

# Extraordinary Council Meeting

## Minutes

Maclean - 18 August 2023 - 9:00 AM





# AGENDA

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## 01 OPENING OF EXTRAORDINARY MEETING

- Affirmation/Prayer
- Acknowledgement of Country
- Announcement – Recording of Meeting

## 02 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

## 03 DISCLOSURES AND DECLARATIONS OF INTEREST

## 04 MAYORAL MINUTES

Nil

## 05 REPORTS

### OFFICE OF THE GENERAL MANAGER

07.23.152 RFT22/41 - Regional Aquatic Facility (Grafton Olympic Pool) on Crown Land 3

07.23.153 RFT22/49 Yamba Community Precinct Project 4

### ENVIRONMENT & PLANNING

Nil

### CORPORATE & COMMUNITY

Nil

### WORKS & CIVIL

Nil

## 06 CONFIDENTIAL BUSINESS

## 07 LATE ITEMS OF BUSINESS AND MATTERS ARISING

## 08 CLOSE OF EXTRAORDINARY MEETING

## 1. OPENING OF EXTRAORDINARY MEETING

**MINUTES of the EXTRAORDINARY MEETING of the CLARENCE VALLEY COUNCIL at Maclean, 18 August 2023 commencing at 9:00 AM and closing at 9:21am.**

**PRAYER** – Cr Johnstone delivered the Prayer.

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

We acknowledge the Bundjalung, Gumbaynggirr and Yaegl people as the Traditional Owners of the land on which we all live and work. We honour the First Nations peoples culture & connection to land, sea and community. We pay our respects to their Elders past, present and emerging.

**ANNOUNCEMENT** – The General Manager delivered the Announcement.

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

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

### **Statement of Ethical Obligation –**

All Councillors are reminded under section 233A of the Act and section 3.23 of the Code of Meeting Practise, of their oath or affirmation and obligations to disclose and appropriately manage conflicts of interest.

## **PRESENT**

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

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

## 2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Nil

## 3. DISCLOSURES AND DECLARATIONS OF INTEREST

Nil

## 4. MAYORAL MINUTES

Nil

## 5. REPORTS

**OFFICE OF THE GENERAL MANAGER****ITEM 07.23.152 RFT22/41 - REGIONAL AQUATIC FACILITY (GRAFTON OLYMPIC POOL) ON CROWN LAND**

<b>Meeting</b>	Extraordinary Council	18 August 2023
<b>Directorate</b>	General Manager	
<b>Prepared by</b>	Senior Parks & Recreation Officer, Rachele Passmore	
<b>Reviewed by</b>	Director Works & Civil, Jamie Fleeting	
<b>Attachments</b>	Nil	

**SUMMARY**

This report advises that negotiations are ongoing.

**OFFICER RECOMMENDATION**

That Council

1. note that negotiations in relation to tender offers for RFT22/41 are ongoing.
2. consider the outcome of the negotiations for RFT22/41 at an Extraordinary Council meeting prior to the September Ordinary Council meeting, if required.

**POINT OF ORDER**

Toms

Cr Toms called point of order. "The debate needs to be on the business before us."

The Chair upheld the point of order

**MOTION OF DISSENT**

Johnstone/Smith

"Cannot see anything on section 15.3 that is being said here."

Voting recorded as follows

For: Johnstone, Clancy, Day, Smith

Against: Tiley, Whaites, Novak, Toms, Pickering

The Motion of Dissent was put and declared LOST

**MOTION**

Toms/Novak

That Council

1. note that negotiations in relation to tender offers for RFT22/41 are ongoing.
2. consider the outcome of the negotiations for RFT22/41 at an Extraordinary Council meeting prior to the September Ordinary Council meeting, if required.

Voting recorded as follows

For: Whaites, Novak, Toms, Pickering

Against: Johnstone, Tiley, Clancy, Day, Smith

The Motion was put and declared LOST

**ITEM 07.23.153 RFT22/49 YAMBA COMMUNITY PRECINCT PROJECT**

<b>Meeting</b>	Extraordinary Council	18 August 2023
<b>Directorate</b>	General Manager	
<b>Prepared by</b>	Director Corporate & Community, Alex Moar	
<b>Reviewed by</b>	General Manager, Laura Black	
<b>Attachments</b>	Nil	

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**SUMMARY**

This report advises that negotiations are ongoing.

**OFFICER RECOMMENDATION**

That Council

1. note that negotiations in relation to tender offers for RFT22/49 are ongoing.
2. consider the outcome of the negotiations for RFT22/49 at an Extraordinary Council meeting prior to the September Ordinary Council meeting, if required.

**POINT OF ORDER**

Toms

Cr Toms called point of order. "This is an extraordinary meeting and under section 3.28, motions that have not been on the agenda can be moved but a motion needs to be cast to approve that and then the person moving the motion is the only person that can speak to the motion before it is put."

The Chair upheld the point of order

**MOTION**

Toms/Novak

That Council

1. note that negotiations in relation to tender offers for RFT22/49 are ongoing.
2. consider the outcome of the negotiations for RFT22/49 at an Extraordinary Council meeting prior to the September Ordinary Council meeting, if required.

Voting recorded as follows

For: Whaites, Novak, Toms, Pickering

Against: Johnstone, Tiley, Clancy, Day, Smith

The Motion was put and declared LOST

**ENVIRONMENT & PLANNING**

Nil

**CORPORATE & COMMUNITY**

Nil

**WORKS & CIVIL**

Nil

**6. CONFIDENTIAL BUSINESS**

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

**8. CLOSE OF ORDINARY MEETING**

There being no further business the Extraordinary Meeting closed at 9.21am