parking is not permitted adjacent to disabled spaces. 3. allocate \$30,000 to Council's Open Spaces budget for general maintenance of the changes in Prince Street and watering of planter boxes and that this variation be reflected in the Q1 2023/2024 Quarterly Budget Review Statement. 4. continue to pursue grant funding opportunities to progress the Grafton Precinct Plan. 5. receive a report by August 2024 to assess the status and consider continuation of the Rediscover Grafton trail. 6. note the feedback provided by residents, visitors, business owners and councils Access Advisory Committee and incorporate this feedback into any future planning. 	Maya Dougherty	

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

22/08/2023	07.23.150	Encroachment of Private Water Recreation Structures onto Council Drainage Reserves by Adjoining Landowners	That Council defer for consideration at a Councillor workshop.	Eloise Casson	
26/09/2023	07.23.184	RFT22/41 - Regional Aquatic Facility (Grafton Olympic Pool) on Crown Lands	OFFICER RECOMMENDATION That Council, as Crown Land Manager of Grafton Westward and General Douglas MacArthur Park Reserve (R540035): 1. accept the tender from Hines Construction Pty Ltd for RFT22/41 Regional Aquatic Facility (Grafton Pool Redevelopment) at a cost of \$29,141,586 (GST Inclusive) to be funded in accordance with the funding strategy – Attachment B. 2. accept the schedule of rates submitted from Hines Construction Pty Ltd for the earthworks, total cost to be calculated based on actual quantities as determined by a geotechnical engineer during the project works. 3. delegate authority to the General Manager to approve appropriately deemed variations to the Contract and those variations be reported to Council within the Quarterly Budget Review Statement (QBRs) once the Contract is finalised.	Rachelle Passmore	03 Oct 2023 11:43am Rachelle Passmore Hines Construction P/L have been notified. A letter of award will be issued. Start up and contract meeting has been scheduled.
26/09/2023	06.23.015	Proposed change to bookings of Iluka Tennis Courts	That Council 1. make formal representations to Club Iluka's CEO to discuss further the possibility of the club taking over the bookings on behalf of council facilitating the return of the use of the Iluka courts at night. 2. provide a report to councillors on or before the December Ordinary Council meeting on the trial, including the data collected about court usage from the locations selected for the online system and the courts that were not included in the trial, including income received from the almost 70 tennis courts across the Clarence Valley.	Rachelle Passmore	11 Oct 2023 11:34am Lee Boon - Reallocation Action reassigned to Rachelle Passmore by Lee Boon - Hi Rachelle
26/09/2023	07.23.159	Lower Clarence Flood Model 2022 Update and Flood Planning Levels	That Council: 1. defer consideration of the impact of the Lower Clarence Flood Model 2022 on flood planning levels for future property development pending a workshop where the communications plan for public exhibition is discussed 2. receive a report to the October 2023 Ordinary Council meeting on Item 1 above	Murray Lane	

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

26/09/2023	07.23.160	Clarence Valley Council Local Environmental Plan 2011 - Housekeeping Amendment 2023 - REZ2023/0001	That Council: <ol style="list-style-type: none"> 1. Endorse Planning Proposal REZ2023/0001 - <i>Clarence Valley Local Environmental Plan 2011 Housekeeping Amendment 2023 (Attachment A)</i>. 2. Delegate authority to the General Manager to: <ol style="list-style-type: none"> (a) edit and finalise the planning proposal as required; (b) execute all documentation associated with the local plan making functions; (c) submit the planning proposal to the Department of Planning and Environment seeking a Gateway determination; and (d) seek to be the local plan-making authority. 3. In the event that a Gateway determination is issued, publicly exhibit the planning proposal, in accordance with Gateway conditions, legislative requirements and Council's Community Participation Plan. 4. Endorse finalisation of Planning Proposal REZ2023/0001 subject to no submissions being received that require further consideration by Council. 5. Note that if submissions are received that require further consideration of Council, this matter will be reported to the next available Council meeting after submissions close. 	Jasmine Oakes	11 Oct 2023 3:20pm Jasmine Oakes The Planning Proposal was lodged on the DPE Planning Portal requesting a Gateway determination on 11 October
26/09/2023	07.23.162	Community Land, Crown Reserves and Other Public Places Plan of Management - Draft	That Council: <ol style="list-style-type: none"> 1. note the submissions received and the outcomes of the public hearings conducted regarding the public exhibition of the draft <i>Community Land, Crown Reserves and other Public Places Plan of Management</i> (generic PoM). 2. remove the New Street Road Reserve from the draft generic PoM as it does not contribute to the provision of public open space and make arrangements to dedicate as public road. 3. adopt the draft generic PoM as amended. 4. delegate authority to the General Manager to make any minor edits for publishing purposes. 5. give public notice of the adoption, as soon as practicable after the adoption. 6. forward a copy of the adopted generic PoM to the Minister for Lands and Property as a record of the Crown reserves included under the generic PoM. 7. bring an amended generic PoM back to Council within 12 months, addressing the matters raised in the submissions and the public hearing report, including the requirement to add additional categories to Wherrett Park, to be placed on public exhibition. 	Dr Danny Parkin	
26/09/2023	07.23.163	Site Management Plans for General Douglas MacArthur Park and Westward Park, Grafton	That Council adopt the Site Management Plans for General Douglas MacArthur Park and Westward Park and insert a clause under vegetation management that all new and replacement trees and shrubs be local provenance native species where possible.	Dr Danny Parkin	
26/09/2023	07.23.166	Governance Report - Annual Disclosures of Interest	That Council note <ol style="list-style-type: none"> 1. the Annual Disclosures of Interest for Councillors (Attachment A) and publish them on Council's website. 2. the Disclosures of Interest for Designated Persons (Attachment B, C and D) and publish them on Council's website. 	Lynette Burley	

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

26/09/2023	07.23.167	Petition Lodged	That Council receive the petition titled The Regional Aquatic Facility and place it on Council's website in accordance with Council's Petitions Policy V1.0.	Lynette Burley	
26/09/2023	07.23.176	Encroachment of Private Water Recreation Structures onto Council Drainage Reserves by Adjoining Landowners	That Council <ol style="list-style-type: none"> 1. supports the regulatory process as outlined in this report that will be undertaken by Council staff. 2. combines the separate fees for tenure and application to one annual cost in its draft 2024/2025 fees and charges, to take effect 1 July 2024 following adoption and in doing so provide credit for those property owners who are compliant and have paid the 5 year application fee. <p>That Council:</p> <ol style="list-style-type: none"> 1. supports the regulatory process as outlined in this report that will be undertaken by Council staff. 2. combines the separate fees for tenure and application to one annual cost in its draft 2024/2025 fees and charges, to take effect 1 July 2024 following adoption and in doing so provide credit for those property owners who are compliant and have paid the 5 year application fee. 3. any charges paid to Clarence Valley Council, in respect to private water recreation structures, between 2004 to June 2021 (while this land was community title) may be used as a credit by request, if request is made by 30 December 2023. 	Eloise Casson	
26/09/2023	07.23.177	Tenure Application and Renewal Fee Waiver for Community Groups	That Council: <ol style="list-style-type: none"> 1. advertise for a 28-day public exhibition period, Council's intention to waive application fees for Community groups applying for new tenure agreements or renewing current tenure agreements over Council owned or managed land, if they can provide documentation confirming not-for-profit status. 2. implement the proposed waiver on completion of the public exhibition period, if no submissions objecting to the waiver are received. 	Eloise Casson	
26/09/2023	07.23.180	Wooli Flood Study and Floodplain Risk Management Study & Plan	That: <ol style="list-style-type: none"> 1. the draft Wooli Flood Study be adopted, subject to the addition of a Flood Frequency Analysis. 2. for exhibition purposes the Wooli Flood Planning level be the 1% AEP event (2100 RCP 4.5), with freeboard to be determined through the Development Control Plan (DCP) process. 3. the Wooli Floodplain Risk Management Study and Plan be placed on public exhibition for 28 days and, subject to there being no submissions that change the intent of the plan, it be adopted. 	Greg Mashiah	
26/09/2023	07.23.182	RFT22/52 - Alice Street Levee Rehabilitation	That Council awards Tender RFT22/52 <i>Alice Street Levee Rehabilitation</i> to Ledonne Constructions Pty Ltd using the tendered schedule of rates price of \$866,810 (including GST), to be funded from Financial Project 941078 (Alice Street Levee Rehabilitation Works).	Greg Mashiah	

ACTION SCHEDULE FROM COUNCIL MEETING

For Action - Open/Confidential - Outstanding

26/09/2023	08.23.007	Procurement Advice Regarding Smart Energy Park - Mid Scale Solar Farm and Landfill Gas to Energy Project	<p>That Council:</p> <ol style="list-style-type: none"> 1. proceed with the build, own, operate (BOO) contract model (15 years minimum term) for the development and construction of the landfill gas to energy project, and 2. engage professional services to assist with the development of relevant procurement, contract and pre-development documentation for both the solar farm and landfill gas projects, with priority to the landfill gas project, and grid connection and network/grid modelling analysis. 	Richard Roper	
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ACTION SCHEDULE FROM COUNCIL MEETING – To February 2022

STATUS LEGEND: A – Action required; B – Being progressed; C – Completed

Meeting Date	Item No.	Report Title	Council Resolution	Officer	Actioned Date	Comments	Status
22/10/19	6a.19.027	Strategic Road Improvement Reserve	<p>That Council:</p> <ol style="list-style-type: none"> Undertake further analysis to identify specific projects on Clarence Way, Armidale Road and Orara Way for future funding. Undertake Route Corridor Reviews into all of the identified sealed roads and prioritise the project outcomes from these reviews. Undertake further technical and Benefit Ratio assessments of all unsealed roads to develop a prioritised road upgrading list. Allocate up to \$150,000 to be equally funded from Section 7.11 and recurrent funds to undertake a high-level feasibility assessment for a bypass of Yamba along the reserved corridor. 	Jamie Fleeting / Adam Cameron / Murray Lane	<p>9/12/19</p> <p>31/08/20</p> <p>21.12.21</p> <p>5/12/2022</p> <p>11/4/23</p> <p>11/08/23</p>	<p>AD - Items 1, 2 and 3 are in progress.</p> <p>AD - Items 1, 2 and 3 are still in progress.</p> <p>AC – Item 4 - Work on scoping the required technical studies has commenced.</p> <p>JF – Item 1 Clarence Way Sealing to commence 2022 (Smartygrants \$4m) Armidale Road has been identified under priority round 1 by TfNSW for transfer (regional to State road management) An application for Bluff bridge (Orara Way) replacement has been submitted under Fixing Country bridges (FCB) Item 2 – A condition assessment for CVC sealed road network is due early in 2022 that will guide preparation of a forward works program. May 2021 Business paper (6c.21.067) outlines roads strategy for both unsealed and sealed road network.</p> <p>Item 3 – Refer Unsealed roads Material Trials – update report March 2021 (Item 6c.21.032)</p> <p>Council's 2022-23 Operational Plan includes the first step in undertaking a feasibility study of the Yamba Urban Bypass, being a Preliminary Environmental Investigation of the road corridor. A suitably qualified environmental consultant was recently appointed to commence the Preliminary Environmental Investigation in December 2022.</p> <p>ML - Item 4 – The Preliminary Environmental Investigation for the Yamba Bypass is currently being prepared by Planit Consulting under direction from Strategic Planning. The completing date and reporting to Council is May-June 2023.</p> <p>ML – Item 4 - The Preliminary Environmental Assessment is complete any being reported to Council at the August 2023 meeting. The recommended next step is to undertake a comprehensive Traffic and Transport Study to inform decision making about the Yamba Urban Bypass.</p>	B

ACTION SCHEDULE FROM COUNCIL MEETING – To February 2022

STATUS LEGEND: A – Action required; B – Being progressed; C – Completed

17/12/19	6c.19.100	Acquisition of Part Crown Reserve for Stormwater Infrastructure	<p>That Council:</p> <ol style="list-style-type: none"> 1. Acquire an easement over the stormwater pipes located on Lot 3 DP 1005547. 2. Enter into a Deed of Agreement with the landowner of Lot 104 DP 1047026 setting out that the landowner is to meet all costs associated with the acquisition and that the easement will be registered separately to the subdivision. 	<p>Kylee Baker Elle Casson</p>	<p>6/2/2020 22/6/20 3/8/2020 31/08/2020 29/09/2020 7/12/2020 30/4/2021 30/8/2021 23/12/2021 07/03/2022 10/05/2022 17/08/2022 14/10/2022 10/11/2022</p>	<p>No action commenced yet. PWA engaged to action. Waiting on deed of agreement. Deed of agreement executed. Application lodged with Crown Lands for consent. Application is with Crown Lands for consideration. Application is with Crown Lands for consideration. Application is with Crown Lands for consideration Waiting on Crown Lands for consideration No updates No updates No Updates PWA currently preparing application for approval of compulsory acquisition of the two easements and ROC to the Minister for Local Government. Waiting on Crownlands to provide PWA with Crown Lands licence 605059 to Beachside Pty Ltd to be included in application OLG declined application to compulsorily acquire storm water easements. Reporting to Council this month to allow Council staff to submit additional information to the OLG to support Council's application and allow the OLG to re-evaluate Councils application Received Council approval to resubmit application for further supporting documentation. Currently awaiting decision from the OLG. Still waiting on decision from the OLG.</p>	B
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ACTION SCHEDULE FROM COUNCIL MEETING – To February 2022

STATUS LEGEND: A – Action required; B – Being progressed; C – Completed

Item No.	Report Title	Council Resolution 27 October 2020	Officer	Date	Comments	Status
6c.20.153	Disposal of Council Property – Lot 1 DP 1154607 Known as Flood Levee Grafton	That Council 1. Subdivide Lot 1 DP 1154607 into lots matching the current lot layout and register on title an appropriate easement for access and protection of flood infrastructure, 2. Approach adjoining landowners to purchase the adjacent lot as per the terms set out in the confidential attachment A. 3. Delegate authority to the General Manager to execute documents associated with the subdivision and transfers.	Kylee Baker Elle Casson	7/12/2020 30/4/2021 30/8/2021 23/12/2021 07/03/2022 10/05/2022 17/08/2022 14/10/2022 10/11/2022	Solicitor engaged, preparing letters of offer Pending final figures from surveyor so GM can liaise with landowner representative Landowners agreed. Solicitor finalising deed of agreement. Landowners have entered into the deed of agreement & monies have been paid. Surveyor has been instructed to finalise the 88b. No update No update Awaiting all landowners to execute the survey documents Checked in with Surveyor, still waiting on landowners to have their documents executed by relevant lenders. Survey docs have been executed by all landowners and lodged with NSW LRS.	B

ACTION SCHEDULE FROM COUNCIL MEETING – To February 2022

STATUS LEGEND: A – Action required; B – Being progressed; C – Completed

Item No.	Report Title	Council Resolution 15 December 2020	Officer	Date	Comments	Status
6b.20.096	Review of Grafton and South Grafton Flood Planning Level (or Residential Habitable Floor Level Requirements) & Amendment to Development Control Plans	That: 1. The floodplain management provisions for all lots approved by development application after the adoption of the amended floodplain management provisions in all relevant Clarence Valley Development Control Plans are amended to require that: i. all new residential development must have a primary habitable floor level of a minimum of 500mm above the 1% flood height for the site of the development; and ii. flood compatible building materials be used for any part of such premises that are below the level of the minimum primary habitable floor level; and iii. any other necessary amendments to effect these changes are drafted; 2. The proposed DCP amendments are publicly exhibited for a period of at least 28 days; 3. A report be prepared for Council's consideration as soon as practical after completion of the public exhibition period; and 4. Advice of Council's resolution on the abovementioned report be referred to the CVC Floodplain Committee for information.	Scott Lenton Stephen Timms	12/1/21 6/9/21 4/04/21 31/05/22 18/08/22 6/12/22 11/04/23	Preparation of draft DCP amendments to be commenced in late-January. Public exhibition will follow once draft DCP completed. Preparation of Draft DCP delayed due to other strategic planning priorities. Effect of Council resolution does not result in substantive change to existing DCP controls. Preparation of draft DCP changes to be progressed concurrently with State Government directions in relation to floodplain planning and prioritised for drafting. Council staff continue to have input in to those discussions at state level. Amendments to DCP to be undertaken as soon as certainty is provided by DPE/State government following the Flood Inquiry report. Flood Inquiry report released yesterday. Discussions have progressed and a report will come before Council asap. Revised flood modelling nearing completion and this will inform planning approach. Aiming to brief Clrs in new year and draft DCP changes following that discussion. The updated Clarence River Flood Model is anticipated to go to the Floodplain Risk Management Committee and Council in May 2023. The updates to the DCP will be made subsequent to adopting the updated flood model.	B

ACTION SCHEDULE FROM COUNCIL MEETING – To February 2022

STATUS LEGEND: A – Action required; B – Being progressed; C – Completed

6b.20.098	Ngayundi Yamba Sports Complex – Draft Plan of Management	<p>That Council:</p> <ol style="list-style-type: none"> 1. Authorise the General Manager to refer the draft plan to the NSW Department of Planning, Industry and Environment (DPIE) as owner of Ngayundi Yamba Sports Complex (Reserve 98072) for comment using Form B (<i>Notice of plan of management for Crown reserve—Alteration of categorisation or additional/new categorisation</i>); 2. Place the draft plan of management on public exhibition (after it has been returned by DPIE and any corrections regarding Ngayundi Yamba Sports Complex are made) for a period not less than 28 days as required under the <i>Local Government Act 1993</i>. 3. Conduct a public hearing regarding the proposed addition of extra categories of ‘community’ land effectively altering the category(s) assigned by the Minister. 4. Accept submissions on the draft plan of management for a period not less than 42 days from the date the plan is placed on public exhibition as required under the <i>Local Government Act 1993</i>. 5. Prepare a report to Council on the draft plan of management in consideration of public submissions after the public exhibition period has closed for consideration of its adoption or re-exhibition as per the requirements of section 40 of the <i>Local Government Act 1993</i>. 	Danny Parkin	<p>22/12/2020</p> <p>3/03/2021</p> <p>8/04/2021</p> <p>6/6/2021</p> <p>6/7/2021</p> <p>Early August 2021</p> <p>30/8/2021</p> <p>24/12/2021</p> <p>11/05/2022</p> <p>31/05/2022</p> <p>17/08/2022</p> <p>10/11/2022</p> <p>11/04/2023</p> <p>10/10/2023</p>	<p>1. Draft POM referred to DPIE under the A/GMs signature</p> <p>2-5. In progress – still waiting on Crown Lands to review and give permission to place draft PoM on public exhibition</p> <p>Crown Lands have advised that there are 21 draft PoMs in front of Council’s PoM – no date given for when they expect to review draft PoM</p> <p>Advised by Crown Lands that the draft PoM had progressed in the queue</p> <p>Sent request for update on progress – no reply received</p> <p>Spoke with Jane Adam who advised that the draft PoM was still in the queue</p> <p>No change from above entry. Significant delay in turnaround of Draft PoM (ie 9 months). Staff regularly follow-up status with DPIE.</p> <p>PoM on exhibition until 17 Jan 2022.</p> <p>Submission process identified matters not considered in draft PoM. Draft PoM to be amended.</p> <p>Waiting on Yamba Cycling Club to provide details of appropriate time to undertake consultation with the club.</p> <p>Met with Yamba Cycling Club (YCC) 11/08/2022. YCC to prepare updated layout plan for inclusion in draft PoM. Draft PoM to be amended once plan and details received.</p> <p>YCC informs me on the 20/10 that they cannot update plan as Council drew it. Open Spaces says that we did not add the criterium track to the Masterplan. Open Spaces informed that the criterium track not consistent with Council’s open spaces strategy or has been through a community consultation process, even though we have provided the YCC with a letter of support so that they can apply for funding.</p> <p>Council staff need to resolve if the proposed criterion track by YCC is able to be support to progress the PoM.</p> <p>No progress on criterion track impasse</p>	B
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ACTION SCHEDULE FROM COUNCIL MEETING – To February 2022

STATUS LEGEND: A – Action required; B – Being progressed; C – Completed

Item No.	Report Title	Council Resolution – 30 March 2021	Officer	Date	Comments	Status
6a.21.012	Unauthorised Freedom Camping Program - Extension and Conclusion of Working Group	That: <ol style="list-style-type: none"> Council allocate budget of \$3,000 for two Variable Messaging Signs (VMS) for use over Easter holidays to be funded from Ranger Operations – contractors (PJ 994190-7353-2201). Council approve the installation of “No Parking Midnight-5am” signage along Clarence Street near Flinders Park to be funded from Parks Signage Renewals (PJ 550203). Council consider “No Parking Midnight-5.00am” signage along The Crescent at Angourie as part of a future parking study. The Working Group on Campers group conclude following the proposed May 2021 meeting. Council convey its deepest thanks to the staff and community participants on this committee for the work and time they committed to assist with an issue that has become a problem in many of our towns and villages during holiday periods. 	Adam Cameron	27/4/21	VMS advanced warning signs installed over Easter using available resources and budgets Clarence Street signage is currently scheduled to be implemented in May 2021 May 2021 meeting of Working Group on Campers to be arranged	B
6a.21.014	Acquisition of Part Reserve 95853 Grafton – Part Frank McGuren Park	That Council: <ol style="list-style-type: none"> Proceed with the compulsory acquisition of the land described as Lots 1 and 2 DP 1270948 being part of Lots 197 and 202 DP 751371 for the purpose of resolving the existing encroachment of a Council owned building on Crown Land in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>. Agree to the acquisition by agreement in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> for an agreed value of \$78,300.00 (including GST). Make an application to the Minister and the Governor for approval to acquire Lots 1 and 2 DP 1270948 being part of Lots 197 and 202 DP 751371 by compulsory process under section 186(1) of the <i>Local Government Act 1993</i>. Classify the land as operational land. 	Kylee Baker Elle Casson	30/4/2021 30/8/2021 17/12/2021 07/03/2022 10/05/2022 17/08/2022 14/10/2022 10/11/2022 29/11/2022	Crown Lands accepted compensation. Application to Minister being prepared for acquisition. Pending legal advice on Native Title. PAN's have been issued by the solicitor & 90 day notice period commenced No update Acquisition Gazetted, waiting on consolidation plan from surveyor New lot to be classified as Operational via change to the LEP before consolidation can occur Amendment to LEP ongoing. Amendment to LEP for reclassification of Lots 1 & 2 to be reported at the next Council Meeting. Reclassification approval at the November Council Ordinary Meeting, now being processed by Planning	B

ACTION SCHEDULE FROM COUNCIL MEETING – To February 2022

STATUS LEGEND: A – Action required; B – Being progressed; C – Completed

6c.21.025	Permanent Road Closures – Unused Roads off Boormans Lane Southgate	<p>That Council:</p> <ol style="list-style-type: none"> Note the requirement for preservation of dwelling eligibility for Dwelling-Eligible Lots that would otherwise lose that eligibility on 23 December 2021 under CVC LEP 2011 is: Development Application for dwelling on the applicant’s Lot 78 DP 851836 must be lodged with Council on or before 23 December 2021, and further notes that is contrary to the advice shown in the report Key Issues part of paragraph 2 wherein it is stated: “..... requires a development application for a dwelling to be lodged and approved prior to this date.” Approve the closure of the roads and subsequent sale to the applicant subject entirely to the applicant giving to Council an irrevocable undertaking to register on the applicant’s title or titles a Limited Right of Way that allows access only when Grafton-Lawrence Road is closed during times of a local emergency. Transfer the 2 closed roads to the applicant on receipt of the irrevocable undertaking required at point 2 of this resolution at a consideration of one-tenth of the amount shown in the confidential attachment with the reduction in consideration given to partially account for the cost of preparation and registration of the Limited Right of Way. 	Kylee Baker	30/4/2021	Landowners solicitor advised of resolution. Pending acceptance by landowner.	B
			Elle Casson	30/8/2021	Landowner agreed. Pending survey and deed of agreement.	
				23/12/2021	Survey completed, awaiting confirmation from Forestry that they are satisfied with the survey.	
				07/03/2022	No update	
				10/05/2022	No further update	
				17/08/2022	Council has executed 88b, awaiting forestry to do the same	
				14/10/2022	Council has supplied all relevant documentation, awaiting plans to be registered	
				28/11/2022	Forestry have now signed the documents which are with the surveyor for registration	

Item No.	Report Title	Council Resolution – 22 June 2021	Officer	Date	Comments	Status
6b.21.038	Draft Fisher Park Plan of Management	<p>That Council:</p> <ol style="list-style-type: none"> Note the preparation of the draft plan of management for Fisher Park, Grafton; Place the draft plan of management on public exhibition for a period of not less than 28 days as required under the <i>Local Government Act 1993</i>; Accept written submissions on the draft plan of management for a period of not less than 42 days from when the plan of management is placed on public exhibition as required under the <i>Local Government Act 1993</i>; and Adopt the draft plan of management at the end of the exhibition period provided there is no submission received that requires a review of the intent and substantial changes to be made to the draft plan of management, as exhibited. 	Danny Parkin	25/6/2021	1. Noted	B
				25/6/2021	2-3. Draft Fisher Park PoM placed on public exhibition from 25 June until 9 August 2021	
				30/8/2021	4. Submissions still being reviewed and amendments to draft plan being made	
				17/1/2022	4. Waiting on Open Spaces to provide advice on encroachment of tennis complex on adjoining Showground	
				11/05/2022	Encroachment investigated and confirmed. Consultation with Grafton Tennis Club and Grafton Show Society to be undertaken	
				31/05/2022	Waiting on Open Spaces to provide feedback on consultation with Grafton Tennis Club	
				14/10/2022	Have been informed that Open Spaces has had no response from Grafton Tennis. Still waiting on advice in regard to consultation with the Grafton Show Society	
				10/11/2022	Draft plan currently being updated based upon advice received from Open Spaces	
11/04/2023	Item 4: Staff need to resolve the encroachment issue between the tennis					

ACTION SCHEDULE FROM COUNCIL MEETING – To February 2022

STATUS LEGEND: A – Action required; B – Being progressed; C – Completed

Item No.	Report Title	Council Resolution – 22 June 2021	Officer	Date	Comments	Status
				10/10/2023	courts and the showground to progress PoM. Consultation with key user groups and Grafton Show Society still to be undertaken to confirm corrections made to draft plan.	

Item No.	Report Title	Council Resolution – July 2021	Officer	Date	Comments	Status
6b.21.054	Clarenza Urban Release Area Draft DCP and Road Contributions Plan	That Council: 1. Endorses the Draft DCP Chapter for Clarenza Urban Release Area and places the Draft DCP on public exhibition in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. 2. Provides notification of the Draft DCP to property owners within and adjacent to the Clarenza Urban Release Area (URA) and other relevant stakeholders; and 3. Prepares a Contributions Plan to enable developer contributions to be collected (on a per lot basis) to cover costs associated with preparation of the Contributions Plan and the future construction of the proposed link road connecting the north and south villages of the Clarenza URA.	Deborah Wray/ Stephen Timms	22/12/21 7/3/2022 11/5/2022 10/11/2022 5/04/23 11/04/2022	The Draft DCP was placed on public exhibition from 30 August to 27 September 2021 and now has the status of a Draft DCP under the EPA Act 1979. 6 Submissions were received. These will be reported to a Council meeting in 2022. Budget funding will be required for the preparation of a contributions plan and design of the proposed link road. A report will be prepared for future Council report but it is still waiting for input from Engineering. Still waiting for input from Engineering regarding Sewerage, water and link road. May 2022. Additional studies are required to update and finalise the DCP given changes since 2008, particularly to the road network. Additional funding will be sourced to procure consultants to assist with a traffic and transport study, holistic stormwater and drainage plan, servicing plan and complimentary landscape and open space plans to reflect updated studies. A brief is being prepared for Consultants to quote on these matters Planning staff are focussing on progressing an update to the draft DCP. Existing funding has been reallocated to engage a consultant to update necessary studies. Plan is to progress and finalise this calendar year.	B

Item No.	Report Title	Council Resolution – August 2021	Officer	Date	Comments	Status
6c.21.104	Acquisition of Part Ellis State Forest and Part Clouds Creek	That Council: 1. Proceed with the compulsory acquisition of the land described as part of Lot 57 DP 752840 located in Ellis State Forest and part Lot 6-7 DP 752851 located in Clouds Creek State Forest for the purpose of	Kylee Baker	30/8/2021 23/12/2021	Deed being reviewed by Forestry Corp.	B

ACTION SCHEDULE FROM COUNCIL MEETING – To February 2022

STATUS LEGEND: A – Action required; B – Being progressed; C – Completed

Item No.	Report Title	Council Resolution – August 2021	Officer	Date	Comments	Status
	State Forest for Road Purposes	<p>road in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.</p> <ol style="list-style-type: none"> 2. Make an application to the Minister and the Governor for approval to acquire part of Lot 57 DP 752840 located in Ellis State Forest and part Lot 6-7 DP 752851 located in Clouds Creek State Forest by compulsory process under section 177(1) of the Roads Act 1993. 3. In addition to dot points 1 and 2, the General Manager is given delegated authority to decide to proceed to rectify the alignment of that part of Armidale Road bordered by the Clouds Creek and Ellis State Forests, by a road opening and closing process under Part 1 and Part 4 of the Roads Act 1993. Any portions of former public road are to be given as compensation to the Forestry Corporation of NSW under section 44 of the Roads Act 1993. 4. Enter into a deed of agreement and memorandum of understanding (MOU) with Forestry Corporation NSW for early access to the subject land to commence works prior to the acquisition being completed. 5. Delegate authority to the General Manager to execute documents relating to the deed of agreement, memorandum of understanding, acquisition of the land and the road opening and closing. 	Elle Casson	<p>07/03/2022</p> <p>10/05/2022</p> <p>17/08/2022</p> <p>14/10/2022</p> <p>29/11/2022</p>	<p>Awaiting a letter of confirmation from Forestry regarding compensation before deed is signed</p> <p>Waiting on Survey plans</p> <p>No further update</p> <p>Still waiting on survey plans. Solicitor has informed that this will need to be a compulsory acquisition now. New solicitor taking over late august who will commence the compulsory acquisition process.</p> <p>No update.</p> <p>Waiting on instructions from Forestry on how to proceed.</p>	

Item No.	Report Title	Council Resolution – NOVEMBER 2021	Officer	Date	Comments	Status
6c.21.149	Proposed Permanent Road Closure – Part Old Watters Road, Rushforth	<p>That Council:</p> <ol style="list-style-type: none"> 1. Permanently close part of Old Watters Road, Rushforth, adjoining Lot 67 DP751370 (figure 1). 2. Classify the newly created lot as 'operational' land. 3. Transfer the newly created lot to the adjoining landowner for \$9,000.00 plus GST if applicable. 4. The landowner is to meet all costs associated with the road closure. 5. Affix the Common Seal to the survey and transfer documentation. 6. Authorise the General Manager to execute all documents related to the closure and sale to affect the above requirements. 	Elle Casson	<p>23/12/2021</p> <p>07/03/2022</p> <p>10/05/2022</p> <p>17/08/2022</p> <p>14/10/2022</p> <p>10/11/2022</p> <p>29/11/2022</p>	<p>Awaiting quotes to be submitted by surveyors for the applicants approval</p> <p>Waiting on DOA from Solicitor</p> <p>No further update</p> <p>Deed as been entered into with landowners, waiting on survey plans to be completed</p> <p>Survey Plans completed, awaiting execution by GM.</p> <p>Survey plans have been lodged with LRS.</p> <p>Survey plans have now been registered and road closure Gazetted. Solicitor lodge request with LRS to remove public road notation from title.</p>	B

ITEM 07.23.200 ITEMS FOR INFORMATION

Meeting	Council	24 October 2023
Directorate	General Manager	
Attachments	A. Access Committee Minutes - August 2023 ↓ B. Letter to Joint Select Committee on Protecting Local Water Utilities from Privatisation ↓ C. Letter from Minister Jackson re water security in Clarence Valley ↓ D. Correspondence from Minister Jackson re privatisation of RWUs ↓	

SUMMARY

Correspondence and committee minutes are attached for noting.

OFFICER RECOMMENDATION

That the Items for Information as listed below be noted

- Access Committee Minutes - August 2023
- Correspondence from Minister Jackson re privatisation of RWUs
- Letter from Minister Jackson re water security in Clarence Valley
- Letter to Joint Select Committee on Protecting Local Water Utilities from Privatisation

Clarence Valley Council

Clarence Valley Access Committee – Minutes

16 August 2023 COMMENCING 11:00am – Maclean Committee Room.

Attendance: Cr Karen Toms, Cr Steve Pickering, Dave Moran, Jason Kingsley, Caitlin Kingsley (guest), Maya Dougherty (CVC), Erin Brady (CVC), Bern Walker (Accessible Beaches)

Meeting Roles

Chair: Cr Karen Toms

Minutes: Erin Brady

Item	Description/Discussion/ Comments	Action	Recommendation
1	Acknowledgment of country	We acknowledge the Bundjalung, Gumbaynggirr and Yaegl people as the Traditional Owners of the land on which we live and work. We honour the First Nations peoples' culture and connection to land, sea and community. We pay our respects to their Elders past, present and emerging.	
2	Apologies	Justin Putze, Laura Smith-Khan, Alana Brooks, Jennifer O'Brien, Zoe Goodsell, Stephen Tims, Stewart Mackie.	
3	Declarations of Interest	Nil	
4	Guest Speaker	Bern Walker, Accessible Beaches	
5	Confirmation of Minutes of previous meeting held on Moved: Jason Kingsley Second: Cr Steve Pickering		
6	Business Arising from the Minutes		
Item	Description/Discussion/ Comments	Action	Recommendation

Item	Description/Discussion/ Comments	Action	Recommendation
6.01	Extend Prince Street parking trial	Going to August Council meeting to propose trial extended and disabled car park spaces be increased in length - planter boxes moved forward. Also mark out shared spaces so cars don't park in them.	Remove from agenda. EB
6.02	Change accessible carparks update: Prince Street & Memorial Park in Grafton	Alana Brooks and Jason Kinglsey discussed accessible parking spaces on the walk-around they did earlier in August. Jason's preference is to move it along towards the chamber. He said there is an accessible parking space around the corner but it's not obvious. Committee members said they had seen stage 2 plans for the Grafton Waterfront upgrade where carparks on Prince Street beside Memorial Park would be removed. Would this remove planned disabled carparks?	Investigate stage two plans. EB
6.03	Access at a Glance	Jason Kinglsey – Will make plans to do inspections in September. Cr Pickering - is Access at a Glance program available for private businesses? Who do we contact? Jason – Yes it's available for private businesses for free. Contact Social Futures about Access at a Glance –1800 number.	EB and JK plan where to inspect next.

Item	Description/Discussion/ Comments	Action	Recommendation
6.04	Disability Inclusion Action Plan (DIAP)	<p>Draft DIAP going to August Council meeting to be placed on public exhibition. Committee to give feedback at next meeting and/or through submissions process.</p> <p>Cr Toms said it was fantastic news the draft was completed and congratulated staff on a good job.</p> <p>Jason Kingsley – Acknowledge staff for level of extraordinary level of consultation and working with committee on the project. Feedback has been constructive – commended staff member, Erin, on the work she did.</p> <p>Cr Toms – Discussed the value of Council having a position focused on aging and disability. It's not this committee's role to recommend staff positions, but wanted to have it noted that this is an important role. A community officer is one of the most important ones. Wanted to find out if the position was ongoing.</p>	<p>Action - Once on public exhibition, email draft DIAP to committee members for feedback. EB</p> <p>Clarify if Aging and Access Officer roles still exists. EB</p>
6.05	International Day of People with Disability (IDPwD)	<p>Council is keen to work with Social Futures and committee on a project to celebrate the day. Council has some funding to support an event.</p> <p>Jason Kinglsey – In the past Council has done things to celebrate the day but events were not inclusive of whole community. Social Futures had a social</p>	<p>Update committee on how it can support this event at next meeting.</p>

Item	Description/Discussion/ Comments	Action	Recommendation
	<p>inclusion day. But nothing really happened last couple of years.</p> <p>Social Futures will take lead if need be. Jason Kingsley has a friend – tennis Olympian – runs an inclusive wheelchair program through schools.</p> <p>Talked about a day that celebrates social inclusion week and IDPwD and have inclusive event. Getting organisations together in one place – all organisations bring activity to the day. Include schools, businesspeople, councillors – play wheelchair basketball/tennis.</p> <p>Suggested dates: Thursday 30 November or Friday 1 Dec. Looking at PCYC.</p> <p>Need to form a working group of partners to make this happen.</p> <p>Angela Berry – Could there be live music to create a mood? Committee talked about this being a great idea.</p> <p>Jason – Welcome to Country and music.</p> <p>Cr Toms – Be good to see this day celebrated.</p> <p>Access Committee supports the idea.</p>		
6.06 Memorial Park Toilets	When new plans are received, they'll come to Access Committee for feedback.		

Item	Description/Discussion/ Comments	Action	Recommendation	
6.07	Maclean Sports Centre/playground Accessible Carpark	Carpark marking to be installed in the next week or two.	Provide photo of installed carpark. AB	
6.08	Grafton Waterfront	<p>Jason Kingsley– visited the newly opened waterfront section and said it was really good, really busy and well used. Good pathways and accessible. But raised a safety concern.</p> <p>At the top, there's the covered seating area. The top terraced seating curved concrete area – advised Council consider retrospectively installing a barrier there to stop mobility scooter/wheelchair/vision impaired person going over the edge. Could put lip where concrete join is – to prevent people going over.</p> <p>It was noted this could become a trip hazard or concern for vision impaired.</p> <p>Dave Moran – Colour contrast works well. Has found the big rocks placed on concrete – a barrier for vision impaired. Noted Lack of TGSIs.</p>	<p>Jason Kingsley to take some photos.</p> <p>Cr Pickering to send link to NBN news speaking about accessible paths in new Grafton waterfront project.</p>	
6.09	Connect You Too	Informed committee Connect You Too spoke at cancelled meeting in July.		
6.10	Guest speaker- Bern Walker, Accessible Beaches	<p>Notes taken from presentation:</p> <p>Accessibility is a journey. You have to start somewhere. To hear your discussions is fantastic. We are all about</p>	<p>Action – send Bern Walker contact details to Angela Berry and Jason Kingsley. EB</p> <p>- Send recorded video of</p>	<p>Motion:</p> <p>Jason Kingsley: That the Clarence Valley</p>

Item	Description/Discussion/ Comments	Action	Recommendation
	<p>taking the steps and starting somewhere. Aged and Disability is a vital position. Community engagement is key to success to accessibility.</p> <p>Slide show notes:</p> <p>Est. 2016. 2020 became a registered charity. Advocates for beaches to become accessible. Run an online directory of accessible beaches and waterways around Australia. Do beach audits. Leading authority on beach access in Australia. Coming from a place of lived experience.</p> <p>You don't need all components to be accessible – you just have to start somewhere.</p> <p>Accessible parking – have multiple available. Wide clear pathways</p> <p>Accessible bathrooms or Changing Places (CP) facilities. CP is the pinnacle and superior to universally designed bathrooms. They have a hoist. 40% of people with disability can't use bathroom in vertical position.</p> <p>Direct beach access from pathways.</p> <p>Beach matting to the water's edge. Not always viable.</p> <p>Beach wheelchairs are fantastic. Floating chair is life changing for some people.</p>	<p>presentation to Access Committee members and Open Spaces staff. EB</p>	<p>Access Committee advise Council to engage Accessible Beaches to conduct audit on Yamba Main Beach, Minnie Water and Turners and identify any other beaches that may be suitable, in addition.</p> <p>Cr Pickering – second.</p>

Item	Description/Discussion/ Comments	Action	Recommendation
	<p>Compliant ramps inc. guard rail esp. for aging people.</p> <p>Access to shade and fresh water – many PWD can't regulate their body temperature. Enables them to have a day at the beach, rather than a few hours. A day at the beach is what we all should be able to experience.</p> <p>Accessible to public transport.</p> <p>Access to food.</p> <p>It's not always about getting to the water. It's about reducing social isolation. People just want to be included in life.</p> <p>Access to blue spaces improves mental health and increases likelihood of physical exercise.</p> <p>Feedback – not providing access for all leaves people feeling not valued.</p> <p>Key to success – commitment to inclusion and accessibility</p> <ul style="list-style-type: none"> - Strong working relationships between Council and Life Saving Clubs - Strong community engagement - Training and education. Break down the barriers – provide training and experience to give 		

Item	Description/Discussion/ Comments	Action	Recommendation
	<p>people practical advice to work with PWD. It shows the community you have this commitment.</p>		
	<p>Cr Karen Toms – explain around 40% of PWD not being able to go to toilet. Bern Walker - they need the sling to go in a horizontal position. Cr Toms - Treelands – could we make this 24/7 accessible access.</p>		
	<p>Bern Walker – adult change table is also required. You think about the planning that needs to go into the lives of people who need adult change facilities.</p>		
	<p>Cr Pickering – how would we get an audit? Bern Wlaker - Accessible Beaches offers the services – extensive review of all existing accessible features – get a detailed report of what's existing and recommended steps to take. Provides basis for project plan and funding. Helps with grant applications. And bundle in training. Approx. \$3k.</p>		
	<p>Jason Kinglsey – Has lived experience 30 years. There has been a bit of a change – we have some councillors and a proactive committee and vocal community, driving this. Everything you said I agree with everything. It's not just for people who want to get into the</p>		

Item	Description/Discussion/ Comments	Action	Recommendation
	<p>water. I grew up on the beach, surfing. As a parent – all I want to do is get on the beach and I did it a few times and got stuck in the sand. Now go to Gold Coast and seek beaches elsewhere to get onto the beach. Need to have plans in place for funding. Putting up barriers is no longer acceptable. The economic flow on effect for local areas and businesses is hard to fathom. With NDIS – if you can’t holiday in the Clarence Valley you’re spending that money elsewhere. We have 90km of the most pristine beaches you’ll ever see and none of that is accessible so people go elsewhere.</p> <p>Bern Walker – once you do – people in disability community will spread it. Jason – there is what I call the disability grapevine. Gold Coast has tapped into that.</p> <p>Bern Walker – with Olympics Game coming to Brisbane – need to promote that. It’s such a great opportunity to take advantage of.</p> <p>Cr Karen Toms – This is the key to helping us move forward.</p> <p>Angela Berry – has a report on what access isn’t available already. Will provide details to Bern Walker.</p>		

Item	Description/Discussion/ Comments	Action	Recommendation
7	General Business		
Item	Description/Discussion/ Comments	Action	Recommendation
7.01	Bailey Park, Ulmarra Jason Kinglsey Went to Bailey Park recently. Wheelchairs can now get into water feature via ramp. It's great. The tables are accessible. Would like to see a sticker put on the round to mark it out. Idea from daughter, Caitin, when they did site visit.	Action - Pass suggestion on to Open Spaces/ Strategic Infrastructure.	
7.02	Accessible swing attachment Angela Berry – sent a photo of an accessible swing attachment to council a few months ago. Hasn't had feedback. There are three children living in Townsend in wheelchairs. It's just changing a pommel . There are two swings there. Could we find out if funding for the swing was sourced externally, the attachment could be fitted by council? Some parks are accessible but limited to what a child with disability can do. This swing is not going to work on everything but worth investigating. Jason Kinglsey and Cr Karen Toms asked if the Playground policy V1.0 on Council's website was the correct one. They believed it had been updated.	ACTION: Could staff investigate the possibility to retrofit one of Townsend Playground flying fox swings to include an accessible swing and report back to council. Also if it was funded externally could/would council install it. Action – Check if the Playground policy V1.0 on the website is the correct one.	

Item	Description/Discussion/ Comments	Action	Recommendation
7.03			
8	Correspondence n/a		
9	DAs for Consultation n/a		
10	Next Meeting		
	Chair: Cr Toms		
	Date / Time: September, 20 2023	Minutes: EB	Location: Grafton Chambers
11	Meeting close 12:51pm		

K. Toms.

20 September 2023

Office of the Mayor



12 October 2023

Joint Select Committee on Protecting Local Water Utilities from Privatisation
By Email: waterutilities@parliament.nsw.gov.au

Dear Sir

Re: Submission to Joint Select Committee on Protecting Local Water Utilities from Privatisation

Thank you for the opportunity for Council to make a submission to this Inquiry.

In an on-line meeting hosted by the Country Mayors Association (CMA) on 20 July 2023, which was attended by the NSW Water Minister Hon Rose Jackson, concern was expressed by regional Councils that the *Constitution Amendment (Sydney Water and Hunter Water) Act, 2023* omitted regional water utilities, particularly given that unsuccessful amendments were put to both houses of NSW Parliament to include regional utilities. Clarence Valley (and all regional NSW Councils) are therefore currently without the same protection as Sydney Water and Hunter Water under the *NSW Constitution Act 1902*.

Council considered the issue of water utility privatisation at its meeting of 22 August 2023 and resolved (Resolution 05.23.011, point 1):

That Council support CMA representations to the NSW State Government to ensure that Regional Water Utilities are retained in public ownership and included in the Constitution Amendment Bill

Council further resolved (Resolution 05.23.011, point 3) to:

submit a motion to the 2023 LGNSW Annual Conference to support retention of regional water facilities in public ownership

If you have any questions regarding this submission, please contact Council's Manager Technical Services, Mr Greg Mashiah, on 0266430200 or greg.mashiah@clarence.nsw.gov.au.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Johnstone".

Cr. Peter Johnstone

Mayor

The Hon Rose Jackson MLC
Minister for Water, Minister for Housing,
Minister for Homelessness
Minister for Mental Health, Minister for Youth
Minister for the North Coast



Our ref: MF23/2238

Councillor Ian Tiley, Mayor
Clarence Valley Council
2 Prince Street
GRAFTON NSW 2460

Dear Councillor Tiley

Thank you for your letter of 8 August 2023 about water security and filtration within the Clarence Valley community. I understand the importance of water quality and security for regional NSW and support investment in priority water infrastructure.

The Safe and Secure Water Program provides funding for projects that resolve the most severe water quality, water security and environmental risks.

In July 2023, Clarence Valley Council was advised that a re-assessment of its water quality risk had been undertaken by NSW Health which confirmed the risk rating was upgraded from a level 4 risk to a level 5 risk. This risk is now deemed a high priority (risk 5) under the Safe and Secure Water Program prioritisation framework.

I recognise that Clarence Valley has important water infrastructure needs. I encourage you to work with the Department of Planning and Environment (DPE) Water to identify other potential funding sources, as well as continue discussions about future funding opportunities under the Safe and Secure Water Program.

The NSW Government grants finder generally provides information on grants from the NSW Government. Further details can be found at: <https://www.nsw.gov.au/grants-and-funding>. We can also put you in touch with TCorp, which is the central borrowing authority for the New South Wales public sector. Further details can be found at: https://www.tcorp.nsw.gov.au/html/borrowing_overview.cfm.

If you would like to discuss this further, I have arranged for Ms Kirsty Fenton, A/Director, Grants Management, in DPE Water, to be available. Ms Fenton can be contacted at kirsty.fenton@dpie.nsw.gov.au.

Yours sincerely

Rose Jackson MLC
Minister for Water, Minister for Housing, Minister for Homelessness,
Minister for Mental Health, Minister for Youth, Minister for the North Coast
Date: 3.10.23

*Thanks for contacting
we - I appreciate the
is an important
and encourage you to
contact Ms Fenton to
discuss options
R.*

The Hon Rose Jackson MLC
Minister for Water, Minister for Housing,
Minister for Homelessness
Minister for Mental Health, Minister for Youth
Minister for the North Coast



Our ref: MF23/2655

Councillor Ian Tiley
Mayor
Clarence Valley Council
2 Prince Street
GRAFTON NSW 2460

By email: tina.boon@clarence.nsw.gov.au

Dear Councillor Tiley Ian

Thank you for your letter of 5 September 2023 about protecting regional local water utilities from privatisation.

One of my key priorities as Minister for Water is ensuring safe, secure, and sustainable water supplies for NSW communities. I cannot emphasise strongly enough how much I appreciate and value the role played by local government in achieving these outcomes.

As you would be aware, the NSW Parliament has established a Joint Select Committee on Protecting Local Water Utilities from Privatisation. The Committee will inquiry into and report on how the NSW Government can prevent and stop the privatisation of local water utilities, with reference to:

- a) how local water utilities and their assets can be best protected against privatisation, forced amalgamations and sell-offs;
- b) reviewing governance and other legislation relating to the potential privatisation of local water utilities; and
- c) any other related matters.

If you are interested in making a submission, I understand that they can be made via the [NSW Parliament](#) website until 29 October 2023.

Regarding the question of why the NSW Government did not include provisions to prevent privatisation of local water utilities in its Constitution Amendment Bill, I can advise we did not want to make significant changes regarding local water utilities without adequate consultation with them.

Where Sydney Water and Hunter Water are owned by the NSW Government, local water utilities are not. Nevertheless, through the Joint Select Committee we are demonstrating our commitment to working with local water utilities to ensure water security and quality across NSW in a way that best suits their needs and interests.

The Government has no interest in privatising any water utilities. We recognise the sovereignty of local governments to make decisions about the assets they own, that deliver services to their communities.

Thank you again for your letter and I look forward to an ongoing, collaborative approach to ensure the best possible water management outcomes for NSW's regional and rural communities.

Yours sincerely



Rose Jackson MLC
Minister for Water, Minister for Housing, Minister for Homelessness,
Minister for Mental Health, Minister for Youth, Minister for the North Coast

Thanks for the letter - please engage in the Parliamentary Inquiry it's a great opportunity to explore the issues.
R.

Date: 5.10.23

ITEM 07.23.201 MONTHLY INVESTMENT REPORT - SEPTEMBER 2023

Meeting	Council	24 October 2023
Directorate	Corporate & Community	
Prepared by	Financial Accountant, Nick Harvey	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	A. Movement of Funds Between Months - September 2023 ↓	

SUMMARY

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

OFFICER RECOMMENDATION

That the report indicating Council's funds investment position as at 30 September 2023 be noted.

LINKAGE TO OUR COMMUNITY PLAN

Theme	Leadership
Objective	We will have an effective and efficient organisation

KEY ISSUES**Source of Funds Invested**

The funds invested are funds held under internal and external restrictions. External restrictions are primarily from Sewer & Water, Granting Bodies and Developer Contributions. Internal restrictions are primarily sourced from General Revenue Funding and Unspent Loans.

Based on the audited 30 June 2022 figures, funds have been sourced from the following areas:

External Reserves		Internal Reserves	
Sewerage Funds	6.08%	Fleet Plant Reserve	4.15%
Water Supply Funds	23.10%	Regional Landfill Reserves	1.73%
Developer Contributions	20.67%	Fin. Assist Grants paid in advance	5.75%
Unexpended Grants	17.96%	Waste Mngmt / Commercial Waste	5.09%
Domestic Waste Management	0.36%	Infrastructure Assets Renewals	1.77%
Holiday Parks	3.98%	Employee Leave Entitlements	2.56%
Deposits, Retentions and Bonds	1.72%	Other (refer attachment for further detail)	3.80%
Other External	1.26%		
	75.15%		
		Total External & Internal Reserves	24.85%
			100.00%

Portfolio Credit Limits

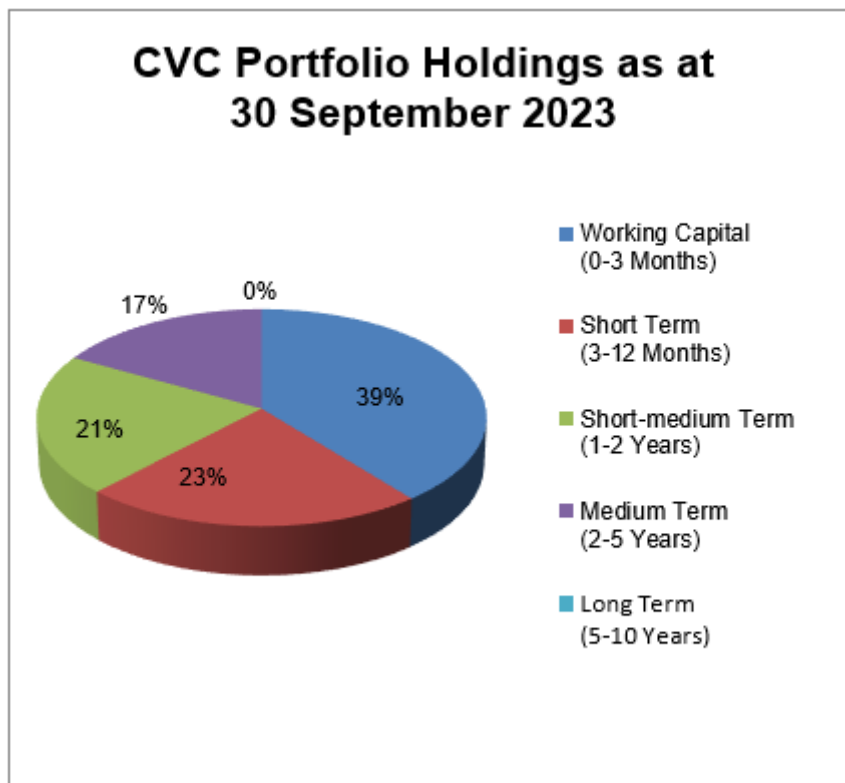
Tabled below is a summary of Council's investments as at 30 September 2023, which details compliance with Council's Investment Policy Portfolio Credit Limits.

Portfolio Credit Limits as at 30 September 2023				
Credit Rating Long Term	Investment Policy Maximum Holding	Total Investments Held	% of Total Investments	Complies with Policy (yes/no)
AAA	100.00%	4,500,000	2.68%	Yes
AA	100.00%	80,057,267	47.67%	Yes
A	60.00%	20,250,000	12.06%	Yes
BBB	50.00%	63,125,640	37.59%	Yes
TOTAL INVESTMENTS		167,932,907	100.00%	

Note, a permanent cap of \$250,000 per person per institution on deposits is guaranteed by the Federal Government under the Financial Claims Scheme and hence receives a rating of AAA.

Portfolio Holdings by Maturity

Illustrated and tabled below is a summary of Council’s investments by maturity as at 30 September 2023. Excluding “at-call” working capital, 23% of Council’s investments are maturing within the next twelve months.



Individual Institution or Counterparty Limits

Tabled below is a summary of Council’s investments as at 30 September 2023 which details compliance with Council’s Investment Policy Counterparty Limits.

Individual Institution or Counterparty Limits as at 30 September 2023					
Financial Institution	Credit Rating Long Term	Investment Policy Maximum Holding	Total Investments Held	% of Total Investments	Complies with Policy (yes/no)
TERM DEPOSITS					
AMP	BBB	15.00%	6,000,000	3.57%	Yes
BoQ	BBB+	15.00%	8,000,000	8.93%	Yes
ME Bank	BBB+		7,000,000		
CBA	AA-	30.00%	3,000,000	1.79%	Yes
Defence	BBB	15.00%	9,000,000	5.36%	Yes
ING Direct	A	15.00%	17,000,000	10.12%	Yes
MyState	BBB+	15.00%	5,000,000	2.98%	Yes
NAB	AA-	30.00%	15,000,000	8.93%	Yes
NTTC	AA-	30.00%	3,000,000	1.79%	Yes
P&N	BBB	15.00%	21,000,000	12.50%	Yes
RaboDirect	A+	15.00%	-	0.00%	Yes
Suncorp	A+	15.00%	4,000,000	2.38%	Yes
Westpac	AA-	30.00%	12,000,000	7.15%	Yes
TOTAL TERM DEPOSITS			110,000,000	65.50%	
FUNDS AT CALL					
AMP	BBB	15.00%	8,793,464	5.24%	Yes
AMP	BBB	15.00%	1,082,176	0.64%	Yes
ANZ	AA-	30.00%	7,071,803	4.21%	Yes
CBA	AA-	30.00%	18,869,509	11.24%	Yes
CBA	AA-	30.00%	1,899,705	1.13%	Yes
CBA	AA-	30.00%	20,216,250	12.04%	Yes
TOTAL FUNDS AT CALL			57,932,907	34.50%	
TOTAL INVESTMENTS			167,932,907	100.00%	

Register of Investments - Clarence Valley Council as at 30 September 2023					
Financial Institution	Total Investments	% of Total Investments	Maturity Date	Investment Return	Credit Rating Long Term
WORKING CAPITAL (0-3 MONTHS)					
T-CorpIM Cash Fund	-	0.00%	At-Call	0.00%	AAA
AMP Bank Ltd	8,793,464	5.24%	At-Call	4.55%	BBB
AMP Bank Ltd	1,082,176	0.64%	At-Call	2.10%	BBB
ANZ Banking Group Ltd	7,071,803	4.21%	At-Call	4.05%	AA-
Commonwealth Bank of Australia	18,869,509	11.24%	At-Call	3.95%	AA-
Commonwealth Bank of Australia	1,899,705	1.13%	At-Call	0.25%	AA-
Commonwealth Bank of Australia	20,216,250	12.04%	At-Call	4.20%	AA-
Defence Bank	2,000,000	1.19%	01/12/2023	4.60%	BBB
P&N Bank	2,000,000	1.19%	11/12/2023	1.25%	BBB
Suncorp	2,000,000	1.19%	04/12/2023	4.40%	A+
Westpac Bank	3,000,000	1.79%	14/11/2023	1.22%	AA-
	66,932,907	39.86%		3.81%	
SHORT TERM (3-12 MONTHS)					
AMP Bank Ltd	1,000,000	0.60%	30/08/2024	5.30%	BBB
Bank Of Queensland Ltd	3,000,000	1.79%	21/02/2024	1.71%	BBB+
Commonwealth Bank of Australia	3,000,000	1.79%	10/05/2024	3.60%	AA-
ING	3,000,000	1.79%	10/05/2024	3.66%	A
ING	2,000,000	1.19%	13/05/2024	3.66%	A
ING	3,000,000	1.79%	15/05/2024	3.66%	A
ING	1,000,000	0.60%	06/08/2024	5.30%	A
ME Bank Ltd	2,000,000	1.19%	18/07/2024	4.26%	BBB
MyState	2,000,000	1.19%	05/03/2024	1.70%	BBB
MyState	3,000,000	1.79%	14/06/2024	4.45%	BBB
National Australia Bank	2,000,000	1.19%	08/07/2024	0.80%	AA-
National Australia Bank	2,000,000	1.19%	11/09/2024	5.23%	AA-
P&N Bank	3,000,000	1.79%	12/02/2024	1.73%	BBB
P&N Bank	3,000,000	1.79%	14/06/2024	4.53%	BBB
P&N Bank	2,000,000	1.19%	16/09/2024	4.40%	BBB
Suncorp	2,000,000	1.19%	19/09/2024	5.20%	A+
Westpac Bank	1,000,000	0.60%	20/06/2024	0.85%	AA-
TOTAL SHORT TERM (3-12 MONTHS)	38,000,000	22.63%		3.47%	

Financial Institution	Total Investments Held	% of Total Investments	Maturity Date	Investment Return	Credit Rating Long Term
SHORT - MEDIUM TERM (1-2 YEARS)					
AMP Bank Ltd	2,000,000	1.19%	14/11/2024	4.70%	BBB
Bank Of Queensland Ltd	2,000,000	1.19%	02/12/2024	1.60%	BBB+
Bank Of Queensland Ltd	1,000,000	0.60%	06/08/2025	4.09%	BBB+
Defence Bank	2,000,000	1.19%	21/11/2024	4.55%	BBB
Defence Bank	1,000,000	0.60%	5/12/2024	4.70%	BBB
Defence Bank	2,000,000	1.19%	03/03/2025	5.00%	BBB
Defence Bank	2,000,000	1.19%	11/03/2025	4.90%	BBB
ING	2,000,000	1.19%	03/03/2025	5.10%	A
ING	2,000,000	1.19%	13/03/2025	4.95%	A
National Australia Bank	2,000,000	1.19%	06/03/2025	4.93%	AA-
National Australia Bank	2,000,000	1.19%	05/08/2025	5.03%	AA-
P&N Bank	2,000,000	1.19%	29/11/2024	1.70%	BBB
P&N Bank	2,000,000	1.19%	17/12/2024	1.62%	BBB
P&N Bank	1,000,000	0.60%	13/03/2025	4.75%	BBB
P&N Bank	2,000,000	1.19%	16/06/2025	4.67%	BBB
Westpac Bank	3,000,000	1.79%	15/10/2024	1.00%	AA-
Westpac Bank	1,000,000	0.60%	15/11/2024	1.63%	AA-
Westpac Bank	2,000,000	1.19%	18/11/2024	4.55%	AA-
Westpac Bank	2,000,000	1.19%	02/12/2024	4.41%	AA-
TOTAL SHORT-MEDIUM TERM (1-2 YEARS)	35,000,000	20.84%		3.82%	
MEDIUM TERM (2-5 YEARS)					
AMP Bank Ltd	3,000,000	1.79%	01/09/2026	4.95%	BBB
Bank Of Queensland Ltd	2,000,000	1.19%	31/08/2028	4.99%	BBB+
ING	2,000,000	1.19%	21/08/2026	5.20%	A
ING	1,000,000	0.60%	18/08/2027	5.22%	A
ING	1,000,000	0.60%	05/10/2027	5.00%	A
ME Bank Ltd	5,000,000	2.98%	09/06/2027	4.50%	BBB
National Australia Bank	2,000,000	1.19%	12/01/2026	1.00%	AA-
National Australia Bank	2,000,000	1.19%	10/08/2026	4.95%	AA-
National Australia Bank	3,000,000	1.79%	22/02/2027	2.40%	AA-
Northern Territory Treasury Corp	3,000,000	1.79%	15/12/2026	1.50%	AA-
P&N Bank	1,000,000	0.60%	16/02/2026	2.49%	BBB
P&N Bank	3,000,000	1.79%	31/08/2027	5.05%	BBB
TOTAL MEDIUM TERM (2-5 YEARS)	28,000,000	16.67%		3.90%	
TOTAL INVESTMENTS	167,932,907	100.00%		3.75%	

BACKGROUND

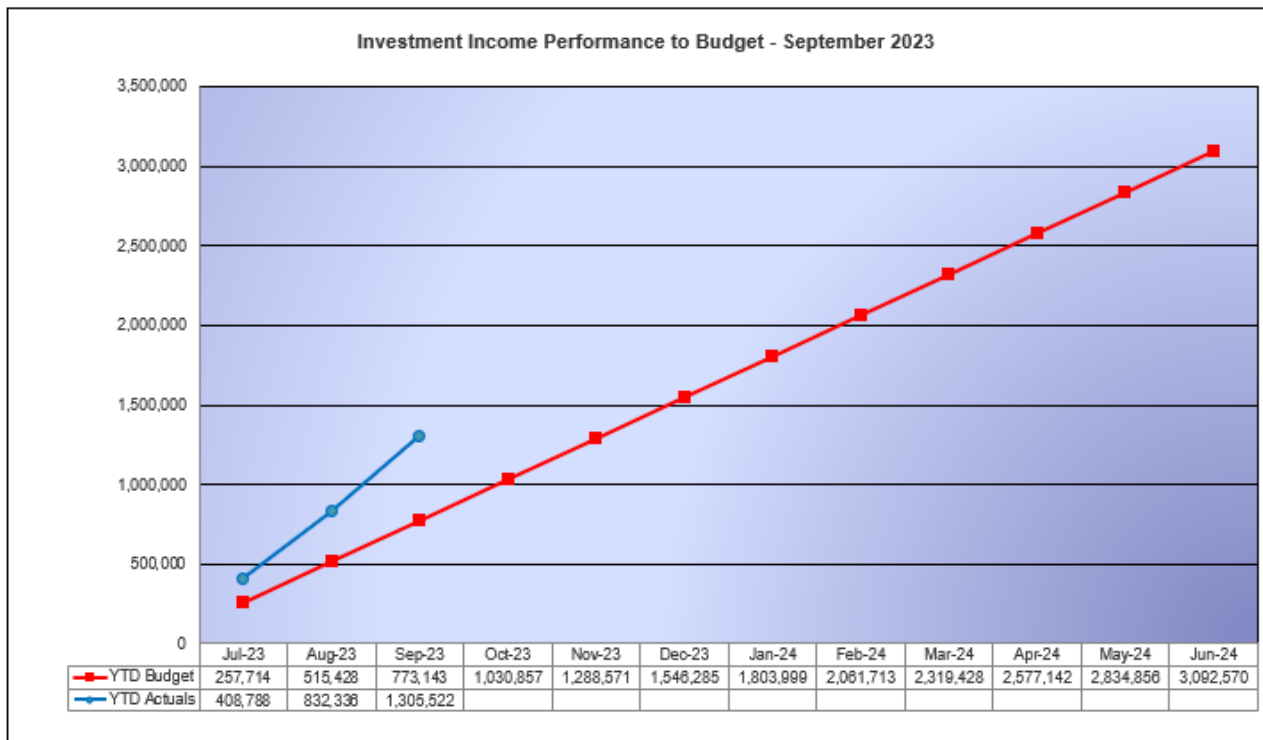
This report has been completed in accordance with the *Local Government Act 1993*, part 9, Division 5, Clause 212 of the *Local Government (General Regulation 2005)*, and Council's Investment Policy, which requires a monthly report to Council. The report is to include the source and amount of funds invested, terms of performance, and a statement of compliance in relation to the *Local Government Act 1993*.

COUNCIL IMPLICATIONS

Budget/Financial

Portfolio Investment Returns to 30 September 2023			
	Actual	Budget 2023/24	Over/(Under)
This Month			
Cash Deposits & FRNs	\$473,186	\$257,714	\$215,472
Managed Funds	\$0	\$0	\$0
	\$473,186	\$257,714	\$215,472
Year to Date			
Cash Deposits & FRNs	\$1,305,522	\$773,142	\$532,380
Managed Funds	\$0	\$0	\$0
	\$1,305,522	\$773,142	\$532,380

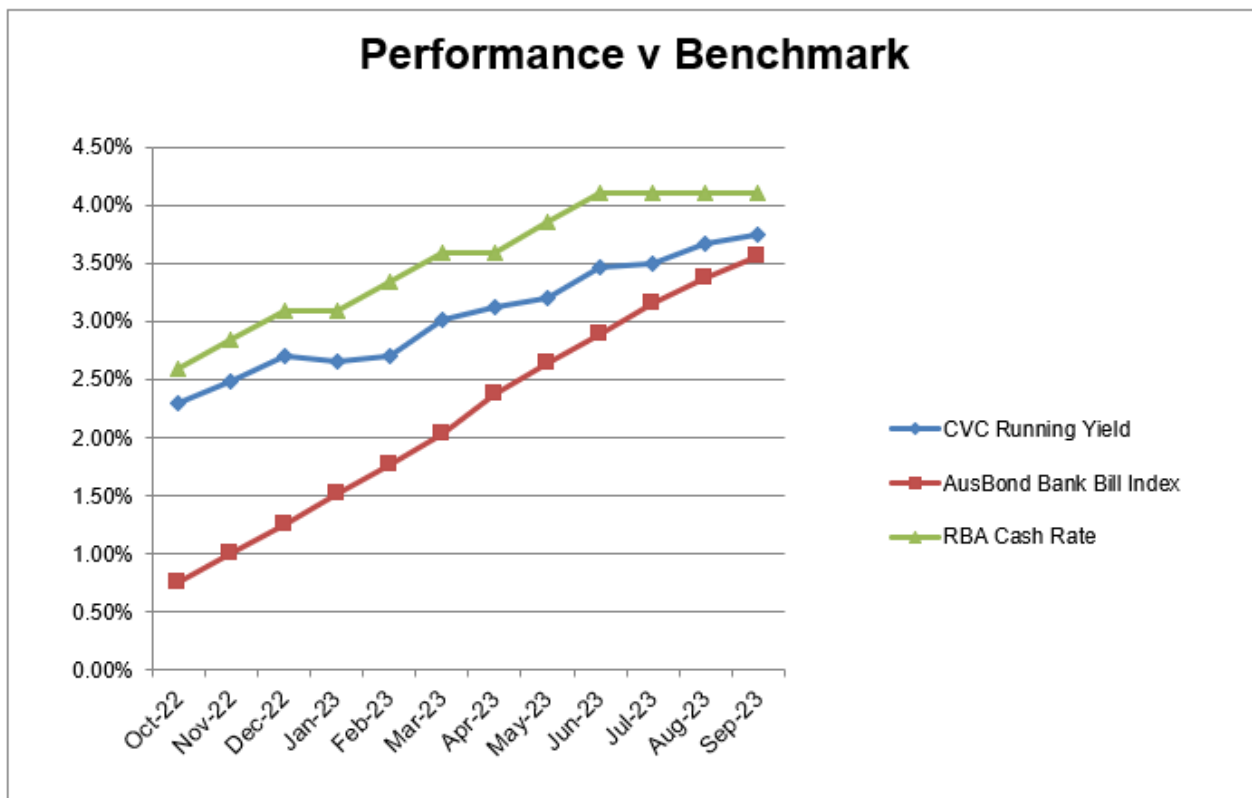
- Actual results have shown that total interest income to 30 September 2023 is \$532K above the 2023/2024 YTD budget of \$515K.



Running yields* to 30 September 2023 have been:

AMP Business	2.10%
AMP 31 Day Notice	4.55%
ANZ Premium Business	4.05%
CBA General	3.95%
CBA BOS	4.20%
24hr Call Account	0.25%
Term Deposits	3.65%
Total	3.75%

- Running yield is a measure of the return (before costs) that would be earned from current positions if there were no trades and no fluctuation in market yields.
- The RBA cash rate at the end of September was 4.10%. The benchmark AusBond Bank Bill Index was 3.56% for September.
- The current running yield of the total investment portfolio now stands at 3.75% (August 3.67%). The RBA cash rate remained at 4.10%. The CVC running yield has therefore fallen below the RBA cash rate by 0.35%.



The following investments were transacted during September:

- AMP \$3,000,000 TD reinvested 1st September 2023 at 4.95% for 3 years – matures 1st September 2026
- NAB \$2,000,000 TD reinvested 11th September 2023 at 5.23% for 1 year – matures 11th September 2024
- Rabobank \$2,000,000 TD redeemed 19th September 2023
- Suncorp \$2,000,000 TD invested 19th September 2023 at 5.2% for 1 year – matures 19th September 2024

Asset Management

N/A

Policy and Regulation

- Local Government Act 1993
- Part 9, Division 5, Clause 212 of the Local Government (General) Regulation 2005
- Investment Policy

Consultation

N/A

Legal and Risk Management

N/A

Climate Change

Climate change impacts of the current investment portfolio are now being considered as each investment matures. In line with section 5.11 of the current Investment Policy, preference is given to Financial Institutions that publicly state that they do not invest in nor finance the fossil fuel industry. It should be noted that investments under this section of the policy will only be made providing that the rate of return is equivalent or more favourable and that the investment does not increase the overall risk of Council's investment portfolio. Total value of investments currently held with Financial Institutions that do not invest nor finance the fossil fuel industry remains at \$12.0M.

Movement of funds between months

Portfolio Credit Limits - movement over the reporting month						
Credit Rating Long Term	Total Investments Held (Current Month)	% of Total Investments (Current Month)	Total Investments Held (Previous Month)	% of Total Investments (Previous Month)	Movement \$	Movement %
AAA	4,500,000	2.68%	4,500,000	2.57%	-	-
AA	80,057,267	47.67%	87,565,261	49.92%	(7,507,994)	(8.57%)
A	20,250,000	12.06%	20,250,000	11.54%	-	-
BBB	63,125,640	37.59%	63,091,014	35.97%	34,626	0.05%
TOTAL INVESTMENTS	167,932,907	100.00%	175,406,275	100.00%	(7,473,368)	(4.26%)

Individual Institution or Counterparty Limits - movement over the reporting month						
Financial Institution	Total Investments Held (Current Month)	% of Total Investments (Current Month)	Total Investments Held (Previous Month)	% of Total Investments (Previous Month)	Movement \$	Movement %
TERM DEPOSITS						
AMP	6,000,000	3.57%	6,000,000	3.42%	-	-
BoQ	8,000,000	4.76%	8,000,000	4.56%	-	-
CBA	3,000,000	1.79%	3,000,000	1.71%	-	-
Defence	9,000,000	5.36%	9,000,000	5.13%	-	-
ING Direct	17,000,000	10.12%	17,000,000	9.69%	-	-
ME Bank	7,000,000	4.17%	7,000,000	3.99%	-	-
MyState	5,000,000	2.98%	5,000,000	2.85%	-	-
NAB	15,000,000	8.93%	15,000,000	8.55%	-	-
NTTC	3,000,000	1.79%	3,000,000	1.71%	-	-
P&N Bank	21,000,000	12.50%	21,000,000	11.97%	-	-
RaboDirect	-	0.00%	2,000,000	1.14%	(2,000,000)	(100.00%)
Suncorp	4,000,000	2.38%	2,000,000	1.14%	2,000,000	100.00%
Westpac	12,000,000	7.15%	12,000,000	6.84%	-	-
TOTAL TERM DEPOSITS	110,000,000	65.50%	110,000,000	62.71%	-	-
FUNDS AT CALL						
AMP	8,793,464	5.24%	8,760,702	4.99%	32,762	0.37%
AMP	1,082,176	0.64%	1,080,312	0.62%	1,864	0.17%
ANZ	7,071,803	4.21%	7,048,341	4.02%	23,462	0.33%
CBA	18,869,509	11.24%	26,469,265	15.09%	(7,599,756)	(28.71%)
CBA	1,899,705	1.13%	1,899,302	1.08%	403	0.02%
CBA	20,216,250	12.04%	20,148,353	11.49%	67,897	0.34%
TOTAL FUNDS AT CALL	57,932,907	34.50%	65,406,275	37.29%	(7,473,368)	(11.43%)
TOTAL INVESTMENTS	167,932,907	100.00%	175,406,275	100.00%	(7,473,368)	(4.26%)

Other Internal Reserves (detail)

Other Internal Reserves	
Coastal and estuary management	0.19%
Community cultural and heritage programs	0.01%
Council s7.11 development funds	0.02%
Election cost reserve	0.06%
Emergency services reserves	0.42%
Environmental and noxious weeds projects	0.35%
Floodplain management reserves	0.19%
Insurance reserves	0.13%
Maclean and district improvements	0.38%
Other parks improvements	0.31%
Public pool improvements	0.11%
Public toilet refurbishment program	0.07%
Regional development and tourism projects	0.01%
Roads reserves	0.56%
Saleyard's asset replacement	0.10%
Software implementation reserves	0.44%
Sporting facilities improvements	0.19%
Strategic development programs	0.24%
Unspent general loans	0.02%
Total Other Internal Reserves	3.80%

ITEM 07.23.202 2023/23 QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2023

Meeting	Council	24 October 2023
Directorate	Corporate & Community	
Prepared by	Financial Accountant, Nick Harvey	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	A. Quarterly Budget Income Statement by Fund - September 2023 ↓ B. Quarterly Budget Income & Expenditure Statements by Service - September 2023 ↓ C. Statement of Restricted Cash Reserve Funds - September 2023 ↓ D. Quarterly Contracts and Other Expenses - September 2023 ↓ E. Monthly Grant Application Summary - September 2023 ↓	

SUMMARY

This report presents to Council the September 2023 Quarterly Budget Review Statement (QBRS) for the period 1 July 2023 to 30 September 2023.

Budget adjustments for the quarter ended 30 September 2023 (subject to council resolution) will result in a net impact of General Fund impact of (\$197,398) resulting in a current year projected budget result of \$141,872 surplus.

The reserve funding variations identified in this report will decrease the reserve funds by a \$59,000, resulting in a current year projected reserve funds movement of \$23,180,080.

OFFICER RECOMMENDATION

That Council:

1. receive and note the information in the Quarterly Budget Review Statement to September 2023.
2. approve the General Fund variations detailed in this report, which result in a (\$197,398) movement on the projected General Fund budget resulting in a surplus of \$141,872 for the year.
3. approve the variations for the Financial Reserves as detailed in this report which result in increasing the projected decrease in the External and Internal Reserves Funds to \$23,180,080.
4. note and endorse the receipt of funds due to successful grant applications as detailed in Attachment E.

LINKAGE TO OUR COMMUNITY PLAN

Theme Leadership

Objective We will have an effective and efficient organisation

KEY ISSUES**Major Budget Variations Proposed**

Following is a list of the major proposed budget variations identified in the month of September 2023, noting budget variations have previously been reported to Council during the month of August (CM 07.23.145) and September (CM 07.23.171) since the adoption of the Original Budget in June 2023 (CM 07.23.098).

Sub Service	Variation Comments	Net Impact to General Fund Decrease / (Increase)	Net Impact to Reserves Decrease / (Increase)	Previous Council Resolution
100	Service – Office of General Management Sub-Service – Office of General Management <ul style="list-style-type: none"> Jacaranda Event Participation 	\$1,000	\$Nil	N/A
300	Service – Works & Civil Management Sub-Service – Works & Civil Management <ul style="list-style-type: none"> Increase budget to reflect costs associated with latent conditions associated with the Koolkhan Depot Fuel Tank disposal project. 	\$100,000	\$Nil	N/A
311	Service – Roads Infrastructure Sub-Service – Local Roads <ul style="list-style-type: none"> Allocate part LRCIP Round 4 Infrastructure grant to Maclean Precinct Road Upgrades planning and design - \$83,274 	\$Nil	\$Nil	N/A
343	Service – Waste Services Sub-Service – Domestic Waste Services <ul style="list-style-type: none"> Increase budget to reflect final contract value 	\$Nil	\$44,000	N/A
442	Service – Environmental Services Sub-Service – Environmental Services <ul style="list-style-type: none"> Purchase of new software to assist in managing onsite wastewater inspection processes. 	\$5,432	\$Nil	N/A
	TOTAL Proposed General Fund / Reserve Balance Impact	\$106,432	\$44,000	

Explanation of Attachment

Income and Expenditure Statements (attachment A) are included for the information of Councillors. It should be noted that the reports include actual monthly transactions with the exception of:

- Accruals for depreciation, staff entitlements and Reserve interest are estimated only based on the adopted budget, with actual accruals calculated and adjusted end of year.

BACKGROUND

In accordance with Clause 203(1) of the Local Government (General) Amendment (planning and reporting) Regulation 2011, the Quarterly Budget Review Statement must be submitted to Council no later than two months after the end of the quarter.

The QBRS presents a summary of Council's financial position at the end of each quarter. It is the mechanism whereby Councillors and the community are informed and monitor Council's progress against the Operational Plan (original budget) and the last adopted revised budget.

The QBRS includes:

Attachments

1. Statement of Income and Expenditure providing a summary of Council's revised financial position at the end of the quarter by Fund (Attachment A):
 - Consolidated
 - General
 - Water
 - Sewer
 - Holiday Parks
 - Clarence Regional Library
 - Domestic Waste Management
2. Statement of Income and Expenditure providing a summary of Council's revised financial position at the end of the quarter by Sub-Service (Attachment B).
3. Statement of Restricted Cash Reserve Funds providing a projected year end position (Attachment C).
4. Statement of Material Contracts entered into by Council and details of Consultancies and Legal Expenses during the quarter (Attachment D).
5. Grant Summary - details and current status of any grant applications Council has lodged. (Attachment E).

Other Matters:

6. Quarterly Budget Review – Provides the proposed variations for the month of September. Summarises the General Fund budget variations during the quarter and the impact on the overall projected result and reserves.
7. Key Performance Indicators – Provides a projected result against the benchmark for Council's General Fund key performance.

COUNCIL IMPLICATIONS**Budget/Financial**

The table below summarises the General Fund budget variations endorsed during the quarter (CM 07.23.145 August and CM 07.23.171 September) and the impact on the overall projected result.

The proposed General Fund budget variations for the September 2023 Quarter will result in a Revised 2023/24 Budget as at 30 September 2023 of a \$141,872 Surplus. The proposed Reserve Funds variations for the September 2023 Quarter has resulted in a Revised 2023/24 Budget Reserve Funds movement as at 30 September 2023 of a \$23,180,080 reduction.

September 2023 Quarter Budget Variations	Council Minutes Actioned	Budget Review Variations	Total Quarterly Variations	Net Impact	Council Minute Reference
July	\$50,000	\$10,000	\$60,000	Deficit	07.23.145
August	\$40,509	(\$404,339)	(\$363,830)	Surplus	07.23.171
September (proposed)	\$0	\$106,432	\$106,432	Deficit	
Total	\$90,509	(\$287,907)	(\$197,398)	Surplus	

Original Adopted Budget		\$55,526	Deficit
September Quarter Variations	\$90,509	(\$287,907)	(\$197,398)
Revised Budget as at 30 September 2023		(\$141,872)	Surplus

The table below summarises the External/Internal Reserve budget variations endorsed during the quarter and the impact on the overall projected result.

September 2023 Quarter Reserve Funds Variations	Council Minutes Actioned	Budget Review Variations	Total Quarterly Variations	Net Impact	Council Minute Reference
July	\$0	\$0	\$0	Nil	07.23.145
August	\$15,000	\$0	\$15,000	Decrease	07.23.171

September Proposed	\$0	\$44,000	\$44,000	Decrease	
Total	\$15,000	\$44,000	\$59,000	Decrease	

Original Adopted Budget Reserve Funds Movement			\$23,121,080	Decrease
September Quarter Variations	\$15,000	\$44,000	\$59,000	Decrease
Revised Reserve Movement Budget as at 30 September 2023			\$23,180,080	Decrease

Key Performance Indicators

The indicators adopted in the Long Term Financial Plan 2023/2024 – 2032/2033 measure Council's financial position and its financial performance. These indicators are aligned with the Fit for the Future Ratios and focus on long term sustainability.

The forecasts are derived from Council's adopted Long Term Financial Plan and the Asset Management Strategy unless a material variation in the indicator has occurred during the period. The variations proposed in this QBRS do not materially affect Council's end of year position against KPI's.

GENERAL FUND	Forecast Indicator	Benchmark
Operating Performance Ratio	(8.63%)	Min > 0%
Own Source Revenue Ratio	39.19%	Min > 60%
Building & Infrastructure Asset Renewal Ratio	486.62%	Min > 100%
Infrastructure Backlog Ratio	(8.09%)	Max < 2%
Asset Maintenance Ratio	101.0%	Min > 100%
Debt Service Ratio	2.44%	< 12%
Real Operating Expenditure per Capita	\$1,935.35	Inclining Trend

Asset Management

N/A

Policy and Regulation

The reports are presented are in accordance with the requirements outlined in the Code of Accounting Practice and Financial Reporting, and clause 203(1) of the Local Government (General) Regulations applicable from 1 July 2011 including the format required under the Integrated Planning and Reporting (IP&R) framework.

Consultation

Report was prepared in consultation with the Accounting staff and Section Budget managers.

Legal and Risk Management

N/A

Climate Change

N/A

Appendix 1

Report by Responsible Accounting Officer – 2023/24 September Quarter Budget Review

The following statement is made in accordance with clause 203(2) of the Local Government (General) Regulation 2005.

It is my opinion that the Quarterly Budget Review Statement for Clarence Valley Council for the quarter ended 30 September 2023 indicates that Council's projected short term financial position at 30 June 2024 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Pending completion of the Annual Financial Statements 2023, the estimated available working capital for Council's General Fund as at 30 June 2023 was \$4,041.

For clarification, the available working capital is regarded as funds that are currently not restricted for any use by Council for either internal or external purposes. In summary, the estimated balance of available working capital as at 30 June 2023 is as follows:

Estimated Balance of Working Capital	Amount \$'000
General Fund working capital as at 30 June 2023	\$4,041
Adopted original budget for 2023/24 – Deficit	\$56
Variations for September 2023 Quarterly Review – Surplus	(\$142)
Estimated Balance of Working Capital at 30 June 2024	\$4,127

Council's adopted benchmark goal for the General Fund working capital is for it to be maintained above \$4M. The estimated balance of the working capital for General Fund at 30 June 2024 of \$4,127 is above Council's benchmark and can be considered a satisfactory result as at 30 June 2024. However, Council must continue to maximise its revenue and contain expenditure to budget expectations to ensure the forecast Working Capital for 2023/2024 does not deteriorate to unsatisfactory level.

Signed Kate Maginnity, Responsible Accounting Officer, Clarence Valley Council
Date 13/10/2023

ATTACHMENT A

Clarence Valley Council

2023/24 Quarterly Budget income Statement by Fund - September 2023



"Discover the Clarence"

Clarence Valley Council


2023/24 Quarterly Budget Review - September 2023
Income & Expenditure Statement By Fund - CONSOLIDATED

Description	Original Budget 2023/24	Variations Sept QBRS	Proposed Revised	
			Budget Sept Qtr	Actual YTD Figures
Income				
Rates Income	(40,153,501)	0	(40,153,501)	(40,551,244)
Annual Charges	(35,425,417)	0	(35,425,417)	(34,911,837)
User Charges	(13,671,801)	0	(13,671,801)	(4,932)
Statutory & Regulatory User Charges	(3,420,885)	0	(3,420,885)	(1,493,034)
General User Fees	(19,784,450)	10,509	(19,773,941)	(4,612,202)
Interest Income	(3,092,570)	0	(3,092,570)	(1,582,403)
Operating Grants & Contributions	(16,926,831)	(546,339)	(17,473,170)	1,246,744
Other Revenue	(2,602,842)	0	(2,602,842)	(326,704)
Internal Income	(13,272,699)	(15,000)	(13,287,699)	(391,554)
Internal Plant Hire Income	(10,542,339)	0	(10,542,339)	(2,617,857)
Total Income	(158,893,335)	(550,830)	(159,444,165)	(85,245,023)
Expenditure				
Salaries, Wages & Oncosts	43,203,768	0	43,203,768	(26,033,271)
Other Employee Costs	620,531	0	620,531	221,758
Borrowing Costs	4,956,625	0	4,956,625	934,055
Materials	10,819,049	81,000	10,900,049	3,340,183
Contracts	20,475,884	54,000	20,529,884	6,929,252
Consultancies	1,020,709	115,000	1,135,709	67,555
Legal Expenses	324,448	0	324,448	134,048
Depreciation	48,265,539	0	48,265,539	12,066,385
Insurance Expenses	2,620,815	0	2,620,815	2,313,482
Donations, Contributions & Taxes	6,093,679	0	6,093,679	1,483,118
Administration Expenses	2,529,168	0	2,529,168	393,976
Other Operating Expenses	5,733,160	0	5,733,160	3,432,139
Subscriptions & Memberships	495,923	47,432	543,355	218,690
Internal Expenses	8,158,676	15,000	8,173,676	1,563,977
Internal Plant Hire Expenditure	5,271,869	0	5,271,869	1,727,339
Total Expenditure	160,589,843	312,432	160,902,275	8,792,685
Net Operating Result for the year before Grants & Contributions provided for capital purposes	1,696,508	(238,398)	1,458,110	(76,452,338)
Capital Grants & Contributions	(137,480,347)	(83,274)	(137,563,621)	4,605,739
Operating Result for the Year	(135,783,839)	(321,672)	(136,105,511)	(71,846,599)
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	20,924,702	0	20,924,702	2,575,625
Capital Works - Upgrade	93,938,253	0	93,938,253	8,181,470
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	95,340,884	183,274	95,524,158	12,232,241
Depreciation	(48,265,539)	0	(48,265,539)	(12,066,385)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	801,450
Loan Funds Received	(1,115,301)	0	(1,115,301)	0
Loan Repayments (Principal Only)	8,486,315	0	8,486,315	2,037,169
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	(1,720,869)	0	(1,720,869)	(1,777)
Net ABC Recovery	0	0	0	0
Total Balance Sheet Movements / Non-Cash Adjustments	167,588,445	183,274	167,771,719	13,759,794

Internal Reserves	(9,516,248)	0	(9,516,248)	0
External Reserves	(20,530,887)	(59,000)	(20,589,887)	(288,191)
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	(140,000)	0	(140,000)	0
S64 / S94 Contribution Reserves	(1,561,945)	0	(1,561,945)	(310,998)
Net Service Result after Transfers to/from Reserves	(31,749,080)	(59,000)	(31,808,080)	(599,189)
NET RESULT	55,526	(197,398)	(141,872)	(58,685,994)

Clarence Valley Council

2023/24 Quarterly Budget Review - September 2023

Income & Expenditure Statement By Fund - CVC General Fund

Description	Original Budget 2023/24	Variations Sept QBRs	Proposed Revised	
			Budget Sept Qtr	Actual YTD Figures
Income				
Rates Income	(40,153,501)	0	(40,153,501)	(40,551,245)
Annual Charges	(3,030,637)	0	(3,030,637)	(2,088,824)
User Charges	0	0	0	0
Statutory & Regulatory User Charges	(3,336,541)	0	(3,336,541)	(1,473,048)
General User Fees	(8,069,950)	10,509	(8,059,441)	(1,863,342)
Interest Income	(2,049,733)	0	(2,049,733)	(2,151,474)
Operating Grants & Contributions	(15,696,068)	(546,339)	(16,242,407)	(90,215)
Other Revenue	(2,351,467)	0	(2,351,467)	(299,938)
Internal Income	(11,904,433)	(15,000)	(11,919,433)	(354,742)
Internal Plant Hire Income	(9,027,077)	0	(9,027,077)	(2,217,487)
Total Income	(95,619,407)	(550,830)	(96,170,237)	(51,090,315)
Expenditure				
Salaries, Wages & Oncosts	37,450,083	0	37,450,083	5,316,031
Other Employee Costs	619,357	0	619,357	216,192
Borrowing Costs	401,135	0	401,135	117,144
Materials	7,381,772	81,000	7,462,772	2,189,061
Contracts	10,017,732	10,000	10,027,732	4,367,104
Consultancies	1,011,224	115,000	1,126,224	67,555
Legal Expenses	292,667	0	292,667	132,163
Depreciation	31,436,895	0	31,436,895	7,859,224
Insurance Expenses	2,429,039	0	2,429,039	2,230,797
Donations, Contributions & Taxes	5,618,902	0	5,618,902	1,483,118
Administration Expenses	2,363,424	0	2,363,424	356,764
Other Operating Expenses	4,130,565	0	4,130,565	2,419,261
Subscriptions & Memberships	298,385	47,432	345,817	129,595
Internal Expenses	3,535,844	0	3,535,844	1,224,691
Internal Plant Hire Expenditure	4,279,664	0	4,279,664	1,371,358
Total Expenditure	111,266,688	253,432	111,520,120	29,480,057
Net Operating Result for the year before Grants & Contributions provided for capital purposes	15,647,281	(297,398)	15,349,883	(21,610,259)
Capital Grants & Contributions	(134,743,536)	(83,274)	(134,826,810)	5,268,570
Operating Result for the Year	(119,096,255)	(380,672)	(119,476,927)	(16,341,689)
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	12,907,945	0	12,907,945	1,446,857
Capital Works - Upgrade	77,001,253	0	77,001,253	7,950,336
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	79,753,983	183,274	79,937,257	9,775,992
Depreciation	(31,436,895)	0	(31,436,895)	(7,859,224)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	801,450
Loan Funds Received	(1,115,301)	0	(1,115,301)	0
Loan Repayments (Principal Only)	1,287,046	0	1,287,046	279,745
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	(1,590,604)	0	(1,590,604)	0
Net ABC Recovery	(3,340,903)	0	(3,340,903)	(168,004)
Total Balance Sheet Movements / Non-Cash Adjustments	133,466,524	183,274	133,649,798	12,227,151

Internal Reserves	(9,516,248)	0	(9,516,248)	0
External Reserves	(1,408,599)	0	(1,408,599)	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	(140,000)	0	(140,000)	0
S64 / S94 Contribution Reserves	(3,249,896)	0	(3,249,896)	0
Net Service Result after Transfers to/from Reserves	(14,314,743)	0	(14,314,743)	0
NET RESULT - CVC General Fund	55,526	(197,398)	(141,872)	(4,114,538)

Clarence Valley Council

2023/24 Quarterly Budget Review - September 2023

Income & Expenditure Statement By Fund - CVC Water Fund

Description	Original Budget 2023/24	Variations Sept QBRs	Proposed Revised Budget Sept Qtr	Actual YTD Figures
Income				
Rates Income	0	0	0	0
Annual Charges	(3,082,036)	0	(3,082,036)	(3,120,852)
User Charges	(12,372,749)	0	(12,372,749)	(1,546)
Statutory & Regulatory User Charges	(42,328)	0	(42,328)	(19,006)
General User Fees	(2,314,677)	0	(2,314,677)	(190,296)
Interest Income	(651,043)	0	(651,043)	278,220
Operating Grants & Contributions	(364,684)	0	(364,684)	1,744,944
Other Revenue	(146,220)	0	(146,220)	(21,895)
Internal Income	(829,489)	0	(829,489)	(34,348)
Internal Plant Hire Income	(765,253)	0	(765,253)	(181,356)
Total Income	(20,568,479)	0	(20,568,479)	(1,546,135)
Expenditure				
Salaries, Wages & Oncosts	2,313,176	0	2,313,176	469,390
Other Employee Costs	550	0	550	264
Borrowing Costs	1,302,043	0	1,302,043	222,704
Materials	1,346,909	0	1,346,909	507,278
Contracts	1,439,932	0	1,439,932	542,139
Consultancies	0	0	0	0
Legal Expenses	5,000	0	5,000	0
Depreciation	7,170,668	0	7,170,668	1,792,667
Insurance Expenses	67,423	0	67,423	39,424
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	904	0	904	3,200
Other Operating Expenses	271,171	0	271,171	288,574
Subscriptions & Memberships	13,964	0	13,964	0
Internal Expenses	1,125,777	15,000	1,140,777	183,708
Internal Plant Hire Expenditure	567,986	0	567,986	193,706
Total Expenditure	15,625,503	15,000	15,640,503	4,243,055
Net Operating Result for the year before Grants & Contributions provided for capital purposes	(4,942,976)	15,000	(4,927,976)	2,696,920
Capital Grants & Contributions	(1,993,807)	0	(1,993,807)	(520,667)
Operating Result for the Year	(6,936,783)	15,000	(6,921,783)	2,176,254
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	3,674,000	0	3,674,000	183,117
Capital Works - Upgrade	16,877,000	0	16,877,000	211,818
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	5,973,479	0	5,973,479	1,537,222
Depreciation	(7,170,668)	0	(7,170,668)	(1,792,667)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	1,352,974	0	1,352,974	328,646
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	(76,701)	0	(76,701)	0
Net ABC Recovery	1,559,622	0	1,559,622	77,228
Total Balance Sheet Movements / Non-Cash Adjustments	22,189,706	0	22,189,706	545,365

Internal Reserves	0	0	0	0
External Reserves	(16,197,870)	(15,000)	(16,212,870)	(288,191)
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	944,947	0	944,947	0
Net Service Result after Transfers to/from Reserves	(15,252,923)	(15,000)	(15,267,923)	(288,191)
NET RESULT - CVC Water Fund	0	0	0	2,433,427

Clarence Valley Council

2023/24 Quarterly Budget Review - September 2023

Income & Expenditure Statement By Fund - CVC Sewer Fund

Description	Original Budget 2023/24	Variations Sept QBRs	Proposed Revised Budget Sept Qtr	Actual YTD Figures
Income				
Rates Income	0	0	0	1
Annual Charges	(21,066,852)	0	(21,066,852)	(21,252,487)
User Charges	(1,299,052)	0	(1,299,052)	(3,386)
Statutory & Regulatory User Charges	(42,016)	0	(42,016)	(980)
General User Fees	(697,672)	0	(697,672)	(146,049)
Interest Income	(259,326)	0	(259,326)	298,393
Operating Grants & Contributions	(352,377)	0	(352,377)	(164,206)
Other Revenue	(6,254)	0	(6,254)	(4,638)
Internal Income	(533,613)	0	(533,613)	(2,464)
Internal Plant Hire Income	(750,009)	0	(750,009)	(219,014)
Total Income	(25,007,171)	0	(25,007,171)	(21,494,832)
Expenditure				
Salaries, Wages & Oncosts	2,185,986	0	2,185,986	412,316
Other Employee Costs	0	0	0	1,579
Borrowing Costs	3,030,208	0	3,030,208	551,706
Materials	1,679,428	0	1,679,428	495,193
Contracts	1,151,562	0	1,151,562	470,267
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	8,648,103	0	8,648,103	2,162,026
Insurance Expenses	74,957	0	74,957	43,260
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	0
Other Operating Expenses	716,935	0	716,935	441,792
Subscriptions & Memberships	8,828	0	8,828	0
Internal Expenses	309,938	0	309,938	146,715
Internal Plant Hire Expenditure	424,219	0	424,219	159,895
Total Expenditure	18,230,164	0	18,230,164	4,884,749
Net Operating Result for the year before Grants & Contributions provided for capital purposes	(6,777,007)	0	(6,777,007)	(16,610,083)
Capital Grants & Contributions	(743,004)	0	(743,004)	(142,164)
Operating Result for the Year	(7,520,011)	0	(7,520,011)	(16,752,247)
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	4,142,757	0	4,142,757	945,283
Capital Works - Upgrade	60,000	0	60,000	19,316
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	7,891,915	0	7,891,915	595,914
Depreciation	(8,648,103)	0	(8,648,103)	(2,162,026)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	5,194,850	0	5,194,850	1,271,203
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	(53,564)	0	(53,564)	0
Net ABC Recovery	1,142,992	0	1,142,992	53,580
Total Balance Sheet Movements / Non-Cash Adjustments	9,730,847	0	9,730,847	723,269

Internal Reserves	0	0	0	0
External Reserves	(2,953,840)	0	(2,953,840)	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	743,004	0	743,004	(310,998)
Net Service Result after Transfers to/from Reserves	(2,210,836)	0	(2,210,836)	(310,998)
NET RESULT - CVC Sewer Fund	0	0	0	(16,339,976)

Clarence Valley Council

2023/24 Quarterly Budget Review - September 2023
Income & Expenditure Statement By Fund - Holiday Parks

Description	Original Budget 2023/24	Variations Sept QBRs	Proposed Revised	
			Budget Sept Qtr	Actual YTD Figures
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	(8,702,151)	0	(8,702,151)	(2,412,196)
Interest Income	(59,462)	0	(59,462)	(2,309)
Operating Grants & Contributions	(26,233)	0	(26,233)	(2,407)
Other Revenue	0	0	0	0
Internal Income	0	0	0	0
Internal Plant Hire Income	0	0	0	0
Total Income	(8,787,846)	0	(8,787,846)	(2,416,912)
Expenditure				
Salaries, Wages & Oncosts	194,819	0	194,819	193,809
Other Employee Costs	0	0	0	154
Borrowing Costs	0	0	0	0
Materials	367,256	0	367,256	126,217
Contracts	2,886,614	0	2,886,614	492,624
Consultancies	9,485	0	9,485	0
Legal Expenses	26,781	0	26,781	1,885
Depreciation	706,486	0	706,486	176,622
Insurance Expenses	45,885	0	45,885	0
Donations, Contributions & Taxes	474,777	0	474,777	0
Administration Expenses	128,256	0	128,256	24,275
Other Operating Expenses	401,503	0	401,503	184,080
Subscriptions & Memberships	0	0	0	0
Internal Expenses	1,302,970	0	1,302,970	3,613
Internal Plant Hire Expenditure	0	0	0	2,380
Total Expenditure	6,544,832	0	6,544,832	1,205,659
Net Operating Result for the year before Grants & Contributions provided for capital purposes	(2,243,014)	0	(2,243,014)	(1,211,253)
Capital Grants & Contributions	0	0	0	0
Operating Result for the Year	(2,243,014)	0	(2,243,014)	(1,211,253)
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	200,000	0	200,000	368
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	1,380,000	0	1,380,000	255,872
Depreciation	(706,486)	0	(706,486)	(176,621)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	129,214	0	129,214	4,755
Total Balance Sheet Movements / Non-Cash Adjustments	1,002,728	0	1,002,728	84,374

Internal Reserves	0	0	0	0
External Reserves	1,240,286	0	1,240,286	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Net Service Result after Transfers to/from Reserves	1,240,286	0	1,240,286	0
NET RESULT - Holiday Parks	0	0	0	(1,126,880)

Clarence Valley Council

2023/24 Quarterly Budget Review - September 2023

Income & Expenditure Statement By Fund - Clarence Regional Library

Description	Original Budget 2023/24	Variations Sept QBRs	Proposed Revised	
			Budget Sept Qtr	Actual YTD Figures
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	(318)
Interest Income	(10,320)	0	(10,320)	0
Operating Grants & Contributions	(293,925)	0	(293,925)	(68,876)
Other Revenue	(2,239)	0	(2,239)	(212)
Internal Income	0	0	0	0
Internal Plant Hire Income	0	0	0	0
Total Income	(306,484)	0	(306,484)	(69,406)
Expenditure				
Salaries, Wages & Oncosts	726,341	0	726,341	125,258
Other Employee Costs	624	0	624	3,442
Borrowing Costs	0	0	0	0
Materials	12,300	0	12,300	(66)
Contracts	102,817	0	102,817	15,018
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	248,469	0	248,469	62,117
Insurance Expenses	2,811	0	2,811	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	27,329	0	27,329	8,657
Other Operating Expenses	138,172	0	138,172	84,258
Subscriptions & Memberships	127,430	0	127,430	40,392
Internal Expenses	7,500	0	7,500	3,250
Internal Plant Hire Expenditure	0	0	0	0
Total Expenditure	1,393,793	0	1,393,793	342,326
Net Operating Result for the year before Grants & Contributions provided for capital purposes	1,087,309	0	1,087,309	272,920
Capital Grants & Contributions	0	0	0	0
Operating Result for the Year	1,087,309	0	1,087,309	272,920
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	341,507	0	341,507	67,242
Depreciation	(248,469)	0	(248,469)	(62,117)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	(1,777)
Net ABC Recovery	125,435	0	125,435	4,823
Total Balance Sheet Movements / Non-Cash Adjustments	218,473	0	218,473	8,171

Internal Reserves	0	0	0	0
External Reserves	(1,305,782)	0	(1,305,782)	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Net Service Result after Transfers to/from Reserves	(1,305,782)	0	(1,305,782)	0
NET RESULT - Clarence Regional Library	0	0	0	281,090

Clarence Valley Council

2023/24 Quarterly Budget Review - September 2023

Income & Expenditure Statement By Fund - CVC Domestic Waste Management Fund

Description	Original Budget 2023/24	Variations Sept QBRs	Proposed Revised	
			Budget Sept Qtr	Actual YTD Figures
Income				
Rates Income	0	0	0	0
Annual Charges	(8,245,892)	0	(8,245,892)	(8,449,673)
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	(62,686)	0	(62,686)	(5,232)
Operating Grants & Contributions	(193,544)	0	(193,544)	(172,496)
Other Revenue	(96,662)	0	(96,662)	(20)
Internal Income	(5,164)	0	(5,164)	0
Internal Plant Hire Income	0	0	0	0
Total Income	(8,603,948)	0	(8,603,948)	(8,627,422)
Expenditure				
Salaries, Wages & Oncosts	333,363	0	333,363	65,001
Other Employee Costs	0	0	0	127
Borrowing Costs	223,239	0	223,239	42,501
Materials	31,384	0	31,384	22,501
Contracts	4,877,227	44,000	4,921,227	1,042,099
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	54,918	0	54,918	13,730
Insurance Expenses	700	0	700	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	9,255	0	9,255	1,080
Other Operating Expenses	74,814	0	74,814	14,175
Subscriptions & Memberships	47,316	0	47,316	48,702
Internal Expenses	1,876,647	0	1,876,647	2,000
Internal Plant Hire Expenditure	0	0	0	0
Total Expenditure	7,528,863	44,000	7,572,863	1,251,916
Net Operating Result for the year before Grants & Contributions provided for capital purposes	(1,075,085)	44,000	(1,031,085)	(7,375,506)
Capital Grants & Contributions	0	0	0	0
Operating Result for the Year	(1,075,085)	44,000	(1,031,085)	(7,375,506)

Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	(54,918)	0	(54,918)	(13,730)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	651,445	0	651,445	157,576
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	383,640	0	383,640	27,619
Total Balance Sheet Movements / Non-Cash Adjustments	980,167	0	980,167	171,465
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	94,918	(44,000)	50,918	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Net Service Result after Transfers to/from Reserves	94,918	(44,000)	50,918	0
NET RESULT - CVC Domestic Waste Management Fund	0	0	0	(7,204,041)

ATTACHMENT B

Clarence Valley Council

2023/24 Quarterly Income & Expenditure Statements by Service - September 2023



"Discover the Clarence"

Clarence Valley Council

Quarterly Income & Expenditure Statement - September 2023
Service: Office of General Manager



Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	(5,318)
Other Revenue	0	0	0	0
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	0	0	0	(5,318)
Expenditure				
Salaries, Wages & Oncosts	777,118	0	777,118	126,832
Other Employee Costs	4,000	0	4,000	0
Borrowing Costs	0	0	0	0
Materials	6,000	1,000	7,000	1,030
Contracts	120,000	0	120,000	92,895
Consultancies	35,000	10,000	45,000	0
Legal Expenses	0	0	0	0
Depreciation	1,401	0	1,401	350
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	0
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	0	0	0	0
Internal Expenses	8,000	0	8,000	0
Internal Plant Hire	0	0	0	0
Total Expenditure	951,519	11,000	962,519	221,108
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	951,519	11,000	962,519	215,789
Capital Grants & Contributions	0	0	0	0
NET RESULT	951,519	11,000	962,519	215,789
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	(1,401)	0	(1,401)	(350)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	(578,075)	0	(578,075)	4
Total Balance Sheet Movements / Non-Cash Adjustments	(579,476)	0	(579,476)	(346)
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	372,043	11,000	383,043	215,443

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Elected Members

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRS	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	0	0	0	0
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	0	0	0	0
Expenditure				
Salaries, Wages & Oncosts	0	0	0	0
Other Employee Costs	0	0	0	1,403
Borrowing Costs	0	0	0	41,847
Materials	0	0	0	762
Contracts	0	0	0	215
Consultancies	5,036	0	0	10,615
Legal Expenses	0	0	0	0
Depreciation	0	0	0	0
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	337,415	0	337,415	83,236
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	59,382	42,000	101,382	53,678
Internal Expenses	8,000	0	8,000	2,000
Internal Plant Hire	0	0	0	0
Total Expenditure	409,833	42,000	451,833	193,756
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	409,833	42,000	451,833	193,756
Capital Grants & Contributions	0	0	0	0
NET RESULT	409,833	42,000	451,833	193,756
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	0	0	0	0
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	248,435	0	248,435	(24,670)
Total Balance Sheet Movements / Non-Cash Adjustments	248,435	0	248,435	(24,670)
Adjust for Transfers to/from Reserves				
Internal Reserves	133,333	0	133,333	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	133,333	0	133,333	0
ADJUSTED NET RESULT	791,601	42,000	833,601	169,086

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Corporate & Governance

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	0	0	0	0
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	0	0	0	0
Expenditure				
Salaries, Wages & Oncosts	861,665	0	861,665	179,274
Other Employee Costs	0	0	0	0
Borrowing Costs	0	0	0	0
Materials	0	0	0	(90)
Contracts	0	0	0	0
Consultancies	50,000	0	0	0
Legal Expenses	0	0	0	0
Depreciation	63	0	63	16
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	0
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	3,500	0	3,500	1,134
Internal Expenses	24,000	0	24,000	8,000
Internal Plant Hire	0	0	0	0
Total Expenditure	939,228	0	939,228	188,334
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	939,228	0	939,228	188,334
Capital Grants & Contributions	0	0	0	0
NET RESULT	939,228	0	939,228	188,334
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	(63)	0	(63)	(16)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	(610,441)	0	(610,441)	(10,034)
Total Balance Sheet Movements / Non-Cash Adjustments	(610,504)	0	(610,504)	(10,050)
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	328,724	0	328,724	178,283

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Finance Control & Compliance

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	(40,153,501)	0	(40,153,501)	(40,551,245)
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	(160,160)	0	(160,160)	(30,743)
General User Fees	(44,399)	0	(44,399)	(12,502)
Interest Income	(1,695,555)	0	(1,695,555)	(2,151,474)
Operating Grants & Contributions	(9,427,301)	(203,330)	(9,630,631)	(659,375)
Other Revenue	(121,240)	0	(121,240)	(79,030)
Internal Income	(1,809,360)	0	(1,809,360)	(131)
Internal Plant Hire	0	0	0	0
Total Income	(53,411,516)	(203,330)	(53,614,846)	(43,484,499)
Expenditure				
Salaries, Wages & Oncosts	1,777,507	0	1,777,507	322,505
Other Employee Costs	6,240	0	6,240	15,812
Borrowing Costs	0	0	0	108,656
Materials	16,264	0	16,264	16,208
Contracts	112,600	0	112,600	181,982
Consultancies	20,515	0		4,500
Legal Expenses	165,000	0	165,000	101,586
Depreciation	582	0	582	146
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	1,550,643	0	1,550,643	74,479
Other Operating Expenses	2,434	0	2,434	2,391
Subscriptions & Memberships	0	0	0	0
Internal Expenses	59,300	0	59,300	10,374
Internal Plant Hire	0	0	0	0
Total Expenditure	3,711,085	0	3,711,085	838,639
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	(49,700,431)	(203,330)	(49,903,761)	(42,645,860)
Capital Grants & Contributions	0	0	0	0
NET RESULT	(49,700,431)	(203,330)	(49,903,761)	(42,645,860)
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	(582)	0	(582)	(146)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	788,363
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	279,745
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	(1,780,237)	0	(1,780,237)	(174,850)
Total Balance Sheet Movements / Non-Cash Adjustments	(1,780,819)	0	(1,780,819)	893,112
Adjust for Transfers to/from Reserves				
Internal Reserves	5,670,173	0	5,670,173	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	5,670,173	0	5,670,173	0
ADJUSTED NET RESULT	(45,811,077)	(203,330)	(46,014,407)	(41,752,747)

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Financial Analysis & Business Support

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	0	0	0	0
Internal Income	(4,771,373)	0	(4,771,373)	0
Internal Plant Hire	0	0	0	0
Total Income	(4,771,373)	0	(4,771,373)	0
Expenditure				
Salaries, Wages & Oncosts	4,888,803	0	4,888,803	(534,922)
Other Employee Costs	297,155	0	297,155	36,364
Borrowing Costs	0	0	0	0
Materials	3,604	0	3,604	55
Contracts	0	0	0	19,189
Consultancies	200,000	0		(33,975)
Legal Expenses	0	0	0	0
Depreciation	0	0	0	0
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	0
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	4,000	0	4,000	0
Internal Expenses	250,500	0	250,500	73,250
Internal Plant Hire	0	0	0	0
Total Expenditure	5,644,062	0	5,644,062	(440,039)
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	872,689	0	872,689	(440,039)
Capital Grants & Contributions	0	0	0	0
NET RESULT	872,689	0	872,689	(440,039)
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	0	0	0	0
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	(840,676)	0	(840,676)	(81,315)
Total Balance Sheet Movements / Non-Cash Adjustments	(840,676)	0	(840,676)	(81,315)
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	32,013	0	32,013	(521,353)

CLARENCE VALLEY COUNCIL



Quarterly Income & Expenditure Statement - September 2023
Service: Information Services & Corporate Systems

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	0	0	0	0
Internal Income	(45,000)	0	(45,000)	0
Internal Plant Hire	0	0	0	0
Total Income	(45,000)	0	(45,000)	0
Expenditure				
Salaries, Wages & Oncosts	1,516,979	0	1,516,979	226,892
Other Employee Costs	0	0	0	0
Borrowing Costs	3,230	0	3,230	(269)
Materials	0	0	0	0
Contracts	0	0	0	74,420
Consultancies	275,600	0		8,000
Legal Expenses	0	0	0	0
Depreciation	496,483	0	496,483	124,121
Insurance Expenses	23,162	0	23,162	25,932
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	69,641	0	69,641	10,049
Other Operating Expenses	3,049,986	0	3,049,986	2,042,724
Subscriptions & Memberships	0	0	0	2,800
Internal Expenses	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Expenditure	5,435,081	0	5,435,081	2,514,668
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	5,390,081	0	5,390,081	2,514,668
Capital Grants & Contributions	0	0	0	0
NET RESULT	5,390,081	0	5,390,081	2,514,668
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	26,584
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	541,600	0	541,600	145,634
Depreciation	(496,483)	0	(496,483)	(124,121)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	9,424	0	9,424	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	(2,344,034)	0	(2,344,034)	(32,285)
Total Balance Sheet Movements / Non-Cash Adjustments	(2,289,493)	0	(2,289,493)	15,811
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	3,100,588	0	3,100,588	2,530,479

CLARENCE VALLEY COUNCIL

Quarterly Income & Expenditure Statement - September 2023
Service: Corporate & Customer Experience



Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	(66,456)	0	(66,456)	(11,144)
General User Fees	0	0	0	(219)
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	(60,000)	0	(60,000)	0
Internal Income	0	0	0	(42)
Internal Plant Hire	0	0	0	0
Total Income	(126,456)	0	(126,456)	(11,405)
Expenditure				
Salaries, Wages & Oncosts	1,746,093	0	1,746,093	336,123
Other Employee Costs	5,000	0	5,000	599
Borrowing Costs	0	0	0	0
Materials	10,000	0	10,000	26
Contracts	31,700	0	31,700	22,641
Consultancies	38,437	0		1,540
Legal Expenses	36,270	0	36,270	495
Depreciation	11	0	11	3
Insurance Expenses	1,119,274	0	1,119,274	1,832,367
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	65,112	0	65,112	2,295
Other Operating Expenses	0	0	0	1
Subscriptions & Memberships	18,956	0	18,956	3,850
Internal Expenses	8,000	0	8,000	6,000
Internal Plant Hire	0	0	0	0
Total Expenditure	3,078,853	0	3,078,853	2,205,941
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	2,952,397	0	2,952,397	2,194,536
Capital Grants & Contributions	0	0	0	0
NET RESULT	2,952,397	0	2,952,397	2,194,536
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	(11)	0	(11)	(3)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	(1,942,445)	0	(1,942,445)	(15,120)
Total Balance Sheet Movements / Non-Cash Adjustments	(1,942,456)	0	(1,942,456)	(15,123)
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	1,009,941	0	1,009,941	2,179,413

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: People & Culture

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	(193,742)	0	(193,742)	21,409
Other Revenue	0	0	0	0
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(193,742)	0	(193,742)	21,409
Expenditure				
Salaries, Wages & Oncosts	972,239	0	972,239	121,834
Other Employee Costs	286,000	0	286,000	121,451
Borrowing Costs	0	0	0	0
Materials	0	0	0	608
Contracts	0	0	0	0
Consultancies	111,513	0		0
Legal Expenses	52,000	0	52,000	2,939
Depreciation	768	0	768	192
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	50,967	0	50,967	42,374
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	33,800	0	33,800	4,116
Internal Expenses	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Expenditure	1,507,287	0	1,507,287	293,513
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	1,313,545	0	1,313,545	314,922
Capital Grants & Contributions	0	0	0	0
NET RESULT	1,313,545	0	1,313,545	314,922
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	(768)	0	(768)	(192)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	(1,051,456)	0	(1,051,456)	699
Total Balance Sheet Movements / Non-Cash Adjustments	(1,052,224)	0	(1,052,224)	507
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	261,321	0	261,321	315,429

CLARENCE VALLEY COUNCIL



Quarterly Income & Expenditure Statement - September 2023
Service: Safety & Risk

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	(153,900)	0	(153,900)	0
Other Revenue	0	0	0	0
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(153,900)	0	(153,900)	0
Expenditure				
Salaries, Wages & Oncosts	400,794	0	400,794	273,940
Other Employee Costs	3,120	0	3,120	24,288
Borrowing Costs	0	0	0	0
Materials	0	0	0	926
Contracts	72,800	0	72,800	6,278
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	0	0	0	0
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	0
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	0	0	0	0
Internal Expenses	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Expenditure	476,714	0	476,714	305,431
Net Operating Result for the year before Grants & Contributions provided for capital purposes	322,814	0	322,814	305,431
Capital Grants & Contributions	0	0	0	0
NET RESULT	322,814	0	322,814	305,431
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	0	0	0	0
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	13,087
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	(358,378)	0	(358,378)	280
Total Balance Sheet Movements / Non-Cash Adjustments	(358,378)	0	(358,378)	13,366
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	(35,564)	0	(35,564)	318,797

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Community & Industry Engagement

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	(2,500)
Other Revenue	(101,332)	0	(101,332)	(27)
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(101,332)	0	(101,332)	(2,527)
Expenditure				
Salaries, Wages & Oncosts	804,402	0	804,402	147,001
Other Employee Costs	1,050	0	1,050	0
Borrowing Costs	0	0	0	0
Materials	137,442	0	137,442	45,099
Contracts	69,705	0	69,705	40,074
Consultancies	17,312	0		5,940
Legal Expenses	0	0	0	0
Depreciation	8,300	0	8,300	2,075
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	135,000	0	135,000	47,613
Administration Expenses	188,579	0	188,579	73,596
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	44,546	0	44,546	36,034
Internal Expenses	26,599	0	26,599	0
Internal Plant Hire	0	0	0	0
Total Expenditure	1,432,935	0	1,432,935	397,432
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	1,331,603	0	1,331,603	394,905
Capital Grants & Contributions	0	0	0	0
NET RESULT	1,331,603	0	1,331,603	394,905
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	10,200
Depreciation	(8,300)	0	(8,300)	(2,075)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	(57,994)	0	(57,994)	(19,976)
Total Balance Sheet Movements / Non-Cash Adjustments	(66,294)	0	(66,294)	(11,851)
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	1,265,309	0	1,265,309	383,054

CLARENCE VALLEY COUNCIL



Quarterly Income & Expenditure Statement - September 2023
Service: Community Development

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	(21,389)	0	(21,389)	(5,682)
Interest Income	(28,137)	0	(28,137)	0
Operating Grants & Contributions	0	0	0	(17,895)
Other Revenue	0	0	0	0
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(49,526)	0	(49,526)	(23,577)
Expenditure				
Salaries, Wages & Oncosts	746,331	0	746,331	145,388
Other Employee Costs	0	0	0	786
Borrowing Costs	0	0	0	0
Materials	26,455	0	26,455	9,964
Contracts	131,272	0	131,272	54,454
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	130,642	0	130,642	32,660
Insurance Expenses	32,209	0	32,209	0
Donations, Contributions & Taxes	104,000	0	104,000	66,005
Administration Expenses	25,356	0	25,356	0
Other Operating Expenses	14,139	0	14,139	2,526
Subscriptions & Memberships	28,138	0	28,138	16,364
Internal Expenses	10,357	0	10,357	2,000
Internal Plant Hire	0	0	0	0
Total Expenditure	1,248,899	0	1,248,899	330,148
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	1,199,373	0	1,199,373	306,571
Capital Grants & Contributions	(455,945)	0	(455,945)	(26,469)
NET RESULT	743,428	0	743,428	280,102
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	(130,642)	0	(130,642)	(32,660)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	308,704	0	308,704	13,625
Total Balance Sheet Movements / Non-Cash Adjustments	178,062	0	178,062	(19,036)
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	921,490	0	921,490	261,066

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Library Services

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	(10,712)	0	(10,712)	(5,388)
Interest Income	(10,320)	0	(10,320)	0
Operating Grants & Contributions	(293,925)	0	(293,925)	(68,876)
Other Revenue	(5,579)	0	(5,579)	(2,539)
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(320,536)	0	(320,536)	(76,803)
Expenditure				
Salaries, Wages & Oncosts	1,685,733	0	1,685,733	308,869
Other Employee Costs	2,912	0	2,912	3,843
Borrowing Costs	1,709	0	1,709	(142)
Materials	38,003	0	38,003	5,559
Contracts	138,784	0	138,784	16,013
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	414,367	0	414,367	103,592
Insurance Expenses	39,595	0	39,595	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	30,417	0	30,417	9,359
Other Operating Expenses	201,354	0	201,354	145,414
Subscriptions & Memberships	136,552	0	136,552	42,234
Internal Expenses	39,077	0	39,077	8,250
Internal Plant Hire	0	0	0	0
Total Expenditure	2,728,503	0	2,728,503	642,990
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	2,407,967	0	2,407,967	566,188
Capital Grants & Contributions	0	0	0	0
NET RESULT	2,407,967	0	2,407,967	566,188
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	352,889	0	352,889	67,242
Depreciation	(414,367)	0	(414,367)	(103,592)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	4,986	0	4,986	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	(1,777)
Net ABC Recovery	451,400	0	451,400	9,937
Total Balance Sheet Movements / Non-Cash Adjustments	394,908	0	394,908	(28,189)
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	(1,330,782)	0	(1,330,782)	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	(1,330,782)	0	(1,330,782)	0
ADJUSTED NET RESULT	1,472,093	0	1,472,093	537,998

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Cultural Services

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	(86,778)	0	(86,778)	(22,736)
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	(44,768)	0	(44,768)	(11,379)
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(131,546)	0	(131,546)	(34,115)
Expenditure				
Salaries, Wages & Oncosts	455,242	0	455,242	89,538
Other Employee Costs	0	0	0	0
Borrowing Costs	4,692	0	4,692	(391)
Materials	104,781	0	104,781	36,536
Contracts	70,460	0	70,460	56,913
Consultancies	61,781	0		30,610
Legal Expenses	0	0	0	0
Depreciation	4,971	0	4,971	1,243
Insurance Expenses	21,894	0	21,894	8,080
Donations, Contributions & Taxes	27,040	0	27,040	25,132
Administration Expenses	35,575	0	35,575	5,475
Other Operating Expenses	52,005	0	52,005	33,136
Subscriptions & Memberships	5,017	0	5,017	55
Internal Expenses	20,629	0	20,629	2,074
Internal Plant Hire	0	0	0	0
Total Expenditure	864,087	0	864,087	288,401
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	732,541	0	732,541	254,286
Capital Grants & Contributions	0	0	0	0
NET RESULT	732,541	0	732,541	254,286
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	24,000	0	24,000	0
Capital Works - Upgrade	0	0	0	171
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	(4,971)	0	(4,971)	(1,243)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	13,693	0	13,693	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	111,414	0	111,414	2,113
Total Balance Sheet Movements / Non-Cash Adjustments	144,136	0	144,136	1,041
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	876,677	0	876,677	255,327

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Works & Civil Management

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	(275,823)	0	(275,823)	(51,781)
Internal Income	(1,373,653)	0	(1,373,653)	(362,972)
Internal Plant Hire	(10,542,339)	0	(10,542,339)	(2,617,857)
Total Income	(12,191,815)	0	(12,191,815)	(3,032,611)
Expenditure				
Salaries, Wages & Oncosts	1,133,110	0	1,133,110	243,010
Other Employee Costs	8,320	0	8,320	21
Borrowing Costs	504	0	504	(42)
Materials	4,162,333	0	4,162,333	1,193,860
Contracts	438,394	0	438,394	255,412
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	3,288,635	0	3,288,635	822,159
Insurance Expenses	676,457	0	676,457	368,372
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	0
Other Operating Expenses	47,299	0	47,299	8,339
Subscriptions & Memberships	1,300	0	1,300	1,550
Internal Expenses	172,694	0	172,694	39,256
Internal Plant Hire	24,518	0	24,518	6,785
Total Expenditure	9,953,564	0	9,953,564	2,938,722
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	(2,238,251)	0	(2,238,251)	(93,889)
Capital Grants & Contributions	0	0	0	0
NET RESULT	(2,238,251)	0	(2,238,251)	(93,889)
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	13,870
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	5,650,000	100,000	5,750,000	1,276,831
Depreciation	(3,288,635)	0	(3,288,635)	(822,159)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	1,470	0	1,470	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	(1,535,117)	0	0	0
Net ABC Recovery	157,655	0	157,655	14,650
Total Balance Sheet Movements / Non-Cash Adjustments	985,373	100,000	1,085,373	483,191
Adjust for Transfers to/from Reserves				
Internal Reserves	477,528	0	477,528	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	477,528	0	477,528	0
ADJUSTED NET RESULT	(775,350)	100,000	(675,350)	389,302

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Strategic Infrastructure

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	(195,402)	0	(195,402)	0
Other Revenue	0	0	0	0
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(195,402)	0	(195,402)	0
Expenditure				
Salaries, Wages & Oncosts	827,839	0	827,839	224,719
Other Employee Costs	0	0	0	126
Borrowing Costs	0	0	0	0
Materials	4,011	0	4,011	0
Contracts	314,148	0	314,148	14,539
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	0	0	0	0
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	600
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	0	0	0	0
Internal Expenses	48,500	0	48,500	16,125
Internal Plant Hire	0	0	0	0
Total Expenditure	1,194,498	0	1,194,498	256,109
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	999,096	0	999,096	256,109
Capital Grants & Contributions	0	0	0	0
NET RESULT	999,096	0	999,096	256,109
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	(3,662)
Depreciation	0	0	0	0
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	58,137	0	58,137	611
Total Balance Sheet Movements / Non-Cash Adjustments	58,137	0	58,137	(3,050)
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	1,057,233	0	1,057,233	253,059

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Quarries

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	(6,386)	0	(6,386)	0
Interest Income	(3,737)	0	(3,737)	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	0	0	0	0
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(10,123)	0	(10,123)	0
Expenditure				
Salaries, Wages & Oncosts	133,745	0	133,745	0
Other Employee Costs	0	0	0	0
Borrowing Costs	0	0	0	0
Materials	30,294	0	30,294	0
Contracts	437,480	0	437,480	0
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	17,947	0	17,947	4,487
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	0
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	0	0	0	0
Internal Expenses	16,935	0	16,935	0
Internal Plant Hire	0	0	0	0
Total Expenditure	636,401	0	636,401	4,487
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	626,278	0	626,278	4,487
Capital Grants & Contributions	(15,600)	0	(15,600)	0
NET RESULT	610,678	0	610,678	4,487
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	30,000	0	30,000	0
Depreciation	(17,947)	0	(17,947)	(4,487)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	9,569	0	9,569	346
Total Balance Sheet Movements / Non-Cash Adjustments	21,622	0	21,622	(4,141)
Adjust for Transfers to/from Reserves				
Internal Reserves	(632,300)	0	(632,300)	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	(632,300)	0	(632,300)	0
ADJUSTED NET RESULT	0	0	0	346

CLARENCE VALLEY COUNCIL



Quarterly Income & Expenditure Statement - September 2023
Service: Emergency Services

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	597,320
Other Revenue	0	0	0	(4,390)
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	0	0	0	592,930
Expenditure				
Salaries, Wages & Oncosts	2,588	0	2,588	128,574
Other Employee Costs	0	0	0	767
Borrowing Costs	952	0	952	(79)
Materials	473,741	0	473,741	306,306
Contracts	272,808	0	272,808	304,411
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	148,719	0	148,719	37,180
Insurance Expenses	44,922	0	44,922	0
Donations, Contributions & Taxes	1,765,080	0	1,765,080	441,270
Administration Expenses	19,645	0	19,645	480
Other Operating Expenses	94,306	0	94,306	16,202
Subscriptions & Memberships	0	0	0	0
Internal Expenses	34,876	0	34,876	72,034
Internal Plant Hire	0	0	0	217,849
Total Expenditure	2,857,637	0	2,857,637	1,524,993
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	2,857,637	0	2,857,637	2,117,924
Capital Grants & Contributions	0	0	0	0
NET RESULT	2,857,637	0	2,857,637	2,117,924
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	479
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	745,258
Depreciation	(148,719)	0	(148,719)	(37,180)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	2,778	0	2,778	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	558	0	558	47
Total Balance Sheet Movements / Non-Cash Adjustments	(145,383)	0	(145,383)	708,604
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	2,712,254	0	2,712,254	2,826,528

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Property Services

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	(1,557)
Interest Income	0	0	0	0
Operating Grants & Contributions	(18,101)	0	(18,101)	0
Other Revenue	(515,657)	0	(515,657)	(15,168)
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(533,758)	0	(533,758)	(16,725)
Expenditure				
Salaries, Wages & Oncosts	258,656	0	258,656	65,747
Other Employee Costs	0	0	0	0
Borrowing Costs	180	0	180	(15)
Materials	0	0	0	0
Contracts	36,345	0	36,345	(10,689)
Consultancies	20,083	0		0
Legal Expenses	8,863	0	8,863	19,253
Depreciation	0	0	0	0
Insurance Expenses	22,969	0	22,969	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	7,500
Other Operating Expenses	5,297	0	5,297	4,932
Subscriptions & Memberships	5,200	0	5,200	522
Internal Expenses	29,111	0	29,111	0
Internal Plant Hire	0	0	0	0
Total Expenditure	386,704	0	386,704	87,251
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	(147,054)	0	(147,054)	70,526
Capital Grants & Contributions	0	0	0	0
NET RESULT	(147,054)	0	(147,054)	70,526
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	0	0	0	0
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	525	0	525	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	10,072	0	10,072	72
Total Balance Sheet Movements / Non-Cash Adjustments	10,597	0	10,597	72
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	(136,457)	0	(136,457)	70,598

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Roads Infrastructure

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	(600,000)	0	(600,000)	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	(93,184)	0	(93,184)	(420,497)
General User Fees	(62,034)	0	(62,034)	(15,598)
Interest Income	(81,399)	0	(81,399)	0
Operating Grants & Contributions	(7,888,448)	(343,009)	(8,231,457)	0
Other Revenue	(31,200)	0	(31,200)	(22,084)
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(8,756,265)	(343,009)	(9,099,274)	(458,179)
Expenditure				
Salaries, Wages & Oncosts	5,936,202	0	5,936,202	963,927
Other Employee Costs	4,000	0	4,000	5,454
Borrowing Costs	284,508	0	284,508	(23,698)
Materials	1,830,680	0	1,830,680	384,213
Contracts	1,925,987	0	1,925,987	1,330,970
Consultancies	0	0	0	0
Legal Expenses	0	0	0	3,788
Depreciation	20,657,209	0	20,657,209	5,164,302
Insurance Expenses	2,975	0	2,975	2,366
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	0
Other Operating Expenses	483,822	0	483,822	122,413
Subscriptions & Memberships	4,732	0	4,732	4,810
Internal Expenses	327,443	0	327,443	420,848
Internal Plant Hire	2,997,188	0	2,997,188	735,719
Total Expenditure	34,454,746	0	34,454,746	9,115,114
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	25,698,481	(343,009)	25,355,472	8,656,935
Capital Grants & Contributions	(99,680,103)	(83,274)	(99,763,377)	3,614,659
NET RESULT	(73,981,622)	(426,283)	(74,407,905)	12,271,593
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	6,154,929	0	6,154,929	47,013
Capital Works - Upgrade	75,006,481	0	75,006,481	4,786,929
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	23,614,113	83,274	23,697,387	6,702,667
Depreciation	(20,657,209)	0	(20,657,209)	(5,164,302)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	830,237	0	830,237	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	2,058,102	0	2,058,102	64,770
Total Balance Sheet Movements / Non-Cash Adjustments	87,006,653	83,274	87,089,927	6,437,078
Adjust for Transfers to/from Reserves				
Internal Reserves	(240,000)	0	(240,000)	0
External Reserves	(8,599)	0	(8,599)	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	(140,000)	0	(140,000)	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	(388,599)	0	(388,599)	0
ADJUSTED NET RESULT	12,636,432	(343,009)	12,293,423	18,708,671

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Parks & Open Spaces

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	(55)
General User Fees	(671,764)	0	(671,764)	(30,585)
Interest Income	(3,176)	0	(3,176)	0
Operating Grants & Contributions	0	0	0	(10,000)
Other Revenue	(158,545)	0	(158,545)	(83,720)
Internal Income	(1,000,000)	0	(1,000,000)	0
Internal Plant Hire	0	0	0	0
Total Income	(1,833,485)	0	(1,833,485)	(124,360)
Expenditure				
Salaries, Wages & Oncosts	2,956,596	0	2,956,596	672,287
Other Employee Costs	0	0	0	233
Borrowing Costs	53,995	0	53,995	(4,497)
Materials	318,065	0	318,065	178,089
Contracts	3,156,678	80,000	3,236,678	578,172
Consultancies	8,218	0	0	0
Legal Expenses	0	0	0	0
Depreciation	2,455,312	0	2,455,312	613,828
Insurance Expenses	265,975	0	265,975	48,958
Donations, Contributions & Taxes	30,708	0	30,708	0
Administration Expenses	6,473	0	6,473	0
Other Operating Expenses	122,531	0	122,531	52,302
Subscriptions & Memberships	1,806	0	1,806	1,250
Internal Expenses	736,529	0	736,529	289,451
Internal Plant Hire	931,840	0	931,840	342,938
Total Expenditure	11,044,726	80,000	11,124,726	2,773,010
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	9,211,241	80,000	9,291,241	2,648,651
Capital Grants & Contributions	(8,048,271)	0	(8,048,271)	1,536,159
NET RESULT	1,162,970	80,000	1,242,970	4,184,810
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	9,645,239	0	9,645,239	1,239,804
Capital Works - Upgrade	1,919,772	0	1,919,772	1,741,073
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	8,920,000	0	8,920,000	665,289
Depreciation	(2,455,312)	0	(2,455,312)	(613,828)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	(8,500,000)	0	(8,500,000)	0
Loan Repayments (Principal Only)	157,565	0	157,565	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	869,610	0	869,610	31,687
Total Balance Sheet Movements / Non-Cash Adjustments	10,556,874	0	10,556,874	3,064,025
Adjust for Transfers to/from Reserves				
Internal Reserves	(987,000)	0	(987,000)	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	(356,941)	0	(356,941)	0
Total Transfers to/from Reserves	(1,343,941)	0	(1,343,941)	0
ADJUSTED NET RESULT	10,375,903	80,000	10,455,903	7,248,835

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Buildings & Facilities

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	(206,416)	0	(206,416)	(26,378)
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(206,416)	0	(206,416)	(26,378)
Expenditure				
Salaries, Wages & Oncosts	410,348	0	410,348	37,632
Other Employee Costs	0	0	0	1,727
Borrowing Costs	7,680	0	7,680	(644)
Materials	3,195	0	3,195	15,971
Contracts	89,629	0	89,629	319,976
Consultancies	276	0		0
Legal Expenses	23,825	0	23,825	2,390
Depreciation	1,335,212	0	1,335,212	333,803
Insurance Expenses	197,244	0	197,244	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	300	0	300	0
Other Operating Expenses	321,009	0	321,009	64,935
Subscriptions & Memberships	0	0	0	0
Internal Expenses	121,790	0	121,790	18,588
Internal Plant Hire	0	0	0	0
Total Expenditure	2,510,508	0	2,510,508	794,378
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	2,304,092	0	2,304,092	768,000
Capital Grants & Contributions	(21,055,193)	0	(21,055,193)	0
NET RESULT	(18,751,101)	0	(18,751,101)	768,000
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	21,864,286	0	21,864,286	38,066
Capital Works - Upgrade	65,000	0	65,000	811,164
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	9,091,104	0	9,091,104	107,172
Depreciation	(1,335,212)	0	(1,335,212)	(333,803)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	1,115,301	0	1,115,301	0
Loan Repayments (Principal Only)	22,408	0	22,408	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	(85,754)	0	(85,754)	6,984
Total Balance Sheet Movements / Non-Cash Adjustments	30,737,133	0	30,737,133	629,584
Adjust for Transfers to/from Reserves				
Internal Reserves	(4,940,000)	0	(4,940,000)	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	(3,049,896)	0	(3,049,896)	0
Total Transfers to/from Reserves	(7,989,896)	0	(7,989,896)	0
ADJUSTED NET RESULT	3,996,136	0	3,996,136	1,397,583

CLARENCE VALLEY COUNCIL



Quarterly Income & Expenditure Statement - September 2023
Service: Saleyards

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	(301,588)	0	(301,588)	(44,581)
Interest Income	(4,745)	0	(4,745)	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	(1,340)	0	(1,340)	(218)
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(307,673)	0	(307,673)	(44,799)
Expenditure				
Salaries, Wages & Oncosts	141,897	0	141,897	6,994
Other Employee Costs	0	0	0	0
Borrowing Costs	0	0	0	0
Materials	5,388	0	5,388	112
Contracts	106,144	0	106,144	53,002
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	120,485	0	120,485	30,121
Insurance Expenses	4,842	0	4,842	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	0
Other Operating Expenses	10,994	0	10,994	1,999
Subscriptions & Memberships	2,022	0	2,022	0
Internal Expenses	25,448	0	25,448	11,561
Internal Plant Hire	0	0	0	0
Total Expenditure	417,220	0	417,220	103,789
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	109,547	0	109,547	58,991
Capital Grants & Contributions	0	0	0	0
NET RESULT	109,547	0	109,547	58,991
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	50,000	0	50,000	0
Capital Works - Upgrade	0	0	0	513
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	(120,485)	0	(120,485)	(30,121)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	22,996	0	22,996	616
Total Balance Sheet Movements / Non-Cash Adjustments	(47,489)	0	(47,489)	(28,993)
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	62,058	0	62,058	29,998

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Regional Airport

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	(37,910)	0	(37,910)	0
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	(3,178)	0	(3,178)	(653)
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(41,088)	0	(41,088)	(653)
Expenditure				
Salaries, Wages & Oncosts	166,701	0	166,701	26,133
Other Employee Costs	0	0	0	0
Borrowing Costs	4,872	0	4,872	(350)
Materials	3,144	0	3,144	3,456
Contracts	16,168	0	16,168	5,060
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	243,700	0	243,700	60,925
Insurance Expenses	4,143	0	4,143	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	2,750
Other Operating Expenses	15,182	0	15,182	0
Subscriptions & Memberships	2,239	0	2,239	0
Internal Expenses	17,627	0	17,627	8,128
Internal Plant Hire	0	0	0	705
Total Expenditure	473,776	0	473,776	106,808
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	432,688	0	432,688	106,155
Capital Grants & Contributions	0	0	0	0
NET RESULT	432,688	0	432,688	106,155
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	163
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	200,000	0	200,000	0
Depreciation	(243,700)	0	(243,700)	(60,925)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	130,696	0	130,696	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	21,479	0	21,479	474
Total Balance Sheet Movements / Non-Cash Adjustments	108,475	0	108,475	(60,288)
Adjust for Transfers to/from Reserves				
Internal Reserves	(200,000)	0	(200,000)	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	(200,000)	0	(200,000)	0
ADJUSTED NET RESULT	341,163	0	341,163	45,867

CLARENCE VALLEY COUNCIL



Quarterly Income & Expenditure Statement - September 2023
Service: Holiday Parks

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	(8,702,151)	0	(8,702,151)	(2,423,410)
Interest Income	(59,462)	0	(59,462)	(2,312)
Operating Grants & Contributions	(26,233)	0	(26,233)	(3,943)
Other Revenue	0	0	0	0
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(8,787,846)	0	(8,787,846)	(2,429,665)
Expenditure				
Salaries, Wages & Oncosts	194,819	0	194,819	193,809
Other Employee Costs	0	0	0	154
Borrowing Costs	0	0	0	0
Materials	367,256	0	367,256	126,217
Contracts	2,956,614	0	2,956,614	492,624
Consultancies	9,485	0		0
Legal Expenses	26,781	0	26,781	1,885
Depreciation	706,486	0	706,486	176,622
Insurance Expenses	45,885	0	45,885	0
Donations, Contributions & Taxes	474,777	0	474,777	0
Administration Expenses	128,256	0	128,256	24,538
Other Operating Expenses	401,503	0	401,503	184,080
Subscriptions & Memberships	0	0	0	0
Internal Expenses	1,302,970	0	1,302,970	3,613
Internal Plant Hire	0	0	0	2,380
Total Expenditure	6,614,832	0	6,614,832	1,205,922
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	(2,173,014)	0	(2,173,014)	(1,223,743)
Capital Grants & Contributions	0	0	0	0
NET RESULT	(2,173,014)	0	(2,173,014)	(1,223,743)
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	400,000	0	400,000	368
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	1,180,000	0	1,180,000	255,872
Depreciation	(706,486)	0	(706,486)	(176,621)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	129,214	0	129,214	4,755
Total Balance Sheet Movements / Non-Cash Adjustments	1,002,728	0	1,002,728	84,374
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	1,170,286	0	1,170,286	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	1,170,286	0	1,170,286	0
ADJUSTED NET RESULT	0	0	0	(1,139,370)

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Watercycle

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	(3,082,036)	0	(3,082,036)	(3,120,852)
User Charges	(12,372,749)	0	(12,372,749)	(1,546)
Statutory & Regulatory User Charges	(42,328)	0	(42,328)	(19,006)
General User Fees	(2,314,677)	0	(2,314,677)	(190,296)
Interest Income	(651,043)	0	(651,043)	278,220
Operating Grants & Contributions	(364,684)	0	(364,684)	1,744,944
Other Revenue	(146,220)	0	(146,220)	(21,895)
Internal Income	(737,489)	0	(737,489)	(14,723)
Internal Plant Hire	0	0	0	0
Total Income	(19,711,226)	0	(19,711,226)	(1,345,154)
Expenditure				
Salaries, Wages & Oncosts	3,157,749	0	3,157,749	518,553
Other Employee Costs	550	0	550	716
Borrowing Costs	1,302,043	0	1,302,043	222,704
Materials	1,104,504	0	1,104,504	418,940
Contracts	1,645,813	0	1,645,813	530,041
Consultancies	0	0	0	0
Legal Expenses	5,000	0	5,000	0
Depreciation	7,170,668	0	7,170,668	1,792,667
Insurance Expenses	94,172	0	94,172	17,374
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	904	0	904	3,200
Other Operating Expenses	271,171	0	271,171	288,574
Subscriptions & Memberships	22,792	0	22,792	0
Internal Expenses	1,203,027	15,000	1,218,027	184,271
Internal Plant Hire	567,986	0	567,986	193,650
Total Expenditure	16,546,379	15,000	16,561,379	4,170,690
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	(3,164,847)	15,000	(3,149,847)	2,825,535
Capital Grants & Contributions	(1,993,807)	0	(1,993,807)	(520,667)
NET RESULT	(5,158,654)	15,000	(5,143,654)	2,304,869
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	12,590,000	0	12,590,000	183,117
Capital Works - Upgrade	325,000	0	325,000	211,818
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	13,609,480	0	13,609,480	1,537,222
Depreciation	(7,170,668)	0	(7,170,668)	(1,792,667)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	1,352,974	0	1,352,974	328,646
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	(76,701)	0	0	0
Net ABC Recovery	2,664,178	0	2,664,178	130,692
Total Balance Sheet Movements / Non-Cash Adjustments	23,294,263	0	23,294,263	598,829
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	(18,135,609)	(15,000)	(18,150,609)	(288,191)
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	(310,998)
Total Transfers to/from Reserves	(18,135,609)	(15,000)	(18,150,609)	(599,189)
ADJUSTED NET RESULT	0	0	0	2,304,508

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Sewer Services

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	1
Annual Charges	(21,066,852)	0	(21,066,852)	(21,252,487)
User Charges	(1,299,052)	0	(1,299,052)	(3,386)
Statutory & Regulatory User Charges	(42,016)	0	(42,016)	(980)
General User Fees	(697,672)	0	(697,672)	(146,049)
Interest Income	(259,326)	0	(259,326)	298,393
Operating Grants & Contributions	(352,377)	0	(352,377)	(164,206)
Other Revenue	(6,254)	0	(6,254)	(4,638)
Internal Income	(525,613)	0	(525,613)	(464)
Internal Plant Hire	0	0	0	0
Total Income	(24,249,162)	0	(24,249,162)	(21,273,818)
Expenditure				
Salaries, Wages & Oncosts	1,316,276	0	1,316,276	348,083
Other Employee Costs	0	0	0	1,127
Borrowing Costs	3,030,208	0	3,030,208	551,706
Materials	1,480,514	0	1,480,514	429,902
Contracts	1,118,575	0	1,118,575	465,418
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	8,648,103	0	8,648,103	2,162,026
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	0
Other Operating Expenses	716,935	0	716,935	441,792
Subscriptions & Memberships	0	0	0	0
Internal Expenses	232,688	0	232,688	146,152
Internal Plant Hire	424,219	0	424,219	159,855
Total Expenditure	16,967,518	0	16,967,518	4,706,061
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	(7,281,644)	0	(7,281,644)	(16,567,757)
Capital Grants & Contributions	(743,004)	0	(743,004)	(142,164)
NET RESULT	(8,024,648)	0	(8,024,648)	(16,709,921)
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	2,045,000	0	2,045,000	945,283
Capital Works - Upgrade	0	0	0	3,212
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	10,049,672	0	10,049,672	595,914
Depreciation	(8,648,103)	0	(8,648,103)	(2,162,026)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	5,194,850	0	5,194,850	1,271,203
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	(53,564)	0	0	0
Net ABC Recovery	38,436	0	38,436	116
Total Balance Sheet Movements / Non-Cash Adjustments	8,626,291	0	8,626,291	653,701
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	(1,344,647)	0	(1,344,647)	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	743,004	0	743,004	0
Total Transfers to/from Reserves	(601,643)	0	(601,643)	0
ADJUSTED NET RESULT	0	0	0	(16,056,220)

CLARENCE VALLEY COUNCIL



Quarterly Income & Expenditure Statement - September 2023
Service: Floodplain & Estuary Management

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	0	0	0	0
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	0	0	0	0
Expenditure				
Salaries, Wages & Oncosts	579,551	0	579,551	102,097
Other Employee Costs	0	0	0	8
Borrowing Costs	20,812	0	20,812	(1,733)
Materials	15,194	0	15,194	10,870
Contracts	62,541	0	62,541	125,089
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	1,731,860	0	1,731,860	432,965
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	300	0	300	0
Other Operating Expenses	7,291	0	7,291	2,185
Subscriptions & Memberships	2,357	0	2,357	1,591
Internal Expenses	33,953	0	33,953	36,355
Internal Plant Hire	0	0	0	28,427
Total Expenditure	2,453,859	0	2,453,859	737,854
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	2,453,859	0	2,453,859	737,854
Capital Grants & Contributions	(1,684,551)	0	(1,684,551)	186,622
NET RESULT	769,308	0	769,308	924,477
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	340,000	0	340,000	67,928
Capital Works - Upgrade	0	0	0	10,028
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	2,074,078	0	2,074,078	126,602
Depreciation	(1,731,860)	0	(1,731,860)	(432,965)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	60,732	0	60,732	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	216,941	0	216,941	6,660
Total Balance Sheet Movements / Non-Cash Adjustments	959,891	0	959,891	(221,748)
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	1,729,199	0	1,729,199	702,729

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Natural Resource Management

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	(53,361)	0	(53,361)	0
Operating Grants & Contributions	(284,493)	0	(284,493)	36,153
Other Revenue	0	0	0	(1,500)
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(337,854)	0	(337,854)	34,653
Expenditure				
Salaries, Wages & Oncosts	297,087	0	297,087	111,894
Other Employee Costs	1,872	0	1,872	528
Borrowing Costs	0	0	0	0
Materials	260,587	0	260,587	4,392
Contracts	302,571	0	302,571	42,418
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	183	0	183	46
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	0
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	0	0	0	0
Internal Expenses	16,000	0	16,000	38,342
Internal Plant Hire	112,112	0	112,112	32,617
Total Expenditure	990,412	0	990,412	230,237
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	652,558	0	652,558	264,889
Capital Grants & Contributions	(43,025)	0	(43,025)	0
NET RESULT	609,533	0	609,533	264,889
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	(183)	0	(183)	(46)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	135,076	0	135,076	2,061
Total Balance Sheet Movements / Non-Cash Adjustments	134,893	0	134,893	2,015
Adjust for Transfers to/from Reserves				
Internal Reserves	(50,000)	0	(50,000)	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	(50,000)	0	(50,000)	0
ADJUSTED NET RESULT	694,426	0	694,426	266,904

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: EP&C Management

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	0	0	0	0
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	0	0	0	0
Expenditure				
Salaries, Wages & Oncosts	492,490	0	492,490	97,206
Other Employee Costs	0	0	0	368
Borrowing Costs	0	0	0	0
Materials	0	0	0	0
Contracts	0	0	0	0
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	0	0	0	0
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	0
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	0	0	0	0
Internal Expenses	8,000	0	8,000	2,000
Internal Plant Hire	0	0	0	0
Total Expenditure	500,490	0	500,490	99,573
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	500,490	0	500,490	99,573
Capital Grants & Contributions	0	0	0	0
NET RESULT	500,490	0	500,490	99,573
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	0	0	0	0
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	5,584	0	5,584	(4,998)
Total Balance Sheet Movements / Non-Cash Adjustments	5,584	0	5,584	(4,998)
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	506,074	0	506,074	94,576

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Environmental Services

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	(414,241)	0	(414,241)	(433,091)
General User Fees	(1,196)	0	(1,196)	(136)
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	(11,553)	0	(11,553)	(520)
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(426,990)	0	(426,990)	(433,747)
Expenditure				
Salaries, Wages & Oncosts	427,211	0	427,211	96,383
Other Employee Costs	0	0	0	0
Borrowing Costs	0	0	0	0
Materials	1,248	0	1,248	0
Contracts	292,200	0	292,200	4,289
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	0	0	0	0
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	0
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	0	5,432	5,432	0
Internal Expenses	35,000	0	35,000	8,750
Internal Plant Hire	0	0	0	0
Total Expenditure	755,659	5,432	761,091	109,422
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	328,669	5,432	334,101	(324,325)
Capital Grants & Contributions	0	0	0	0
NET RESULT	328,669	5,432	334,101	(324,325)
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	0	0	0	0
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	393,545	0	393,545	13,168
Total Balance Sheet Movements / Non-Cash Adjustments	393,545	0	393,545	13,168
Adjust for Transfers to/from Reserves				
Internal Reserves	(287,034)	0	(287,034)	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	(287,034)	0	(287,034)	0
ADJUSTED NET RESULT	435,180	5,432	440,612	(311,157)

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Regulatory Services

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	(12,272)	0	(12,272)	(3,283)
General User Fees	0	0	0	0
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	(204,993)	0	(204,993)	(21,813)
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(217,265)	0	(217,265)	(25,096)
Expenditure				
Salaries, Wages & Oncosts	940,463	0	940,463	124,018
Other Employee Costs	0	0	0	1,000
Borrowing Costs	252	0	252	(21)
Materials	15,087	0	15,087	3,340
Contracts	93,608	0	93,608	141,745
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	735	0	735	184
Insurance Expenses	298	0	298	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	51,210
Other Operating Expenses	5,584	0	5,584	4,019
Subscriptions & Memberships	0	0	0	0
Internal Expenses	104,262	0	104,262	28,875
Internal Plant Hire	0	0	0	0
Total Expenditure	1,160,289	0	1,160,289	354,371
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	943,024	0	943,024	329,275
Capital Grants & Contributions	0	0	0	0
NET RESULT	943,024	0	943,024	329,275
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	(735)	0	(735)	(184)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	736	0	736	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	157,897	0	157,897	8,066
Total Balance Sheet Movements / Non-Cash Adjustments	157,898	0	157,898	7,882
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	1,100,922	0	1,100,922	337,157

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Waste Services

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRS	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	(10,676,529)	0	(10,676,529)	(10,538,498)
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	4,438
General User Fees	(6,069,498)	0	(6,069,498)	(1,363,145)
Interest Income	(209,688)	0	(209,688)	(5,232)
Operating Grants & Contributions	(193,544)	0	(193,544)	(172,496)
Other Revenue	(764,412)	0	(764,412)	(4,807)
Internal Income	(3,105,211)	0	(3,105,211)	0
Internal Plant Hire	0	0	0	0
Total Income	(21,018,882)	0	(21,018,882)	(12,079,740)
Expenditure				
Salaries, Wages & Oncosts	1,196,715	0	1,196,715	159,139
Other Employee Costs	0	0	0	449
Borrowing Costs	240,988	0	240,988	41,023
Materials	102,804	0	102,804	114,345
Contracts	7,335,369	44,000	7,379,369	1,638,136
Consultancies	27,645	0	0	34,075
Legal Expenses	0	0	0	0
Depreciation	633,654	0	633,654	158,414
Insurance Expenses	23,540	0	23,540	9,808
Donations, Contributions & Taxes	3,356,098	0	3,356,098	896,125
Administration Expenses	13,752	0	13,752	1,899
Other Operating Expenses	90,318	0	90,318	14,175
Subscriptions & Memberships	47,316	0	47,316	48,702
Internal Expenses	3,025,502	0	3,025,502	50,198
Internal Plant Hire	212,134	0	212,134	4,389
Total Expenditure	16,305,835	44,000	16,349,835	3,170,876
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	(4,713,047)	44,000	(4,669,047)	(8,908,865)
Capital Grants & Contributions	0	0	0	0
NET RESULT	(4,713,047)	44,000	(4,669,047)	(8,908,865)
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	3,000,000	0	3,000,000	39,696
Capital Works - Upgrade	0	0	0	577,085
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	1,421,197	0	1,421,197	0
Depreciation	(633,654)	0	(633,654)	(158,414)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	703,241	0	703,241	157,576
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	(55,487)	0	0	0
Net ABC Recovery	534,631	0	534,631	31,814
Total Balance Sheet Movements / Non-Cash Adjustments	4,969,928	0	4,969,928	647,758
Adjust for Transfers to/from Reserves				
Internal Reserves	(3,365,710)	0	(3,365,710)	0
External Reserves	3,108,829	0	3,108,829	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	(256,881)	0	(256,881)	0
ADJUSTED NET RESULT	0	44,000	44,000	(8,261,107)

CLARENCE VALLEY COUNCIL



Quarterly Income & Expenditure Statement - September 2023
Service: Cemeteries

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	0	0	0	0
General User Fees	(653,198)	0	(653,198)	(320,147)
Interest Income	0	0	0	0
Operating Grants & Contributions	0	0	0	0
Other Revenue	(1,361)	0	(1,361)	(48)
Internal Income	0	0	0	0
Internal Plant Hire	0	0	0	0
Total Income	(654,559)	0	(654,559)	(320,194)
Expenditure				
Salaries, Wages & Oncosts	354,727	0	354,727	43,555
Other Employee Costs	0	0	0	0
Borrowing Costs	0	0	0	0
Materials	217,970	0	217,970	26,370
Contracts	77,676	0	77,676	30,984
Consultancies	0	0	0	0
Legal Expenses	0	0	0	0
Depreciation	37,538	0	37,538	9,385
Insurance Expenses	1,259	0	1,259	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	0	0	0	0
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	0	0	0	0
Internal Expenses	78,362	0	78,362	41,500
Internal Plant Hire	1,872	0	1,872	2,025
Total Expenditure	769,404	0	769,404	153,819
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	114,845	0	114,845	(166,375)
Capital Grants & Contributions	0	0	0	0
NET RESULT	114,845	0	114,845	(166,375)
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	40,000	0	40,000	12,729
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	(37,538)	0	(37,538)	(9,385)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	53,885	0	53,885	1,107
Total Balance Sheet Movements / Non-Cash Adjustments	56,347	0	56,347	4,452
Adjust for Transfers to/from Reserves				
Internal Reserves	(40,000)	0	(40,000)	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	(40,000)	0	(40,000)	0
ADJUSTED NET RESULT	131,192	0	131,192	(161,924)

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Building & Planning Services

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	(2,441,820)	10,509	(2,431,311)	(538,927)
General User Fees	(113,098)	0	(113,098)	(41,609)
Interest Income	(31,546)	0	(31,546)	0
Operating Grants & Contributions	0	0	0	(50,000)
Other Revenue	(40,087)	0	(40,087)	25,881
Internal Income	0	0	0	(13,222)
Internal Plant Hire	0	0	0	0
Total Income	(2,626,551)	10,509	(2,616,042)	(617,878)
Expenditure				
Salaries, Wages & Oncosts	2,792,987	0	2,792,987	489,049
Other Employee Costs	0	0	0	4,172
Borrowing Costs	0	0	0	0
Materials	6,844	0	6,844	3,166
Contracts	64,600	0	64,600	12,853
Consultancies	6,168	0		0
Legal Expenses	6,709	0	6,709	1,712
Depreciation	11,505	0	11,505	2,876
Insurance Expenses	0	0	0	224
Donations, Contributions & Taxes	185,976	0	185,976	6,973
Administration Expenses	0	0	0	0
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	12,268	0	12,268	0
Internal Expenses	69,500	0	69,500	20,982
Internal Plant Hire	0	0	0	0
Total Expenditure	3,156,557	0	3,156,557	542,007
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	530,006	10,509	540,515	(75,870)
Capital Grants & Contributions	(159,875)	0	(159,875)	(42,402)
NET RESULT	370,131	10,509	380,640	(118,272)
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	(11,505)	0	(11,505)	(2,876)
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	786,410	0	786,410	16,362
Total Balance Sheet Movements / Non-Cash Adjustments	774,905	0	774,905	13,486
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	1,145,036	10,509	1,155,545	(104,786)

Clarence Valley Council



Quarterly Income & Expenditure Statement - September 2023
Service: Land Use Planning

Description	Current Annual Budget	Variations	Proposed	Actual YTD Figures
		Sept QBRs	Quarterly Budget Sept Qtr	
Income				
Rates Income	0	0	0	0
Annual Charges	0	0	0	0
User Charges	0	0	0	0
Statutory & Regulatory User Charges	(160,680)	0	(160,680)	(39,746)
General User Fees	0	0	0	0
Interest Income	(1,075)	0	(1,075)	0
Operating Grants & Contributions	(7,610)	0	(7,610)	(489)
Other Revenue	(80,317)	0	(80,317)	0
Internal Income	0	(15,000)	(15,000)	0
Internal Plant Hire	0	0	0	0
Total Income	(249,682)	(15,000)	(264,682)	(40,235)
Expenditure				
Salaries, Wages & Oncosts	1,051,054	0	1,051,054	185,723
Other Employee Costs	312	0	312	124
Borrowing Costs	0	0	0	0
Materials	53,641	0	53,641	0
Contracts	160,240	115,000	275,240	21,450
Consultancies	16,640	0	16,640	6,000
Legal Expenses	0	0	0	0
Depreciation	0	0	0	0
Insurance Expenses	0	0	0	0
Donations, Contributions & Taxes	0	0	0	0
Administration Expenses	5,833	0	5,833	0
Other Operating Expenses	0	0	0	0
Subscriptions & Memberships	0	0	0	0
Internal Expenses	63,997	0	63,997	15,000
Internal Plant Hire	0	0	0	0
Total Expenditure	1,351,717	115,000	1,466,717	228,297
Net Operating Result for the year before Grants & Contributions provided for capital purposes				
	1,102,035	100,000	1,202,035	188,062
Capital Grants & Contributions	0	0	0	0
NET RESULT	1,102,035	100,000	1,202,035	188,062
Balance Sheet Movements / Non-Cash Adjustments				
Capital Works - New	0	0	0	0
Capital Works - Upgrade	0	0	0	0
Capital Works - Expansion	0	0	0	0
Capital Works - Renewal	0	0	0	0
Depreciation	0	0	0	0
Employee Leave Accruals	0	0	0	0
Employee Leave Paid	0	0	0	0
Loan Funds Received	0	0	0	0
Loan Repayments (Principal Only)	0	0	0	0
Long Term Debtor Repayments	0	0	0	0
Net Gains from Disposal of Assets	0	0	0	0
Net ABC Recovery	205,562	0	205,562	1,536
Total Balance Sheet Movements / Non-Cash Adjustments	205,562	0	205,562	1,536
Adjust for Transfers to/from Reserves				
Internal Reserves	0	0	0	0
External Reserves	0	0	0	0
Unspent Loans	0	0	0	0
Unexpended Grant Reserves	0	0	0	0
S64 / S94 Contribution Reserves	0	0	0	0
Total Transfers to/from Reserves	0	0	0	0
ADJUSTED NET RESULT	1,307,597	100,000	1,407,597	189,598

Clarence Valley Council

ATTACHMENT C

Quarterly Summary of Restrictions - September 2023



Summary By Fund

Account Description	Estimated Opening Balances 1/7/2023 \$'000	Original Budget \$'000	Proposed Variations Sept Qtr \$'000	Proposed Revised Budget Sept Qtr \$'000	Projected Balance as at 30 June \$'000
1 - CVC General Fund	111,096	(14,315)		(14,315)	96,782
2 - CVC Water Fund	51,736	(15,253)	(15)	(15,268)	36,468
3 - CVC Sewer Fund	30,047	(2,211)		(2,211)	27,837
4 - Holiday Parks	7,589	1,240		1,240	8,829
5 - Clarence Regional Library	785	(1,306)		(1,306)	(521)
7 - CVC Domestic Waste Management Fund	1,218	95	(44)	51	1,269
Total	202,471	(31,749)	(59)	(31,808)	170,663

GENERAL FUND RESTRICTIONS

Account Description	Estimated Opening Balances 1/7/2023 \$'000	Original Budget \$'000	Proposed Variations Sept Qtr \$'000	Proposed Revised Budget Sept Qtr \$'000	Projected Balance as at 30 June \$'000
External Restrictions					
Floodplain Infrastructure & Natural Resources Unexpended Loans	27				27
Unexpended Grants	35,672	1,060		1,060	36,731
s94 Contributions	11,656	(192)		(192)	11,464
Deposits, Bonds & Retentions	4,094				4,094
Held as Custodian	523				523
Externally Restricted Other	546	(9)		(9)	537
Total General Fund External Restrictions	52,518	859	0	859	53,377
Internal Restrictions					
General Purpose Reserves					
Employee Leave Entitlements	4,037				4,037
Unspent Financial Assistance Grant	13,119				13,119
Election Cost Reserve	233				233
Council S94 Development Funds	41				41
Strategic Building Reserve	688	1,360		1,360	2,048
Public Pool Improvements	184				184
Public Toilet Refurbishment Program	36				36
Cemetery Reserve	132	(40)		(40)	92
Emergency Services Reserves	670				670
Insurance Reserves	248				248
Software Implementation Reserves	704				704
Waste Management Reserves	1,727				1,727
Building Asset Renewals	451				451
Maclean & District Improvements	621	600		600	1,221
Miscellaneous Administrative Reserves	3,193	2,700		2,700	5,893
Community Cultural & Heritage Programs	11				11
Environmental & Noxious Weeds Projects	268				268
Coastal & Estuary Management	578				578
Strategic Development Programs	151				151
Parks & Reserves Improvements	100				100
Sporting Facilities Improvements	542	(93)		(80)	462
Roads Reserves	3,649				3,649
Total General Purpose Reserves	31,383	4,527	0	4,540	35,923
Fleet Plant Reserves					
Light Fleet Financial Reserves	824	(204)		(336)	488
Heavy Fleet Financial Reserves	8,154	(7,607)		(3,470)	4,684
Small Plant Reserve	219	(897)		(309)	(90)
Total Fleet Plant Reserves	9,196	(8,707)	0	(4,115)	5,081
Infrastructure Asset Reserves					
Infrastructure Assets Renewals Reserve	561	(4,458)		(4,458)	(3,897)
Total Infrastructure Asset Reserves	561	(4,458)	0	(4,458)	(3,897)
Regional Landfill Financial Reserves					
Regional Landfill Reserves	9,387	(6,460)		(2,086)	7,302
Total Regional Landfill Reserves	9,387	(6,460)	0	(2,086)	7,302
Commercial Waste Financial Reserves					
Commercial Waste Service Reserve	1,487	(560)		(560)	927
Total Commercial Waste Reserves	1,487	(560)	0	(560)	927

Account Description	Estimated Opening Balances 1/7/2023 \$'000	Original Budget \$'000	Proposed Variations Sept Qtr \$'000	Proposed Revised Budget Sept Qtr \$'000	Projected Balance as at 30 June \$'000
<u>Saleyards Financial Reserves</u>					
Saleyards Asset Replacement	296	12		12	309
Total Saleyards Reserves	296	12	0	12	309
<u>Quarry Operations Financial Reserves</u>					
Quarry Operations & Rehabilitation	637	472		472	1,109
Total Quarry Operations Reserves	637	472	0	472	1,109
<u>Sustainability Financial Reserves</u>					
Sustainability Reserve	5,052				5,052
Total Sustainability Reserves	5,052	0	0	0	5,052
<u>Floodplain Infrastructure & Natural Resources Financial Reserves</u>					
Floodplain Management Reserves	578				578
Total Floodplain Reserves	578	0	0	0	578
Total General Fund Internal Restrictions	58,578	(15,174)	0	(6,194)	52,384
TOTAL GENERAL FUND RESTRICTIONS	111,096	(14,315)	0	(5,335)	105,761

OTHER FUNDS EXTERNALLY RESTRICTED

Water Fund

Account Description	Estimated Opening Balances 1/7/2023 \$'000	Original Budget \$'000	Proposed Variations Sept Qtr \$'000	Proposed Revised Budget Sept Qtr \$'000	Projected Balance as at 30 June \$'000
Easements Payable					
Developer Contributions	12,728	945		945	13,673
Specific Purpose Unexpended Grants					
Water Supplies	39,008	(16,198)	(15)	(16,213)	22,795
WATER FUND TOTAL	51,736	(15,253)	(15)	(15,268)	36,468

Sewer Fund

Account Description	Estimated Opening Balances 1/7/2023 \$'000	Original Budget \$'000	Proposed Variations Sept Qtr \$'000	Proposed Revised Budget Sept Qtr \$'000	Projected Balance as at 30 June \$'000
Developer Contributions	14,134	743		743	14,877
Sewerage Supplies	15,913	(2,954)		(2,954)	12,959
SEWER FUND TOTAL	30,047	(2,211)	0	(2,211)	27,837

Holiday Parks

Account Description	Estimated Opening Balances 1/7/2023 \$'000	Original Budget \$'000	Proposed Variations Sept Qtr \$'000	Proposed Revised Budget Sept Qtr \$'000	Projected Balance as at 30 June \$'000
Specific Purpose Unexpended Grants	77				77
Holiday Parks	7,511	1,240		1,240	8,752
CCRT FUND TOTAL	7,589	1,240	0	1,240	8,829

Clarence Regional Library Fund

Account Description	Opening Balance 1/7/2023 \$'000	Original Budget \$'000	Proposed Variations Sept Qtr \$'000	Proposed Revised Budget Sept Qtr \$'000	Projected Balance as at 30 June \$'000
Specific Purpose Unexpended Grants					
Clarence Regional Library Reserve	785	(1,306)		(1,306)	(521)
CRL FUND TOTAL	785	(1,306)	0	(1,306)	(521)

Domestic Waste Management Fund

Account Description	Estimated Opening Balances 1/7/2023 \$'000	Original Budget \$'000	Proposed Variations Sept Qtr \$'000	Proposed Revised Budget Sept Qtr \$'000	Projected Balance as at 30 June \$'000
Domestic Waste Management Reserve	1,218	95	(44)	51	1,269
DWM FUND TOTAL	1,218	95	(44)	51	1,269



Clarence Valley Council

Attachment D

2023/24 Budget review for the quarter ended 30 September 2023

Contracts, Consultancies & Legal Costs

PART A - Contract Listing

Contracts entered into during the 3 months, 1 July 2023 to 30 September 2023, excluding contractors that are on Council's preferred supplier list. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whichever is the lesser. Does not include employment contracts. Excludes those contracts that have already been reported to council or have resulted from a council resolution.

Contractor	Contract Detail & Purpose	Contract Value	Commencement date	Duration of contract	Budgeted (Y/N)
No new contracts entered into during the 3 months are reportable.					

PART B - Consultancy and Legal expenses

Expenditure on Consultancies & Legal Expenses to 30 September 2023

	Expenditure YTD \$	Budgeted (Y/N)
Consultancies	\$476,743	Y
<u>Legal Expenses</u>		
Planning & Development	\$1,712	Y
Rates & Water Debt Recovery	\$101,586	Y
Other Legals	\$30,750	Y
Total Legal Expenses	\$134,048	

Definition of consultant

A person or organisation engaged under contract on a temporary basis to provide recommendations or high level Specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors

Does not include employment contracts

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended 30/9/23 and should be read in conjunction with the total QBRS Report.

Clarence Valley Council

Consultants by Dollars (greater than minimum reporting level of \$50,000)

Period from 01-Jul-2023 to 30-Sep-2023



Note: Five consultants had total YTD values greater than minimum reporting threshold of \$50,000

<u>Consultant Name</u>	<u>Consultant Description</u>	<u>Major Projects</u>	<u>Actual</u>	<u>Committed</u>	<u>Total YTD</u>
Blair & Sons En	Asset Management Services	995306 - Asset Revaluations	\$ 56,685	\$ 3,770	\$ 60,455
Hill PDA Pty Ltd	Strategic Planning, Economic and Development Advisory Consultants	994392 - Housing Strategy	\$ 20,070	\$ 128,150	\$ 148,220
GLN Planning Pty Ltd	Strategic Planning, Development Advisory Consultants	994382 - Development Contributions Reform	\$ -	\$ 55,635	\$ 55,635
TOTAL YTD			\$ 76,755	\$ 187,555	\$ 264,310

% of Total Consultants Costs YTD 55%

Grant Application Summary – September 2023

This document aims to summarise the current grant application activities during the month ended 30 September 2023.

Proposed Grant Applications

There are currently no proposed grant applications requiring endorsement by Council.

Grant Applications Pending Announcement

The following grants have been applied for and Council is currently awaiting announcement as to whether we have been successful in our bid to source these funds.

Grant: DPE – Strong Start Cadetship Program - \$75,000

To support councils in overcoming the planning skills shortage, the department has designed Strong Start, a statewide program to support NSW councils in connecting with and investing in new planners to grow the pipeline of planners in the NSW labour market. Council has lodged 3 separate applications funder this program in an attempt to secure at least one of the available sixty-four \$25,000 grants being offered in 2023/2024

Should Council be successful, Council will receive \$25,000 per successful application. In each case, the grant funding is to be used to pay for the tuition fees associated with the employment of a Planning Cadet as required by the grant program.

Grant: Australian Government – Bridges Renewal Program (BRP) - \$6,251,6256

To support council in delivering our bridges capital works program for 2023/24 and 2024/25, further funding applications have been submitted for the following bridges:

- **Bluff Bridge Replacement - \$5,000,000** - The application for additional funding for Bluff Bridge is to supplement the existing Fixing Country Bridges (FCB) program funding that has been allocated to CVC. We have received cost estimates for the concept design options for Bluff Bridge which indicated that the FCB funding was not going to be sufficient for construction. Based on the cost estimates provided by an independent QS and benchmarked against similar projects currently being delivered by Lismore City Council it has been determined this additional funding is expected to be close to the project value with some contingency. \$5 million or 80% of the total project value is the maximum funding that BRP will allocate. We have not nominated any Council contribution to the project.
- **Coombadjha No 6 Bridge, Coombadjha Rd - \$625,828** – This additional funding application is for 80% of the total project values. We have nominated \$40,000 (\$32,000 BRP + \$8,000 Council contribution) to be spent on design and investigations in 2023/24 and the balance of costs for construction to be spent in 24/25.
- **Scrubby Creek Bridge, Coombadjha Rd - \$625,828** - This additional funding application is for 80% of the total project values. We have nominated \$40,000 (\$32,000 BRP + \$8,000 Council contribution) to be spent on design and investigations in 2023/24 and the balance of costs for construction to be spent in 24/25.

Grant: MGNSW – Dobell Exhibition Grant - \$30,000

Should council be successful with this grant, the money will be used to fund the Building Bridges project. Building Bridges is a multi faceted project that connects Grafton and South Grafton, the

Gumbaynggirr and Bundjalung nations through the opening of the new Grafton Bridge. It incorporates public art, CPTED and community workshops to activate a new public space and encourages use of new cycle ways and pathways connecting the two towns across the Clarence River.

Successful Grant Applications

Council has been of any successful in the following recent grant applications:

Grant: DITRDCA – Local Roads and Community Infrastructure Program (LRCIP) – Phase 4 - \$3,234,640

This funding will be used to support council in delivering our capital works program for 2023/24 and 2024/25 and will be applied to the below:

- **Regional Aquatic Centre - \$2,051,366** – This funding will be used to support the upgrade of the Regional Aquatic Centre including refurbishment of the front entry, amenities and community spaces and construction of new accessible change and family areas. This project will be completed over 23/24 and 24/25
- **Maclean Precinct Infrastructure Upgrade - \$1,183,274** – Rehabilitation and upgrade of multiple roads within the Maclean precinct that are at the end of their asset life. This project will be completed over two years with planning starting in 2023-24 and construction activities occurring in 2024-25.

WORKS & CIVIL**ITEM 07.23.203 TOWNSEND COMMUNITY PRECINCT MASTER PLAN**

Meeting	Council	24 October 2023
Directorate	Works & Civil	
Prepared by	Team Leader Open Spaces, Andrew Auglys	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. Community Engagement Plan for The Townsend Collective ↓ B. The Townsend Collective Summary Report ↓ C. The Townsend Collective Masterplan Draft Report (Separate Cover) ⇒	

SUMMARY

A Concept Masterplan has been developed to inform future development of a community hub precinct at Townsend as identified in the 2023/2024 Operational Plan. Internal and external stakeholder consultation was held in June 2023 to capture the key elements of a Masterplan proposed to be known as '*The Townsend Collective*' and it is recommended that it be placed on public exhibition.

OFFICER RECOMMENDATION

That Council

1. place The Townsend Collective Concept Masterplan on public exhibition for a period of 30 days in accordance with the attached community engagement plan.
2. consider the outcome of the public exhibition consultation and report back with a final Masterplan including an opinion on estimated cost.

LINKAGE TO OUR COMMUNITY PLAN

Theme Infrastructure

Objective We will have communities that are well serviced with appropriate infrastructure

KEY ISSUES**The Vision**

The vision for the Townsend Collective is to create an inclusive community space that fosters meaningful connections and vibrant social engagement. Inspired by design drivers of inclusivity, social connection, education and community showcasing, it aims to ensure universal accessibility, celebrate multicultural representation, and provide versatile gathering spaces for cultural celebrations, sports, workshops, and educational programs.

Through community showcasing, it will shine a spotlight on diverse talents, histories, and cultural expressions, fostering understanding and cross-cultural exchange. The Townsend Collective aspires to be a model of inclusivity and community pride, where residents of all backgrounds actively shape a vibrant tapestry of community life.

Design Drivers

Fostering Connection and Collaboration - The Townsend Collective aims to foster social interaction, shared facilities and resources encourage collaboration and knowledge exchange between different user groups. Flexible event spaces accommodate various community gatherings and collaborative initiatives, facilitate the exchange of information and promote community engagement.

Community Showcasing - the aim is to create spaces and features that highlight and celebrate the diverse talents, culture, and achievements of the local community. It incorporates designated display areas, performance platforms, and interactive exhibits to exhibit community achievements, artistic expressions, and cultural artifacts.

The design also includes spaces for cultural celebrations, preserves community history, and integrates community galleries to promote local talent and artistic engagement. Through community involvement and engagement in the design process, the design fosters a strong sense of identity, pride, and connection, creating opportunities for residents to actively participate, share their stories, and engage with one another.

Inclusivity and Diversity – the plan aims to create an environment that is accessible and welcoming to people of all abilities, backgrounds, and identities. It focuses on universal accessibility, multicultural representation, flexible spaces, gender-inclusive facilities, community collaboration, and age demographic considerations.

Social Activation - the design aims to drive social activation through prioritizing spaces and features that foster social interaction, community engagement, and vibrant social activities. It incorporates gathering spaces, event-friendly infrastructure, community centres, interactive workshop spaces, active recreation areas, seating/rest zones, educational spaces, and technology integration.

Council requested that the design consider the following elements -

- Seek an understanding of what the community wants and needs in a park and to gather information on what activities and amenities they would like to see in the public space.
- Create a multifunctional space: A successful Master Plan should have something for everyone. Consider including a playground, picnic areas, walking and biking paths, accessibility, and sports fields to accommodate different activities.
- Incorporate sustainable design: Use environmentally sustainable materials and design features that conserve resources.
- Make it accessible: Ensure that the public space is accessible to everyone. Design features such as accessible paths, seating areas, and DDA amenities should be incorporated into the plan.
- Consider safety and security: Safety and security should be a priority in the design.
- Add public art and landscaping: Consider incorporating public art and landscaping features to enhance the public space's visual appeal. These features can help create a sense of place and identity for the community.
- Provide educational opportunities: Consider incorporating educational opportunities, such as interpretive signage into the design. These features can help to promote sustainability and environmental awareness.
- Plan for future growth: As the community grows and changes, the designs are to adapt to meet new needs. Consider incorporating flexible design features that can be easily modified or expanded in the future.
- Cultural heritage: plans are to consider Aboriginal and European cultural heritage and design opportunities that enhance and reflect that heritage.

Current Issues

1. There is no DDA compliant or formal carparking and pathways to existing infrastructure.
2. Poor drainage resulting in a lack of parking and inability to mow after rain.
3. Residential houses (rear yards) adjacent to the site require consideration of general privacy and screening.
4. Constrained access to park from eastern and western boundaries due to neighbouring residential and industrial properties.
5. Potential limitations to use of recreational and community facilities due to noise impact on surrounding residential uses.
6. Lack of public transport and connection.
7. Available recreation space to service Townsend and future growth areas at Gulmarrad.

Key Features of the draft Masterplan include –

1. General Amenities – formal carparking with pathway connectivity through the site. Improved stormwater management and featured central spine that connects various places with new toilet facilities near the Mens Shed and recreation space (plus changerooms).
2. A Maker Space – this includes an extension of the existing Mens Shed, a community makers shed, storage facilities and undercover area for large projects, displays, with seating and tables.
3. The Collective Core – features grassed open space, nature based playground with existing trees and seating, bush trail and sculptural artwork to engage children with play.
4. Café space, outdoor dining courtyard and bushfood production garden.
5. Community pre-school – advocated by Mudyala with nature playground and planting for screening to neighbouring properties.
6. Cultural Hub – advocated by Mudyala to have a gallery and administration area as well as open green space with men’s/woman’s areas throughout.
7. Youth and Sporting Precinct – to include multi-purpose hard stand courts, amphitheatre to accommodate terrace difference and event seating.
8. Recreation space for active and passive recreation activity and,
9. Youth Building.

Note: While a community Return and Earn Facility currently is on site the footprint is extensive and is not supported in that form in this Plan.

Master Plan Concept Design

A Master Plan is a comprehensive and strategic document that outlines a long-term vision and roadmap that serves as a blueprint or guide for making informed decisions. The Master Plan took into account the information received from the stakeholders and potential challenges to provide a clear direction and framework for future actions and initiatives.

General Amenities

- 01 Carparking should be situated in areas devoid of existing vegetation and should also incorporate an equitable path system that connects to the internal path system, while simultaneously considering improved stormwater drainage
- 02 The central spine that seamlessly connects various spaces, complemented by both existing and proposed trees integrated within oval planter beds. The integration of art works generated by the occupants, create an engaging art trail along the spine.
- 03a Toilet facilities near the men’s shed
- 03b Toilet facilities and changerooms

Maker Space

- 04 Men’s Shed to be extended
- 05 Community maker’s shed, storage facilities and shared exhaust room.
- 06 General overhead covered deco courtyard area for working on large projects, locating machinery and picnic tables for shaded seating.

The Facilities

- 07 The shared demountable facilities encompass spaces for the Community groups and versatile rooms available for community activation through rentals.
- 08 Flexible grassed space under existing trees with external workshop table for activation and small gatherings.

The Collective Core

- 09 Circular grassed open space with existing trees
- 10 Informal nature playground below existing trees with group seating
- 11 Central amphitheatre with DDA compliant path for large community events, includes oval stage and shaded picnic/BBO facilities above
- 12 Interpretive bush trail through existing vegetation, opportunity for users to embed signage and creative interventions.
- 13 interactive sculptural artwork designed to engage children through play.

Bakarindi Bushfood Cafe

- 14 The “Bakarindi” Bushfood Cafe is strategically positioned along the central spine, enhancing visual connection and ensuring its commercial visibility.
- 15 Outdoor dining courtyard with views to the Preschool and common space.
- 16 Bushfood production garden

Mudyala Community Preschool

- 17 Mudyala Community Preschool building with proposed planting for screening
- 18 Preschool nature playground with visually permeable timber fence set within planting

Mudyala Cultural Hub

- 19 The Mudyala Gallery and Administration building is strategically positioned along the central spine ensuring convenient wayfinding and effortless access from the adjacent car park, cleverly screened to curate a delightful and celebratory arrival experience for easy wayfinding and screened from the carpark to create a celebratory arrival experience.
- 20 Central Mudyala Green with men’s /woman’s areas throughout

The Youth and Sporting Precinct

- 21 Multi- purpose sports hard-stand court.
- 22 Large sandstone amphitheatre to help accommodate the level difference and provide event seating
- 23 Recreation Space
- 24 Youth Building

SCALE 1:1000

BACKGROUND

The Townsend property was purchased by Maclean Shire Council prior to amalgamation to cater for the future expansion of primarily sport and recreation needs of the Lower Clarence. A Mens Shed was constructed on the northern end of the property around 2013. More recently Maclean Lions have commenced operating a community-based Return and Earn facility adjacent to the Mens Shed that does not have a formal tenure.

Other interest has been expressed from Mudyala Aboriginal Corporation, The Maclean Seniors Computer Club, and a Yaegl Mens group for a community space area in this locality. Given the community interest and need the development of a Masterplan for this site was identified in the 2023-24 Operational Plan.

Townsend (no dedicated name but known as Jubilee Street Reserve)

Details include –

- Lot/DP – Lot 2 DP 1104128
- Land Size – 5.675ha
- Tenure – Freehold owned by Council
- Classification - Operational
- Principle Local Govt Category – Community Use
- Leases/Licenses – LEA-0313 lease for Mens Shed
- Area including Mens Shed, Community Return and Earn facility, future area for growth of sportsfields and active/passive recreation



Figure 1 - Jubilee Street Reserve Townsend

COUNCIL IMPLICATIONS

Budget/Financial

The concept masterplan was funded from PJ 945041 PJ (24PJACT) and included in the 2023/24 Capital Works program. Once the Concept Masterplan has been endorsed and finalised, the consultants will provide an opinion of estimated cost report at 100% design.

Asset Management

The Townsend Collective will include significant level of assets which will vary from buildings, walkways, amphitheatres, shelters, park furniture, public amenities, carparks, and passive areas.

In addition to the renewal of assets, operations and maintenance levels may need to be reconsidered in response to the use – e.g. increased use of barbecues and toilet facilities. Any change will need to be considered within available resource and budget constraints

Policy and Regulation

- Clarence Valley Council Local Environmental Plan and Development Control Plans (DCP)
- Clarence Valley Open Spaces Strategy
- Clarence Valley Biodiversity Strategy 2020-2025
- Sports Facilities Plan
- Playground Policy
- Community Garden Policy
- Asset Management Plans (AMP)
- Pedestrian Access and Mobility Plans (currently being updated)
- Relevant Plans of Management for Council managed Community land

Consultation

In accordance with the Community Engagement Plan (**Attachment A**) Council seeks to actively involve the community in shaping the development of the Townsend Collective, ensuring that it aligns with the vision of creating an inclusive community space that fosters meaningful connections and vibrant social engagement.

Internal and external consultation workshops were held on the 20 June 2023 facilitated by Vee Design consultants. The following groups/delegates were invited or participated in the external stakeholder workshop –

- Maclean Chamber of Commerce
- Maclean Lions Club for the Return and Earn facility (did not respond or attend)
- Maclean Rotary
- Yamba Rotary
- Maclean Highland Gathering
- Townsend Mens Shed
- Seniors Computer Club
- Mudyala Aboriginal Corporation
- Waanjyi Yaegl Mens Group
- Yaegl representative/s
- Lower Clarence Magpies
- Maclean Football Club
- Lower Clarence Cricket
- Regional NSW staff

The aim of the workshops was to gain insights on how the stakeholders currently and may utilise The Townsend Collective and their aspirations and vision for the space moving forward. The workshop process included –

- Introduction of the facilitators and key stakeholders involved in the future park planning process.
- Council to introduce the project and provide a basic overview of the project history.
- Vee Design outlining the benefits of a shared community space that services multiple groups.
- Presentation of the site analysis, opportunities and constraints.
- Project Visioning Workshop (Activity 1)
- Idea Generation Workshop (Activity 2)
- Vee Design provided a re-cap from what was learnt in the workshops and indicate the steps moving forward.

Placing the Masterplan Report on public exhibition will allow for further public response and provide feedback on key design elements. As part of the public exhibition process of the Masterplan all adjoining and nearby property owners, including the adjoining residential properties in Cypress Street, will be directly notified prior to the Plan being made public.

Legal and Risk Management

Nil

Climate Change

The site contains an area of native vegetation that is largely being retained. A flora study was conducted, and consideration was made to limit the removal of any native trees and shrubs and to enhance the natural environment with suitable local native provenance further plantings.

The plan also includes nature play elements, natural and built shade as cooling elements as well as a mostly shaded natural walking track on the east side of the site. Water stations will be provided on site and in the recreation area.



Community Engagement Plan for the Townsend Collective

Objective:

The objective of this community engagement plan is to actively involve the community in shaping the development of the Townsend Collective, ensuring that it aligns with the vision of creating an inclusive community space that fosters meaningful connections and vibrant social engagement.

Key Principles:

Inclusivity: Engage a diverse range of community members to ensure that all voices are heard.

Transparency: Maintain open and honest communication throughout the engagement process.

Accessibility: Make information and engagement opportunities easily accessible to all.

Feedback Integration: Actively incorporate community feedback into the design and planning process.

Stakeholder Identification:

Identify and categorise key stakeholders, including surrounding residents, local businesses in the Townsend industrial area, community organisations, CVC Access committee, CVC Community Engagement team, artists, educators, and other relevant groups.

Engagement Methods:

Community Consultation:

Internal and External Consultation workshops were held on the 20 June 2023.

Workshop to gain insights on how the stakeholders currently utilise Townsend Park and their aspirations and vision for the space moving forward.

- Introduce the facilitators and key stakeholders involved in the future park planning process.
- Council to introduce the project and provide a basic overview of the project history and council aspirations.
- Vee to introduce the benefits of a shared community space that services multiple groups to set the tone.
- Presentation of the site analysis, Opportunities and Constraints, led by Vee in partnership with Council.
- Project Visioning Workshop –

- Idea Generation Workshop -

The stakeholder groups

Decision makers, influencers, developers, government agencies, community groups, general community

- ❖ Maclean markets/lions club
- ❖ Lower River magpie’s R/L
- ❖ Maclean Rotary
- ❖ Yamba Rotary
- ❖ Maclean Chamber of commerce
- ❖ Maclean Football club
- ❖ Maclean Highland gathering
- ❖ Townsend Men’s Shed
- ❖ Lower Clarence Cricket
- ❖ Maclean Bowling Club
- ❖ Mudyala aboriginal Corporation
- ❖ Waanyji Yaegl Aboriginal Men’s Group
- ❖ Seniors Computer club

All invited and above user groups have received draft masterplan and were invited to submit initial comments of the draft.

Townsend Precinct Master Planning Feedback		
Stakeholder	Internal/External	Comments/Other
Kath Arndell (Allira, Andrea, Gloria)	Internal (Coordinator Community Engagement)	The community engagement team are available to support the development of a formal community engagement plan to progress the plan. Please contact us to progress this when you are ready
		Does the master plan get shared with external stakeholders and if so, we were wondering how Mudyala are placed to proceed with their plans that have been included in the master plan in terms of the timeframe for the project and next steps?
		Consideration of CPTED strategies addressing passive surveillance, lighting and the use of CCTV in plans moving forward. Based on our experiences with homelessness and antisocial behaviour at places like Market Square in Grafton and Lane Boulevard Park, South Grafton this will be an important consideration. The activation of the space will also work to addressing these risks on the other hand.
		Considering that Sanctus and the Townsend Shop both sell alcohol takeaways, the area will be a APA but considering strategies to address this risk are considered. The importance of culturally appropriate signage was flagged.



Townsend Precinct Master Planning Feedback

		It would be great to include x 3 flagpoles in the collective to facilitate formal NAIDOC events in the lower river.
		How will stakeholder relationships and bookings be managed and by whom, which we realise isn't part of the master planning proces
		Were Connect You To involved in the consultations?
		The plan mentions universal design which is awesome. That means everything will be accessible to everyone. Will this be incorporated into everything? There are a few things that we think we would need to make sure are accessible like the amphitheatre. Need to make sure PWD can access this like everyone else. Recommend running the master plan by the access committee as a draft
		incorrect spelling of Gumbaynggirr in the plan.
Aneika Kapeen	External (CEO Mudyala Aboriginal Corporation)	I have reviewed the draft and I love it. It promotes community inclusivity while also allowing individual groups within the space to be recognised. The community benefit that will follow from a plan as this will be HUGE. Well done to the designers. Again, we just love it and feel a brighter future already
Bob MacPherson	External Clarence Valley Seniors Computer Club	We are not associated with the U3A – we are a separate organisation
		We are a not for profit, self-funded organisation, staffed by volunteers
		Our function is to educate and help seniors to gain knowledge and confidence using modern technology which is constantly changing
		Our requirements are larger than those in the proposal, they are:
		Separate building or facilities, which can be closed and locked off to the rest of a building, which is air conditioned and comprises of:
		1) A reception facility large enough to house a receptionist, large printer and waiting area.

Townsend Precinct Master Planning Feedback		
		2) A training room large enough to accommodate 12-15 people at desks, with room for white board,
		projector screen (we already have our own teaching equipment).
		3) A separate administration office to house 3 people and filing.
		4) A storeroom to house our records and supplies.
		5) A separate kitchen and toilet facilities.
		6) A meeting room suitable to accommodate 15 plus people.
		7) Bus stops nearby to accommodate people travelling from Iluka, Yamba, Grafton and Maclean.
		8) Disabled parking for at least 4 people.
		9) Disabled accessibility to the building and facilities.
		10) An undercover wet weather area.
Allan Woods	External The Mens Shed	The Plan looks great and suits our current and future needs.
		Would like to see the Mudyala buildings closer to ours as we work collectively often
Gavin Beveridge	CVC Open Spaces	Consider alternate sporting / active recreation asset to multi-purpose sports hard-stand court, service already provided at Townsend Park, Gulmarrad Primary School.
Chris Douglas	External Lower Clarence Magpies Rugby League Club	Plan looks great and will be a great addition to the Clarence Valley.
		The proposed playing field looks like it will suit the site and has potential for growth
Darrin Heron	Internal/external Waanjyi Yaegl Mens Group	Our Yaegl Mens Group is officially Called Waanjyi Yaegl Mens Group
		The Plan looks great and will work well for our group

Timing & Deliverables

The Consultant is to provide a cost estimate for construction for each of the portions at the following milestone:



- 30% Concept Design
- 70% Concept Design
- 100% Concept Design

Below is a list of deliverables for the project and suggested timing.

Phase	Deliverable	Responsibility	Timing
Phase 1A	Audit of Council's current documentation	Consultant	May 2023
Phase 1B	Internal Council staff and consultant workshop on issues and opportunities, based on evidence obtained in Phase 1A (1 meeting - Face to Face)	Consultant / Internal Stakeholders	June 2023
Phase 2	Stakeholder group and on site consultation with users (Allow up to 2 meetings on site/locally)	Consultant/Council staff	June 2023
Phase 3A	Initial Draft of Masterplans (Revision 1 – 30%)	Consultant	By 1 July 2023
Phase 3B	Draft Masterplan (Revision 2 – 70%)	Consultant	By 22 August 2023
Phase 3C	Draft Masterplan for Exhibition (Revision 3 – 100%)	Consultant	August 2023
Phase 4	Report to Council for Exhibition of Masterplan	Council staff	September 2023
Phase 5	Final Masterplans (Revision 4) and any adjustments from exhibition period (by Consultant and Council staff) and present final version to Council for endorsement (to be managed by Council staff)	Consultant/Council staff	November 2023

Online Platforms:

Allow for public response while on public exhibition on our council webpage and provide feedback on key design elements.

Utilise social media channels and email newsletters to share information, project updates, and solicit input.

Design Workshops:

Organize design charrettes and workshops with community members to collaboratively develop ideas for the Townsend Collective's features and spaces.

Encourage artistic and cultural groups to contribute to the design process.

Interactive Exhibits:

Solicit input on the design driver of "Community Showcasing" to ensure it reflects local talents and cultural expressions.

Accessibility Assessments:

Collaborate with CVC Access Committee to conduct accessibility assessments of the design and ensure universal accessibility.

Seek feedback from individuals with diverse abilities and backgrounds.

Surveys and Feedback Forms:

Create online and offline surveys and feedback forms to gather input on specific aspects of the design, inclusivity features, and community showcasing.

Include questions about preferences for gathering spaces, event-friendly infrastructure, cultural representation, and accessibility.

Timeline:

Establish a timeline that includes key milestones for community engagement activities, design development, and approval.

Feedback Analysis:

Implement a structured process to collect, categorise, and analyse community feedback.

Adaptation and Revision:

Regularly review and adapt the design based on community input.

Communication Strategy:

Maintain consistent communication with the community, providing updates on progress, changes to the design, and opportunities for engagement.

Budget:

Allocate resources and budget for community engagement efforts, including staff time, technology, outreach materials, and accessibility enhancements.



Reporting:

Provide regular reports to project stakeholders, local government, and the community summarizing engagement activities and their impact on the design and vision of the Townsend Collective.

By following this community engagement plan, the Townsend Collective can ensure that the community's diverse voices and perspectives are integrated into the design and development process, creating a truly inclusive and vibrant community space that aligns with the project's vision and design drivers.

THE TOWNSEND COLLECTIVE

PROJECT VISION:

The vision for the Townsend Collective is to create an inclusive community space that fosters meaningful connections and vibrant social engagement. Inspired by design drivers of inclusivity, social connection, education and community showcasing, it aims to ensure universal accessibility, celebrate multicultural representation, and provide versatile gathering spaces for cultural celebrations, sports, workshops, and educational programs. Through community showcasing, it will shine a spotlight on diverse talents, histories, and cultural expressions, fostering understanding and cross-cultural exchange. The Townsend Collective aspires to be a model of inclusivity and community pride, where residents of all backgrounds actively shape a vibrant tapestry of community life.



DESIGN DRIVERS: Fostering Connection and Collaboration

The design driver will foster social interaction and spontaneous conversations among community members. Shared facilities and resources encourage collaboration and knowledge exchange between different user groups. Flexible event spaces accommodate various community gatherings and collaborative initiatives, facilitate the exchange of information and promote community engagement.



Community Showcasing

The design driver of community showcasing drives the creation of spaces and features that highlight and celebrate the diverse talents, culture, and achievements of the local community. It incorporates designated display areas, performance platforms, and interactive exhibits to exhibit community achievements, artistic expressions, and cultural artifacts. The design also includes spaces for cultural celebrations, preserves community history, and integrates community galleries to promote local talent and artistic engagement. Through community involvement and engagement in the design process, the design fosters a strong sense of identity, pride, and connection, creating opportunities for residents to actively participate, share their stories, and engage with one another.



Inclusivity and Diversity

The design driver emphasizes creating an environment that is accessible and welcoming to people of all abilities, backgrounds, and identities. It focuses on universal accessibility, multicultural representation, flexible spaces, gender-inclusive facilities, community collaboration, and age demographic considerations. By prioritizing inclusivity and diversity, the design fosters a sense of belonging, respect, and equal participation for all community members.



Social Activation

The design driver of social activation prioritizes creating spaces and features that foster social interaction, community engagement, and vibrant social activities. It incorporates gathering spaces, event-friendly infrastructure, community centers, interactive workshop spaces, active recreation areas, seating/rest zones, educational spaces, and technology integration. By emphasizing these elements, the design encourages connections, shared experiences, and a strong sense of community within the space.

Master Plan Concept Design

A Master Plan is a comprehensive and strategic document that outlines a long-term vision and roadmap that serves as a blueprint or guide for making informed decisions. The Master Plan took into account the information received from the stakeholders and potential challenges to provide a clear direction and framework for future actions and initiatives.

General Amenities

- 01 Carparking should be situated in areas devoid of existing vegetation and should also incorporate an equitable path system that connects to the internal path system, while simultaneously considering improved stormwater drainage
- 02 The central spine that seamlessly connects various spaces, complemented by both existing and proposed trees integrated within oval planter beds. The integration of art works generated by the occupants, create an engaging art trail along the spine.

Toilet facilities near the men's shed

- 03a Toilet facilities near the men's shed
- 03b Toilet facilities and changerooms

Maker Space

- 04 Men's Shed to be extended
- 05 Community maker's shed, storage facilities and shared exhaust room.
- 06 General overhead covered deco courtyard area for working on large projects, locating machinery and picnic tables for shaded seating.

The Facilities

- 07 The shared demountable facilities encompass spaces for the Community groups and versatile rooms available for community activation through rentals.
- 08 Flexible grassed space under existing trees with external workshop table for activation and small gatherings.

The Collective Core

- 09 Circular grassed open space with existing trees
- 10 Informal nature playground below existing trees with group seating
- 11 Central amphitheatre with DDA compliant path for large community events, includes oval stage and shaded picnic/BBQ facilities above
- 12 Interpretive bush trail through existing vegetation, opportunity for users to embed signage and creative interventions.
- 13 Interactive sculptural artwork designed to engage children through play.



Bakarindi Bushfood Cafe

- 14 The "Bakarindi" Bushfood Cafe is strategically positioned along the central spine, enhancing visual connection and ensuring its commercial viability.
- 15 Outdoor dining courtyard with views to the Preschool and common space.
- 16 Bushfood production garden



Mudyala Community Preschool

- 17 Mudyala Community Preschool building with proposed planting for screening
- 18 Preschool nature playground with visually permeable timber fence set within planting



Mudyala Cultural Hub

- 19 The Mudyala Gallery and Administration building is strategically positioned along the central spine ensuring convenient wayfinding and effortless access from the adjacent car park, cleverly screened to curate a delightful and celebratory arrival experience for easy wayfinding and screened from the carpark to create a celebratory arrival experience.
- 20 Central Mudyala Green with men's /woman's areas throughout



The Youth and Sporting Precinct

- 21 Multi-purpose sports hard-stand court.
- 22 Large sandstone amphitheatre to help accommodate the level difference and provide event seating
- 23 Recreation Space
- 24 Youth Building



SCALE 1:3000



ITEM 07.23.204 CAMERON PARK, MACLEAN MASTERPLAN

Meeting	Council	24 October 2023
Directorate	Works & Civil	
Prepared by	Team Leader Open Spaces, Andrew Auglys	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. Cameron Park Draft Masterplan Report (Separate Cover) ↗	

SUMMARY

A Masterplan to inform future management and development of Cameron Park Maclean has been prepared and is recommended to be placed on public exhibition.

OFFICER RECOMMENDATION

That Council place the draft Cameron Park Masterplan Report on public exhibition for a period of 30 days and report back to Council the outcome of the consultation with a final Masterplan including an opinion on estimated cost.

LINKAGE TO OUR COMMUNITY PLAN

Theme Infrastructure

Objective We will have communities that are well serviced with appropriate infrastructure

KEY ISSUES

The Masterplan seeks to revitalise Cameron Park and a chance to forge a vibrant civic and social nucleus at the heart of Maclean. This endeavour not only enhances the existing site's offerings, including the popular monthly markets, but also embarks on a journey to reimagine the park as a standout destination within the region.

Beyond its functional role, Cameron Park's location presents an opportunity to not only pay homage to Maclean's European heritage as 'The Scottish Town of Australia,' but also to honour the narratives, history, and ongoing connections to Country held by the local Yaegl nation and peoples.

The four key planning drivers include –

1. Distinct Identity and Unique Experience - aims to create a unique and authentic space that celebrates Maclean's rich history and cultural connections.
2. Historical Connection and Expression - seeks to create a profound and immersive experience that honours and celebrates the rich historical connections of the site and the broader community of Maclean.
3. A Meeting Place - aims to create a welcoming and inclusive environment that serves as a central gathering space for residents and visitors, fostering social interactions, community engagement, and a sense of togetherness.
4. The Green Heart - aiming to preserve the remaining greenspace in the town's core while extending the natural environment throughout the entire area through pedestrian and green links, infusing greenery back into the heart of the town. It celebrates and retains the presence of the significant fig trees on the site, reminiscent of a time when such trees served as prominent landmarks and iconic features. The play spaces will be seamlessly integrated with the natural surroundings, providing children with opportunities to actively engage with nature while fostering imaginative play. Thoughtfully integrated natural play elements, such as logs, boulders, and water features, will encourage outdoor exploration and hands-on learning experiences.

The current park elements include -

- A raised (not fully accessible) timber rotunda which is currently associated with anti-social behaviour.
- The existing public toilet facility will be preserved as part of the proposed improvements.
- The Park has numerous trees that offer shade and comfort to park users and passers-by. However, certain trees harbour disruptive fauna that impact park activities.

- There is a playground and sheltered seating within the park for use by families and children, particularly those visiting the nearby IGA.
- The carpark lacks network pathways, creating a harsh and exposed environment for users.
- A prominent established fig tree stands as an iconic focal point at the park’s corner, contributing to its unique character.

The current issues include –

1. Poor drainage resulting in a lack of parking and inability to mow after rain
2. Large trees create maintenance issues, due to the amounts of wildlife that the fruits attract
3. Insufficient supply of water and drinking fountains currently the only source is present at the toilet block
4. Large car park with poor pedestrian network throughout. Harsh environment with minimal shade due to extent of parking
5. Current gazebo location attracts antisocial behaviour
6. Current playground location undesirable due to maintenance issue caused by wildlife
7. Large fig trees act as a visual barrier
8. Adjoining western road and connection to park/shops, lack of shade/amenity to carpark, accessibility.

An extract of the report and plan summary is captured in Figure 1.

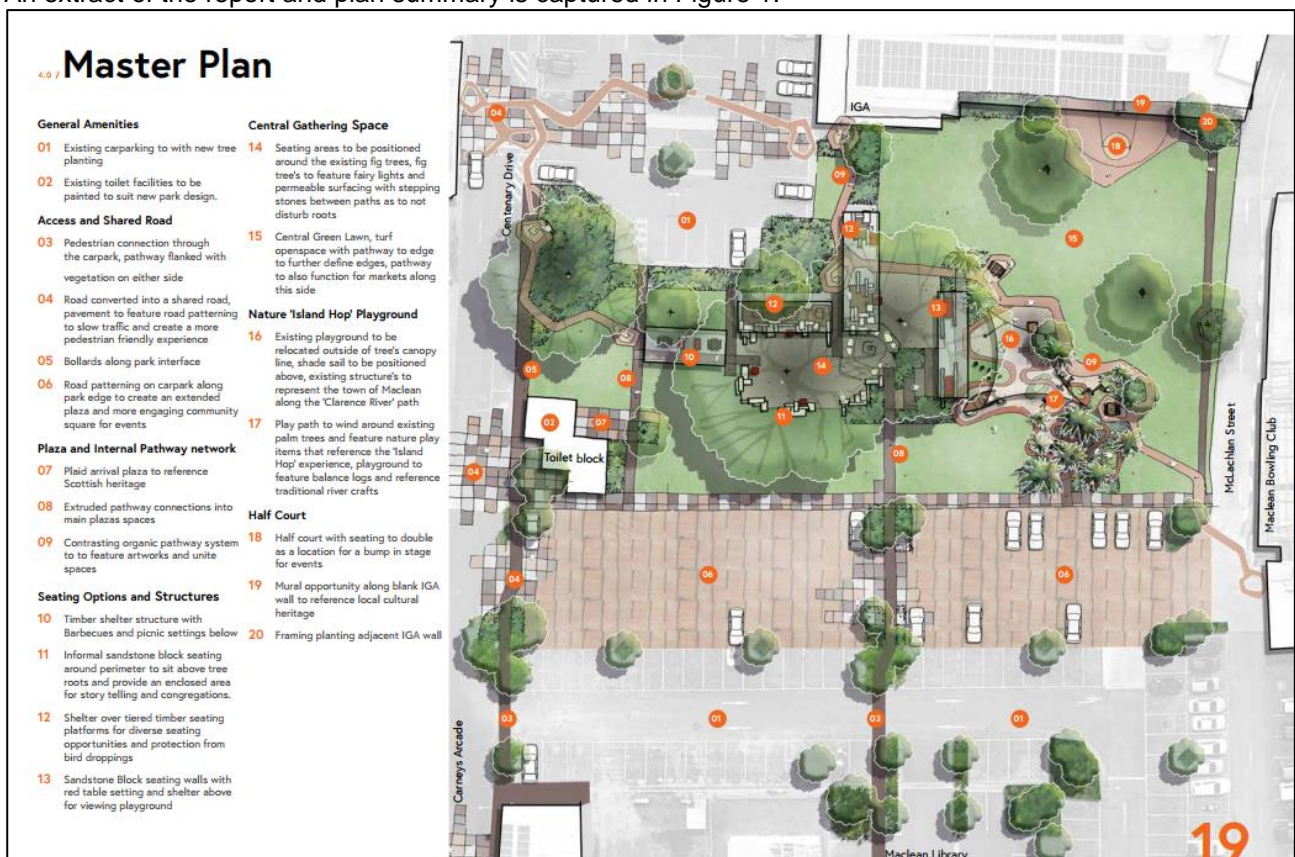


Figure 1 – Draft Cameron Park Masterplan

BACKGROUND

Some preliminary internal planning was undertaken in 2021 with Vee Design consultants. Since then a concept level Masterplan has been developed following internal and external stakeholder workshops.

Details of the park include –

- Lot/DP – Lot 107 DP1272650
- Land Size – 1.09588ha (inc. surrounding carparks).
- Tenure – Freehold owned by Council
- Classification - Operational
- Principle Local Govt Category – General Community Use
- Leases/Licenses – LIC-0134 license for markets
- Park area including bandstand rotunda, toilets inc. disabled & playground, monthly community markets; fish events.

The Maclean Community Markets are held at the park on a monthly basis. The Masterplan relates to the green park space only but must consider surrounding carpark, path networks and interfacing land uses.



Figure 2 – Cameron Park and carpark surrounds

COUNCIL IMPLICATIONS

Budget/Financial

The concept masterplan was funded from PJ 945041 PJ (24PJACT) and included in the 2022/23 Capital works program. Once the concept masterplan has been finalised, the consultants will provide an opinion of probable costs at 100% design for endorsement.

Asset Management

Cameron Park is a District Level park which includes a significant level of assets which vary in condition and remaining useful life. Assets including the bandstand rotunda, a playground which is in good condition and will be moved as part of the plan. Park furniture is assessed as condition 4 (fair to poor) and requires renewal or upgrade. The toilet block has been assessed at condition 2 (good).

Policy and Regulation

- Clarence Valley Council Local Environmental Plan and Development Control Plans (DCP)
- Clarence Valley Open Spaces Strategy
- Clarence Valley Biodiversity Strategy 2020-2025
- Sports Facilities Plan and Aquatic Facilities Plan
- Playground Policy
- Community Garden Policy
- Asset Management Plans (AMP)
- Pedestrian Access and Mobility Plans (currently being updated)

Consultation

The objective of this masterplan is to actively involve the community, ensuring this project aligns with the vision of creating an inclusive community space that fosters meaningful connections and vibrant social engagement.

Internal and external consultation workshops were held on the 20 June 2023 facilitated by Vee Design consultants. This planning project was undertaken under one engagement with 'The Townsend Collective' (refer to separate report) and separate stakeholder workshops held on the same day. The following groups/delegates were invited or participated in the stakeholder workshop –

- Maclean Chamber of Commerce
- Maclean Rotary
- Maclean Lions
- Maclean Scottish Association
- Maclean Bowling Club
- Yaegl representative

The aim of the workshops was to gain insights on how the stakeholders currently utilise Cameron Park and their aspirations and vision for the space moving forward. The workshop process included –

- Introduction of the facilitators and key stakeholders involved in the future park planning process.
- Council to introduce the project and provide a basic overview of the project history.
- Vee Design outlining the benefits of a shared community space that services multiple groups.
- Presentation of the site analysis, Opportunities and Constraints.
- Project Visioning Workshop (Activity 1)
- Idea Generation Workshop (Activity 2)
- Vee Design provided a re-cap from what was learnt in the workshops and indicate the steps moving forward.

Placing the Cameron Park Masterplan Report on public exhibition will allow for further public response and provide feedback on key design elements.

Legal and Risk Management

Nil

Climate Change

The Plan was undertaken with the aim to retain the majority of the existing suitable flora.

Consideration has been made to limit the removal of any native trees and shrubs and to enhance the natural environment with suitable local native provenance further plantings. The plan also includes a water station, nature play elements and natural shade as cooling elements.

ITEM 07.23.205 LOCAL TRAFFIC COMMITTEE

Meeting	Council	24 October 2023
Directorate	Works & Civil	
Prepared by	Support Officer (Operations), Julie Wilks	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. Local Traffic Committee Minutes (Separate Cover) ⇒ B. Local Traffic Committee Attachment Item 023.23 (Separate Cover) ⇒ C. Local Traffic Committee Attachment Item 024.23 ↓	

SUMMARY

This report outlines the recommendations proposed by the Local Traffic Committee held on 3 October 2023.

OFFICER RECOMMENDATION

That Council adopt the recommendations of the Local Traffic Committee as determined on 3 October 2023.

LINKAGE TO OUR COMMUNITY PLAN

Theme Infrastructure

Objective We will have communities that are well serviced with appropriate infrastructure

KEY ISSUES

That the recommendations of the Local Traffic Committee determined on 3 October 2023 be adopted by Council.

BACKGROUND

The following reports were considered by the Local Traffic Committee and recommendations determined on 3 October 2023.

Officer Report	
Item No.	Recommendation/Comment
023/23 – Traffic Impact Assessment for Proposed Rural Store, Palmers Island. Refer Attachment B	That the access on Yamba Road associated with Planning Proposal 2022-2655 is not supported. The LTC and TfNSW were primarily concerned that a commercial access at this location would compromise the functionality and the safety of road users of Yamba Road.
024/23 – Signage and Linemarking Plan – Carrs Drive, Yamba. Refer Attachment C .	That Council: <ol style="list-style-type: none"> 1. Approve the proposed signage and linemarking layout plans associated with works within Carrs Drive, Yamba. 2. Delegates authority to the Development Engineer to approve minor signage or linemarking changes to the proposed plan.
025/23 – Yamba Hot Rod Event November 2023	That the traffic impacts associated with the Yamba Hot Rod Event on Saturday 11 November 2023 are supported subject to the conditions outlined in the report.

COUNCIL IMPLICATIONS**Budget/Financial**

As per the reports within the Local Traffic Committee Minutes.

Asset Management

N/A

Policy and Regulation

The Local Traffic Committee is not a Committee of Clarence Valley Council but a Technical Committee that provides advice to Council. Council has been delegated certain powers, from Transport for NSW, about traffic matters upon its local roads. A condition of this delegation is that Council must consider the Local Traffic Committee recommendations.

Consultation

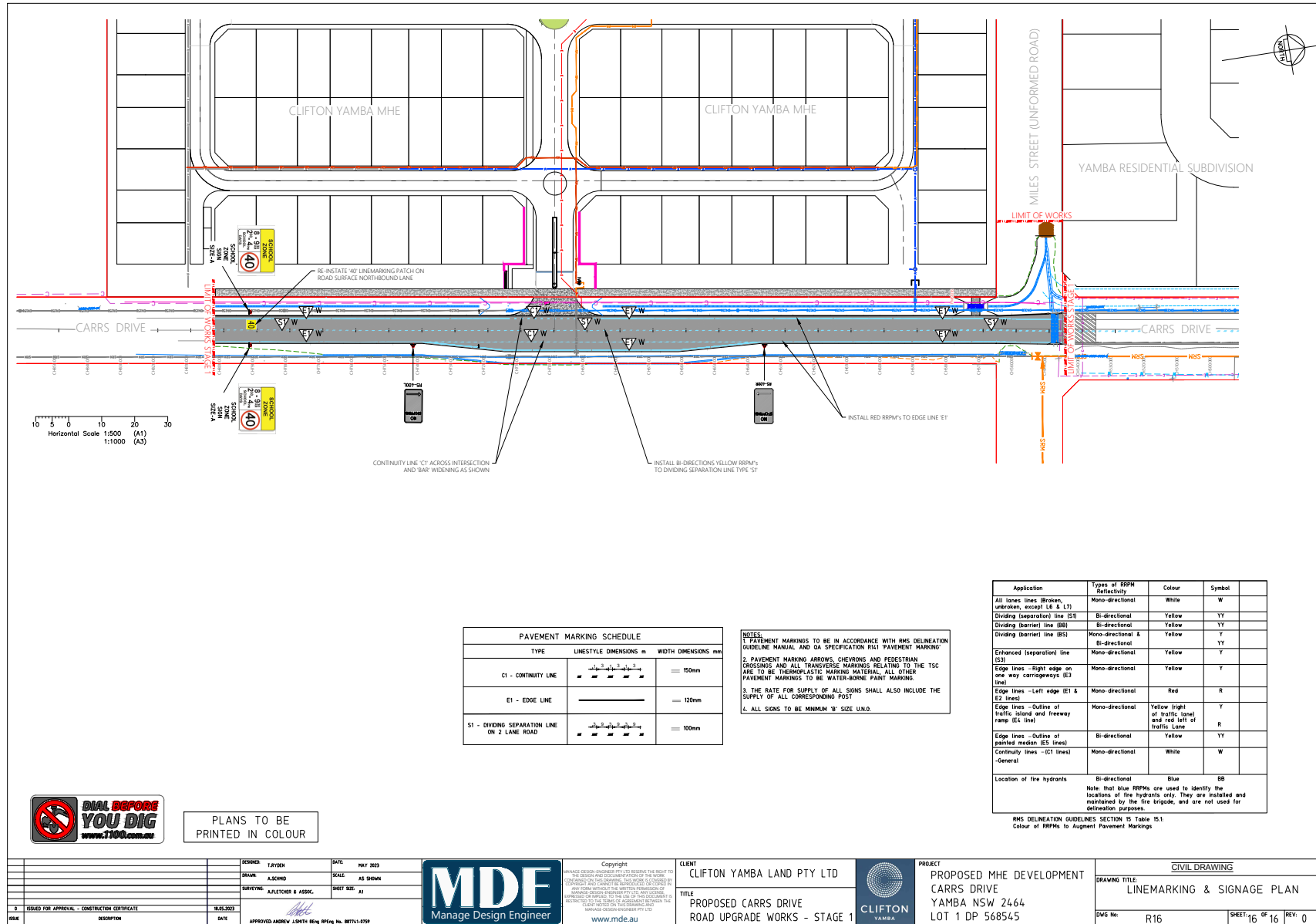
As per the reports within the Local Traffic Committee Minutes.

Legal and Risk Management

N/A

Climate Change

N/A



ITEM 07.23.206 RFT22/36 MACLEAN SHOWGROUND LIGHTS

Meeting	Council	24 October 2023
Directorate	Works & Civil	
Prepared by	Coordinator Project Management, Rick Johnson	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. RFT22/36 Tender Recommendation Report (Confidential)	

SUMMARY

Council called open tenders for the Maclean Showground Main Arena Lights which opened on 14 August 2023 and closed on 19 September 2023. One complying tender was received. This report presents the outcome of the tender and seeks a Council resolution to accept the most advantageous tender.

OFFICER RECOMMENDATION

That Council:

1. accepts the tender from Alan Kneale Electrical Pty Ltd for RFT22/36-Maclean Showground Lights at a cost of \$349,382.00 (GST inclusive) to be funded from Maclean Showground–Main Arena Lighting Upgrade (PJ 540546 Sub Service 341).
2. delegates authority to the General Manager to approve appropriately deemed variations to the Contract and those variations be reported to Council within the Quarterly Budget Review Statement (QBRs) once the Contract is finalised.

LINKAGE TO OUR COMMUNITY PLAN

Theme Infrastructure

Objective We will have communities that are well serviced with appropriate infrastructure

KEY ISSUES

Tenders were assessed by a Tender Evaluation Committee (TEC) comprising Open Spaces and Strategic Infrastructure staff using a weighting of 60% price and 40% non-price criteria. A report from the TEC is included in the Confidential Attachments.

At the time of closing Council had received one (1) tender.

The TEC considers that, in accordance with Clause 178(1)(a) of the *Local Government (General) Regulation 2021*, that the tender which, having regard to all the circumstances (price and non-price) and advantageous to Council is from Alan Kneale Electrical Pty Ltd and recommends that this tender be accepted.

BACKGROUND

Maclean Showground Main Arena lighting and electrical infrastructure are aging assets requiring increasing maintenance and repairs. Upgrading the lighting and associated electrical infrastructure to modern, fit for purpose LED lighting will improve user experience of the facility as well as reduce ongoing maintenance and operating costs.

The lighting upgrade includes decommissioning of the existing lighting system, installation of new electrical cabling under ground to replace the existing overhead cables, modifications to existing switchboard as well as supply and installation of LED lighting units. The existing lighting poles have been assessed and found to be fit for purpose and suitable to be retained.

COUNCIL IMPLICATIONS

Budget/Financial

Maintenance expenditure will be reduced as a result of the replacement of the existing lighting units. Whole of life costs are expected to be reduced due to the energy efficiencies gained through the use of LED lighting.

The available budget for the tender is \$380,000.00 (Maclean Showground–Main Arena Lighting Upgrade, PJ540546 Sub Service 341). Expenditure and commitments to date on tender documentation development is \$4,911.40 (ex GST), leaving available funding of \$375,088.60. The tender price is \$317,620.00 (ex GST).

Asset Management

The proposed works under this tender will replace the aging lighting and electrical assets in the Maclean showground that are at the end of their life.

Policy and Legislation

The tendering process followed is consistent with the requirement of the Local Government Act and Regulation and Council's Sustainable Procurement Policy – Supporting Local Business. In accordance with Council's Sustainable Procurement Policy the following processes were undertaken:

- Tender specifications were structured so local suppliers and/or contractors were not excluded from being the prime supplier/contractor.
- The local supply provisions of the Policy were assessed by the Project Manager as not being relevant due to the specialist nature of the goods/services being sourced by the tender.

Consultation

N/A

Legal and Risk Management

The Tendering process has followed the requirements of the Local Government Act and Regulation.

There were two submissions received. The company partners and directors of the company that submitted a tender are:

Tenderer	Director(s)
Alan Kneale Electrical Pty Ltd	Alan Kneale

Climate Change

The inclusion of LED lighting units will result in a reduction in electricity consumption, thereby reducing Council's carbon footprint.

ITEM 07.23.207 RFT22/59 - SUPPLY OF INLINE SUBMERSIBLE HYDROELECTRIC GENERATOR TURBINE

Meeting	Council	24 October 2023
Directorate	Works & Civil	
Prepared by	Water & Sewer Engineer, Cliff Dredge	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. Tender Recommendation Report - RFT22-59 (Confidential)	

SUMMARY

Council called tenders on 14 August 2023 for the procurement of a hydroelectric generator turbine to be installed within the drinking water network at the Rushforth Water Treatment Plant. Tenders closed on 5 September 2023 with three (3) complying tenders received. The Tender Evaluation Committee (TEC) considers, having regard to all the circumstances, that the tender from Alisea Australia Pty Ltd is the most advantageous for Council and recommends that this tender be accepted.

OFFICER RECOMMENDATION

1. That Council awards Tender RFT22/59 Supply of Inline Submersible Hydroelectric Generator Turbine to Alisea Australia Pty Ltd in the amount of \$364,705 (including GST), to be funded from Financial Project 950563 (Rushforth Road WTP Mini Hydro).
2. The budget for PJ950563 be increased by \$82,000 (excluding GST), to be funded from the Water Fund Reserve.

LINKAGE TO OUR COMMUNITY PLAN

Theme Infrastructure

Objective We will have communities that are well serviced with appropriate infrastructure

KEY ISSUES

At the closing date and time Council received three tenders:

Tenderer	ABN	Address
Alisea Australia Pty Ltd	58 669 478 915	16 Bowtell Avenue, Grafton, NSW, 2460, Australia
Metaval Consolidated Pty Ltd	14 817 122 440	Unit 3, 17 Kelvin Rd, Bayswater VIC 3153
Vortex Group Limited	94 290 417 486 19	1/1071 Hinemoa Street, Rotorua 3010 New Zealand

Tenders were assessed by a TEC comprising Water Cycle staff and an external consultant using a weighting of 60% price and 40% non-price criteria. A detailed report from the TEC is included in the Confidential Attachments. The TEC considers that, in accordance with Clause 178(1)(a) of the Local Government (General) Regulation, 2021 the Tender which having regard to all the circumstances (price and non-price) appears to be the most advantageous to Council is from Alisea Australia Pty Ltd and recommends that this tender be accepted.

The Directors of Alisea Australia Pty Ltd are listed in the confidential attachment.

BACKGROUND

At its meeting of 20 November 2018 Council resolved to implement measures in the 100% Renewables report (Resolution 15.195/18). The report noted that micro-hydro power generation at the Rushforth Road water treatment site merited further consideration.

COUNCIL IMPLICATIONS

Budget/Financial

The available budget for the tender is \$250,000 (excl GST) allocated from the Rushforth Road WTP Mini Hydro project, PJ 950563, and the tender price is \$331,550 (excl GST). If Council accepts the preferred tender, the budget allocation will need to be increased by \$81,550 (excl GST) funded from the Water Reserve Fund.

The hydroelectric generator turbine will reduce external power consumption at Rushforth Water Treatment Plant when water is being supplied from the Nymboida River.

The turbine has been designed to operate and produce 73.3kW of power when operating at 631.5m³/hr (175L/S) which is ~15ML/day, refer Table 1. This equates to an average day's water consumption for the Clarence Valley.

DATA AND RESULT TURBOGENERATOR									
Point n ^o	Flow (m3/s)	Flow (m ³ /h)	H1 (m)	H2 (m)	ΔH. Total (m)	DESIGN CONDITIONS	Power Turbogenerator (Kw)		Efficiency (%)
							Theory	Real	
1	0.092	329.5	26.3		26.30		23.6	2.4	10.2%
2	0.113	405.0	31.6		31.60		34.9	16.80	48.2%
3	0.135	484.0	41.2		41.20		54.3	32.60	60.0%
4	0.156	559.5	52.8		52.80		80.5	51.50	64.0%
5	0.176	631.5	65.5		65.50	X	112.7	73.3	65.0%
6	0.184	659.0	69.0		69.00		123.9	79.50	64.2%
7	0.186	667.2	73.6		73.60		133.8	84.50	63.1%
8	0.193	693.7	77.5		77.50		146.5	90.80	62.0%

Table 1: Turbogenerator Specification

When operating at its design point the turbine will be producing 73.3kW. This equates to 1759.2kW*hr/day.

Assuming an approximate rate for power of \$0.3/kW*hr, the daily reduction in power costs is up to $0.3 * 1759.2 = \$527.76$ /day. The annual savings on power consumption are up to $365 * 527.76 = \$192,632.40$.

As noted above, power will only be generated when water is being supplied from the Nymboida. The turbine will be bypassed when pumping from Shannon Creek Dam.

The cost of the turbine is estimated to be recovered in 630 days (less than 2 years) of operation.

Asset Management

The hydroelectric generator will be a new asset.

Policy and Legislation

The tendering process followed is consistent with the requirement of the Local Government Act and Regulation and Council's Sustainable Procurement Policy – Supporting Local Business. In accordance with Council's Sustainable Procurement Policy the following processes were undertaken:

- Tender specifications were structured so local suppliers and/or contractors were not excluded from being the prime supplier/contractor.

The local supply provisions of the Policy were assessed by the Manager as not being relevant due to the specialist nature of the goods/services being sourced by the tender.

Consultation

N/A

Legal and Risk Management

NA

Climate Change

A turbine at the Rushforth Water Treatment Plant will be produce 1759.2 kW*hr/day (on average) of renewable energy that will result in a positive impact on Climate change

8. CONFIDENTIAL BUSINESS

OFFICER RECOMMENDATION

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

1. 08.23.008 Code of Conduct Complaint Investigation Report - 10A(2) (i) *The report contains alleged contraventions of any code of conduct requirements applicable under section 440*

ITEM 08.23.008 CODE OF CONDUCT COMPLAINT INVESTIGATION REPORT

Meeting	Council	24 October 2023
Directorate	Corporate & Community	
Prepared by	Director Corporate & Community, Alex Moar	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. Code of Conduct Reviewer's report (Separate Cover) (Confidential)	
CONFIDENTIAL	<p><i>The General Manager advises that the following matter be dealt with in Closed Session as the matter and information are confidential in accordance with the Local Government Act 1993 Section</i></p> <p><i>10A(2) (i) The report contains alleged contraventions of any code of conduct requirements applicable under section 440</i></p>	

9. QUESTIONS WITH NOTICE

Nil

10. LATE ITEMS OF BUSINESS AND MATTERS ARISING

11. CLOSE OF ORDINARY MEETING