

Ordinary Council Meeting

Minutes

Maclean - 27 June 2023 - 2:00pm



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Nil

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1. OPENING OF ORDINARY MEETING

MINUTES of the ORDINARY MEETING of the CLARENCE VALLEY COUNCIL at Maclean, 27 June 2023 commencing at 2:00pm and closing at 4:46pm.

AFFIRMATION – Cr Novak delivered the Affirmation.

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

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

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

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 OBLIGATIONS –

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 Greg Clancy, Cr Bill Day, Cr Peter Johnstone, Cr Debrah Novak, Cr Steve Pickering, Cr Jeff Smith, Cr Ian Tiley, Cr Karen Toms and Cr Allison Whaites
General Manager (Laura Black), Director – Environment & Planning (Adam Cameron), and Minutes Secretary (Lee Boon & Michelle West)

2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Director – Corporate & Community (Alex Moar)

Director – Works & Civil (Jamie Fleeting)

3. DISCLOSURES AND DECLARATIONS OF INTEREST

Declarations received at the commencement of the Ordinary Council Meeting

| Name | Item | Nature of Interest, Action and Reason |
|--------------|-----------|--|
| Cr Tiley | 07.23.089 | <ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Leave the Meeting ▪ Member of NRPP |
| Cr Johnstone | 07.23.089 | <ul style="list-style-type: none"> ▪ Significant Non-Pecuniary – Leave the Meeting ▪ Member of the NRPP |
| Cr Pickering | 06.23.007 | <ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Remain in room ▪ Advertise in local media |
| Cr Whaites | 06.23.007 | <ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Leave the Meeting ▪ My business does not advertise in newspaper print |

| | | |
|----------|-----------|--|
| Cr Novak | 07.23.101 | <ul style="list-style-type: none">▪ Pecuniary – Remain in room▪ Farmers Market Licensee |
|----------|-----------|--|

COUNCIL RESOLUTION**Johnstone/Toms**

That the Minutes of Ordinary Meeting of Council dated 23 May 2023, copies of which have been circulated, be taken as read and be confirmed.

Voting recorded as follows

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

Against: Nil

CARRIED

4. MAYORAL MINUTES**ITEM 05.23.005 MAYORAL MINUTE
CENTENARY OF GRAFTON CENOTAPH DEDICATION**

| | | |
|---------------------|--------------|--------------|
| Meeting | Council | 27 June 2023 |
| Submitted by | Cr Ian Tiley | |
| Attachments | Nil | |

SUMMARY

The purpose of this Minute is to inform Council and to create awareness of support for and attendance by community at this special Centenary recognition and observance.

PROPOSED MOTION

That Council note, provide in-kind support and publicity for the centenary observance of the Grafton Cenotaph.

COUNCIL RESOLUTION - 05.23.005

Tiley

That Council note, provide in-kind support and publicity for the centenary observance of the Grafton Cenotaph.

Voting recorded as follows

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

Against: Nil

CARRIED

**ITEM 05.23.006 MAYORAL MINUTE
80TH ANNIVERSARY CUBS DROWNINGS 1943**

| | | |
|---------------------|--------------|--------------|
| Meeting | Council | 27 June 2023 |
| Submitted by | Cr Ian Tiley | |
| Attachments | Nil | |

SUMMARY

This Minute is intended to create awareness and to inform Council of planned events to mark the 80th anniversary of the drowning of 13 Grafton Scout cubs on 11th December 1943.

PROPOSED MOTION

That Council note the proposed plans and activities to recognise, on the December 11, 2023, the 80th anniversary of the drownings of 13 Grafton cub scouts and provide in-kind support and publicise the occasion.

COUNCIL RESOLUTION - 05.23.006

Tiley

That Council note the proposed plans and activities to recognise, on the December 11, 2023, the 80th anniversary of the drownings of 13 Grafton cub scouts and provide in-kind support and publicise the occasion.

Voting recorded as follows

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

Against: Nil

CARRIED

**ITEM 05.23.007 MAYORAL MINUTE
CLARENCE WATER SUPPLY SECURITY**

| | | |
|---------------------|--------------|--------------|
| Meeting | Council | 27 June 2023 |
| Submitted by | Cr Ian Tiley | |
| Attachments | Nil | |

SUMMARY

During the NSW State election campaign, the Labor candidate for Clarence and the then Shadow Minister for Water made statements about the need for greater security for the Clarence water supply. This minute seeks to follow up with the incoming NSW Labor Government and obtain greater certainty regarding those plans.

Given the Director's advice I propose that the representations recommended in this minute, commence when the foregoing information is available. Pursuing the new Governments stated position regarding water filtration, including for Clarence LGA is important, as it is also that council make representations on this important matter.

PROPOSED MOTION

That Council make representations, through the Member for Clarence the Hon. Richie Williamson, to the NSW Minister for Water Ms Rose Jackson, for more information and support regarding the government's election undertaking to provide greater water security for the Clarence community, especially in the form of water filtration.

COUNCIL RESOLUTION - 05.23.007

Tiley

That Council make representations, through the Member for Clarence the Hon. Richie Williamson, to the NSW Minister for Water Ms Rose Jackson, for more information and support regarding the government's election undertaking to provide greater water security for the Clarence community, especially in the form of water filtration.

Voting recorded as follows

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

Against: Nil

CARRIED

5. NOTICES OF MOTION

**ITEM 06.23.007 NOTICE OF MOTION
REVIEW COUNCIL ADVERTISING**

| | | |
|---------------------|----------------|--------------|
| Meeting | Council | 27 June 2023 |
| Submitted by | Cr William Day | |
| Attachments | Nil | |

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

SUMMARY

Council does not use the current advertising budget in the local 'free' Independent newspaper as effectively as it should.

Cr Whaites left the meeting at 2:07 pm.

PROPOSED MOTION

Council redesign the current weekly 'banner' advertisement in the local Independent newspaper to include a basic listing for current Development Applications and important Council matters that require public notice or participation.

COUNCIL RESOLUTION - 06.23.007

Day/Smith

Council redesign the current weekly 'banner' advertisement in the local Independent newspaper to include a basic listing for current Development Applications and important Council matters that require public notice or participation.

Voting recorded as follows

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

Against: Novak, Toms

CARRIED

Cr Whaites returned to the meeting at 2:24 pm.

COUNCIL RESOLUTION - 06.23.008

Pickering/Clancy

A motion was moved that Council suspend standing orders and that [item 07.23.092](#) be brought forward on the Agenda to be dealt with early in the interest of the gallery attendees.

Voting recorded as follows

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

Against: Nil

CARRIED

**ITEM 06.23.008 NOTICE OF MOTION
PROPOSAL FOR RENAMING "SHIRLEY WAY" TO "SHIRLEY ADAMS WAY"**

| | | |
|---------------------|------------------------|--------------|
| Meeting | Council | 27 June 2023 |
| Submitted by | Councillor, Karen Toms | |
| Attachments | Nil | |

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

SUMMARY

To seek a review of the NSW Geographical Names Board (GNB) Policy by the Minister for Customer Service and Digital Government, The Hon. Jihad DIB, MP as the current policy does not permit "Shirley Way" to be renamed "Shirley Adams Way".

PROPOSED MOTION

That Council

1. seek a review of the Geographical Names Board Policy that restricts the use of a given or first names in conjunction with a surname.
2. write to the NSW Surveyor-General (Chair) Ms Narelle Underwood and the Minister for Customer Service and Digital Government, The Hon. Jihad DIB, MP to conduct the review.
3. advise the Minister that there are no houses or infrastructure on the section of road named Shirley Way, that could cause confusion (or delay) for Emergency Services, if it was named "Shirley Adams Way".
4. seek approval from the Minister to have "Shirley Way" renamed "Shirley Adams Way" as resolved unanimously by Council (resolution 07.20.013) September 2020 and supported by the broader community.

MOTION

Toms

Cr Toms called point of order. "You need to only speak towards the motion."

The Chair Upheld the point of order

MOTION

Toms/Novak

That Council

1. seek a review of the Geographical Names Board Policy that restricts the use of a given or first names in conjunction with a surname.
2. write to the NSW Surveyor-General (Chair) Ms Narelle Underwood and the Minister for Customer Service and Digital Government, The Hon. Jihad DIB, MP to conduct the review.
3. advise the Minister that there are no houses or infrastructure on the section of road named Shirley Way, that could cause confusion (or delay) for Emergency Services, if it was named "Shirley Adams Way".
4. seek approval from the Minister to have "Shirley Way" renamed "Shirley Adams Way" as resolved unanimously by Council (resolution 07.20.013) September 2020 and supported by the broader community.
5. invite Mr Ray Smith, former GM to Grafton City Council, to provide his submission regarding Shirley Adams to the Minister as supporting information.

AMENDMENT TO MOTION

Johnstone/Day

That Council

1. seek a review of the Geographical Names Board Policy that restricts the use of a given or first names in conjunction with a surname.
2. write to the NSW Surveyor-General (Chair) Ms Narelle Underwood and the Minister for Customer Service and Digital Government, The Hon. Jihad DIB, MP to conduct the review.
3. advise the Minister that there are no houses or infrastructure on the section of road named Shirley Way, that could cause confusion (or delay) for Emergency Services, if it was named "Shirley Adams Way".
4. seek approval from the Minister to have "Shirley Way" renamed "Shirley Adams Way" as resolved unanimously by Council (resolution 07.20.013) September 2020 and supported by the broader community.

Voting recorded as follows

For: Clancy, Day, Johnstone, Smith, Tiley

Against: Novak, Pickering, Toms, Whaites

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

COUNCIL RESOLUTION - 06.23.008

Toms/Novak

That Council

1. seek a review of the Geographical Names Board Policy that restricts the use of a given or first names in conjunction with a surname.
2. write to the NSW Surveyor-General (Chair) Ms Narelle Underwood and the Minister for Customer Service and Digital Government, The Hon. Jihad DIB, MP to conduct the review.
3. advise the Minister that there are no houses or infrastructure on the section of road named Shirley Way, that could cause confusion (or delay) for Emergency Services, if it was named "Shirley Adams Way".
4. seek approval from the Minister to have "Shirley Way" renamed "Shirley Adams Way" as resolved unanimously by Council (resolution 07.20.013) September 2020 and supported by the broader community.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 06.23.009 RESCISSION MOTION LOWER CLARENCE FLOOD MODEL 2022

| | | |
|---------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Submitted by | Councillor, Karen Toms; Cr Debrah Novak; Cr Allison Whaites | |
| Attachments | Nil | |

At the Ordinary Meeting of Council held 23 May 2023, a Motion to adopt the Lower Clarence Flood Model 2022 was lost (07.23.085) followed by a resolution to defer the matter pending further consideration by councillors and a councillor workshop being held.

As there was no new information forthcoming as a result of the workshop that would cause staff to recommend the matter be reconsidered, the Office of Local Government has proposed submission of a Notice of Motion signed by three councillors as a means of achieving the intended outcome of reconsidering the Lost Motion.

PROPOSED RESCISSION MOTION

That Council rescind its decision of 23 May 2023 in which the following Motion was Lost

That Council:

- engage an independent flooding consultant to undertake a high-level review and validation of the 2022 Flood Study update modelling methodology.
- subject to concurrence from DPE that the high level review (and validation) has not significantly altered the 2022 Flood Study update, adopt a final report addressing any comments-received from DPE and the peer review and place the final report on Council's website.
- 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).
- note the extreme flood level requires further validation using a hydrologic assessment of the Probable Maximum Flood.
- prepare a planning proposal to amend the Clarence Valley Local Environmental Plan 2011 to replace the existing flood mapping with the revised flood mapping for Climate Change 1 (RCP 4.5) scenario, as contained in the Lower Clarence Flood Model Update 2022.
- 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.

And consider with minor amendment, the following Motion

That Council

- engage an independent flooding consultant to undertake a high-level review and validation of the Lower Clarence Flood Model Update 2022 modelling methodology.
- 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.
- 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).
- note the Department of Planning & Environment has confirmed the Probable Maximum Flood (extreme flood) does not require further validation.
- 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.
- 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.

MOTION

Toms/Novak

That Council rescind its decision of 23 May 2023 in which the following Motion was Lost

That Council:

1. engage an independent flooding consultant to undertake a high-level review and validation of the 2022 Flood Study update modelling methodology.
2. subject to concurrence from DPE that the high level review (and validation) has not significantly altered the 2022 Flood Study update, adopt a final report addressing any comments-received from DPE and the peer review and place the final report on Council's website.
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 extreme flood level requires further validation using a hydrologic assessment of the Probable Maximum Flood.
5. prepare a planning proposal to amend the Clarence Valley Local Environmental Plan 2011 to replace the existing flood mapping with the revised flood mapping for 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.

And consider with minor amendment, the following Motion

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.

Voting recorded as follows

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

Against: Nil

CARRIED

COUNCIL RESOLUTION - 06.23.009a

Pickering/Novak

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.

Voting recorded as follows

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

Against: Clancy

CARRIED

AMENDMENT TO MOTION

Johnstone/Tiley

That Council

1. adopt a final report addressing any comments received from DPE and place the final report on Council's website.
2. 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).
3. note the Department of Planning & Environment has confirmed the Probable Maximum Flood (extreme flood) does not require further validation.
4. 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.
5. 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.

Voting recorded as follows

For: Johnstone, Tiley

Against: Clancy, Day, Novak, Pickering, Smith, Toms, Whaites

The Amendment to Motion was put and declared LOST

**ITEM 06.23.010 NOTICE OF MOTION
PROPOSED NATIONAL SCIENCE WEEK WORKSHOP "PLASTIC WASTE TO
RESOURCE"**

| | | |
|---------------------|------------------------|--------------|
| Meeting | Council | 27 June 2023 |
| Submitted by | Councillor, Karen Toms | |
| Attachments | Nil | |

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

SUMMARY

A plastic free community is something to strive for. It may seem impossible but until we change attitudes, stop using plastic, or see plastic waste as a valuable resource, we will continue to have plastic litter our waterways and oceans. This motion proposed a workshop on the circular economy of turning plastic waste into a resource, engaging Louise Hardman the Founder of Plastic Collective to facilitate.

Louise Hardman is a leading plastic educator, zoologist, science teacher, and long-time conservationist. Louise regularly speaks at international conferences and events about the need to address the global plastic waste epidemic.

PROPOSED MOTION

That Council

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.

COUNCIL RESOLUTION - 06.23.010

Toms/Whaites

That Council

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.**

Voting recorded as follows

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

Against: Nil

CARRIED

**ITEM 06.23.011 NOTICE OF MOTION
NORTHERN REGIONAL PLANNING POLICY AMENDMENT REQUEST**

| | | |
|---------------------|--------------------|--------------|
| Meeting | Council | 27 June 2023 |
| Submitted by | Cr Steve Pickering | |
| Attachments | Nil | |

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

SUMMARY

Due to the scheduling of Council's Ordinary Meetings, the Regional Planning Panel Operational Procedures and the Northern Regional Planning Panel determination calendar, council staff cannot brief Council with an assessment report on significant projects referred by Council to the NRPP for determination. This Notice of Motion is to request the Minister for Planning and Public Spaces, The Hon. Paul Scully MP, amend the Operational Procedures by extending the submission period of the Northern Regional Planning Panel (NRPP) to allow Clarence Valley Council time to make a submission to regionally significant DA's that the Northern Regional Planning Panel decide.

PROPOSED MOTION

That Council:

1. write to the Minister for Planning and Public Spaces, The Hon. Paul Scully MP and the Chair of the Northern Regional Planning Panel, Diane Leeson, requesting a review of the Northern Regional Planning Panel Operational Procedures to accommodate an extended submission period to allow Clarence Valley Council time to express a view on Development Applications being decided by the Northern Regional Planning Panel.
2. advise council of the outcome of the request.

COUNCIL RESOLUTION - 06.23.011

Pickering/Novak

That Council:

1. **write to the Minister for Planning and Public Spaces, The Hon. Paul Scully MP and the Chair of the Northern Regional Planning Panel, Diane Leeson, requesting a review of the Northern Regional Planning Panel Operational Procedures to accommodate an extended submission period to allow Clarence Valley Council time to express a view on Development Applications being decided by the Northern Regional Planning Panel.**
2. **advise council of the outcome of the request.**

Voting recorded as follows

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

Against: Nil

CARRIED

VOTE BY EXCEPTION - 07.23.087

Pickering/Day

That the following items be adopted as recommended:

07.23.087

07.23.088

07.23.091

07.23.095

07.23.096

07.23.099

07.23.100

07.23.102

07.23.103

07.23.106

07.23.109

07.23.110

07.23.111

07.23.112

Voting recorded as follows

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

Against: Nil

CARRIED

7. REPORTS**OFFICE OF THE GENERAL MANAGER****ITEM 07.23.086 RATE PEG METHODOLOGY REVIEW DRAFT REPORT SUBMISSION TO IPART**

| | | |
|--------------------|------------------------------|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | General Manager | |
| Prepared by | General Manager, Laura Black | |
| Reviewed by | General Manager, Laura Black | |
| Attachments | Nil | |

SUMMARY

This reports seeks Council's support to lodge a submission to IPART's Review of the Rate Peg Methodology draft report, which results from IPART's Rate Peg Methodology review to which Council made a submission following its October 2022 Ordinary Meeting (Item 07.22.229). The submission is due by 4 July 2023 and the draft report can be found here <https://www.ipart.nsw.gov.au/Home/Industries/Local-Government/Review-of-rate-peg-methodology>.

OFFICER RECOMMENDATION

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

COUNCIL RESOLUTION - 07.23.086

Smith/Novak

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

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.087 BULK WATER SUPPLY AGREEMENT ADVISORY COMMITTEE

| | | |
|--------------------|--|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | General Manager | |
| Prepared by | Manager Water Cycle, Greg Mashiah | |
| Reviewed by | Director Works & Civil, Jamie Fleeting | |
| Attachments | A. CHCC Business Paper 11 May 2023 - Regional Water Supply Joint Management Committee ⇒ B. CHCC Resolution 11 May 2023 - Regional Water Supply Joint Management Committee ⇒ | |

SUMMARY

At its meeting of 18 April 2023 Council resolution 07.23.049 established a Bulk Raw Water Supply Agreement Advisory Committee, with Point 5 providing a sunset clause which dissolves the committee by 30 June 2023. The Bulk Water Supply Agreement discussions with Coffs Harbour City Council (CHCC) will not be completed by 30 June 2023, so it is recommended that the term of the advisory Committee be extended until 30 September 2023.

OFFICER RECOMMENDATION

That Council:

1. extend the term of the Bulk Water Supply Agreement Advisory Committee to 30 September 2023
2. note that recommendations being made to each Council for endorsement on the final agreement will be by October 2023.

COUNCIL RESOLUTION - 07.23.087

Pickering/Day

That Council:

1. **extend the term of the Bulk Water Supply Agreement Advisory Committee to 30 September 2023**
2. **note that recommendations being made to each Council for endorsement on the final agreement will be by October 2023.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.088 COUNCILLORS LISTENING TOURS

| | | |
|--------------------|-----------------|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | General Manager | |
| Attachments | Nil | |

SUMMARY

A second Listening Tour was coordinated in May, this report provides an overview of the topics discussed at each location

OFFICER RECOMMENDATION

That the information contained in the report be noted.

COUNCIL RESOLUTION - 07.23.088**Pickering/Day**

That the information contained in the report be noted.

Voting recorded as follows

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

Against: Nil

CARRIED

ENVIRONMENT & PLANNING

ITEM 07.23.089 INFORMATION REPORT - NOTIFICATION OF NORTHERN REGIONAL PLANNING PANEL MEETING TO DETERMINE SUB2021/0042 - 336 LOT SUBDIVISION (329 RESIDENTIAL LOTS, 1 COMMERCIAL LOT, 4 DRAINAGE RESERVES AND ASSOCIATED PUBLIC OPEN SPACE AREAS - JAMES CREEK ROAD, JAMES CREEK

| | | |
|--------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Environment & Planning | |
| Prepared by | Acting Coordinator Development Services, James Hamilton | |
| Reviewed by | Director Environment & Planning, Adam Cameron | |
| Attachments | A. SUB2021-0042 - Submissions - First Round (Separate Cover) ⇒ B. SUB2021-0042 - Submissions - Second Round (Separate Cover) ⇒ C. SUB2021-0042 - Submissions - Third Round (Separate Cover) ⇒ | |

SUMMARY

| | |
|--------------------|---|
| <i>Applicant</i> | MPD Investments Pty Ltd |
| <i>Owner</i> | Kahuna No 1 Pty Ltd |
| <i>Address</i> | James Creek Road, James Creek being lot 104 DP 751388 |
| <i>Submissions</i> | First Round - 58 submissions Second Round – 25 Submissions Third Round – 27 Submissions |

The development application is Regionally Significant Development and has been referred to the Northern Regional Planning Panel (the Panel) as the determining authority for this application.

The purpose of this report is to advise Council that the development application will be scheduled by the Panel for determination on 28 or 29 June 2023. An elected Council may make a submission on a Development Application to be determined by the Panel up to seven days before the Panel meeting and may speak to this submission at the public determination meeting.

OFFICER RECOMMENDATION

That Council:

1. note that a public determination meeting for SUB2021/0042 will be scheduled by the Northern Regional Planning Panel on the 28 or 29 June 2023; and
2. note that a Council Resolution is required should Council wish to make a submission about SUB2021/0042 to the Northern Regional Planning Panel.

Cr Johnstone left the meeting at 3:34 pm.

Cr Tiley left the meeting at 3:34 pm.

COUNCIL RESOLUTION - 07.23.089

Pickering/Novak

That Council:

1. note that a public determination meeting for SUB2021/0042 will be scheduled by the Northern Regional Planning Panel on the 29 June 2023; and
2. note that a Council Resolution is required should Council wish to make a submission about SUB2021/0042 to the Northern Regional Planning Panel.
3. note there were 100 unique submissions plus 1 petition containing 171 signatures objecting to the development; and
4. supports the Clarence Valley Council staff recommendation to the Northern Regional Planning Panel is Refusal.

Voting recorded as follows

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

Against: Nil

CARRIED

COUNCIL RESOLUTION

Toms/Smith

That Council take a 10 minute recess at 3.41pm

Voting recorded as follows

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

Against: Nil

CARRIED

Cr Johnstone returned to the meeting at 3:41 pm.

Cr Tiley returned to the meeting at 3:41 pm.

The meeting resumed at 3.53pm.

ITEM 07.23.090 UPDATE ON COFFS HARBOUR CITY COUNCIL'S REQUEST FOR ACCEPTANCE OF WASTE AT GRAFTON REGIONAL LANDFILL

| | | |
|--------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Environment & Planning | |
| Prepared by | Manager Environment & Regulatory Services, Scott Lenton | |
| Reviewed by | Director Environment & Planning, Adam Cameron | |
| Attachments | A. Attachment - Correspondence from CHCC - May 2023 ⇒ | |

SUMMARY

This report provides an update on the most recent request from Coffs Harbour City Council (CHCC) for residual waste to be disposed at the Grafton Regional Landfill at a reduced cost to that informed by Clarence Valley Council's Solid Waste Management Strategy 2020-2027 and contained in Council's Fees and Charges and recommends Council continue implementation of its decision of April 2023 (item 07.23.051).

OFFICER RECOMMENDATION

That Council:

1. note the latest request from Coffs Harbour City Council seeking the dispose of 15,000 tonnes per annum of residual waste over 4 years from July 2023 at Grafton Regional Landfill, dated 16 May 2023.
2. defer any decision to endorse Coffs Harbour City Council's disposal of waste to landfill in the Clarence Valley until such time as the outcome of meetings initiated by Bellingen Shire council to achieve a regional waste solution, are known.

COUNCIL RESOLUTION - 07.23.090

Novak/Whaites

That Council:

1. **note the latest request from Coffs Harbour City Council seeking the dispose of 15,000 tonnes per annum of residual waste over 4 years from July 2023 at Grafton Regional Landfill, dated 16 May 2023.**
2. **defer any decision to endorse Coffs Harbour City Council's disposal of waste to landfill in the Clarence Valley until such time as the outcome of meetings initiated by Bellingen Shire council to achieve a regional waste solution, are known.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.091 A STATE GOVERNMENT APPROACH TO NATIVE TITLE COMPENSATION AGREEMENT MAKING

| | | |
|--------------------|--|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Environment & Planning | |
| Prepared by | Senior Strategic Planner (Public Land/Native Title), Dr Danny Parkin | |
| Reviewed by | Director Environment & Planning, Adam Cameron | |
| Attachments | A. Local Government Areas with a Native Title Claim and/or Determination ⇒ | |

SUMMARY

This report seeks Council's support to contact State Government and to submit a motion at the forthcoming Local Government Annual Conference to establish negotiated native title compensation procedures and agreements. An established, consistent approach across NSW local governments is required to provide consistency, certainty and the payment of compensation without unreasonable delay.

OFFICER RECOMMENDATION

That Council:

1. writes to the Minister for Local Government, the Minister for Lands and Property, and local State Member(s):
 - a) advocating for a consistent process regarding approaches to assessing, valuing and resolving native title compensation;
 - b) affirming a methodology to determine the appropriate, just, and fair compensation to be awarded to native title holders for the impact of compensable acts on their distinct native title rights and interests; and
 - c) establishing negotiated compensation agreements on matters that are common across all Local Government areas to provide certainty for governments and native title parties, as far as is reasonably practicable.
2. tables a motion(s) at the 2023 Local Government Annual Conference that seeks to:
 - a) establish a native title network for NSW council staff to connect, share information and discuss local government issues regarding native title, future act notifications and the liability to pay compensation; and
 - b) advocate on behalf of NSW Councils for a consistent process within and across LGAs in regard to approaches to assessing, valuing and resolving native title compensation.

COUNCIL RESOLUTION - 07.23.091

Pickering/Day

That Council:

1. writes to the Minister for Local Government, the Minister for Lands and Property, and local State Member(s):
 - a) advocating for a consistent process regarding approaches to assessing, valuing and resolving native title compensation;
 - b) affirming a methodology to determine the appropriate, just, and fair compensation to be awarded to native title holders for the impact of compensable acts on their distinct native title rights and interests; and
 - c) establishing negotiated compensation agreements on matters that are common across all Local Government areas to provide certainty for governments and native title parties, as far as is reasonably practicable.
2. tables a motion(s) at the 2023 Local Government Annual Conference that seeks to:
 - a) establish a native title network for NSW council staff to connect, share information and discuss local government issues regarding native title, future act notifications and the liability to pay compensation; and
 - b) advocate on behalf of NSW Councils for a consistent process within and across LGAs in regard to approaches to assessing, valuing and resolving native title compensation.

Voting recorded as follows

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

CARRIED

ITEM 07.23.092 CALL TO PHASE OUT NATIVE FOREST LOGGING ON PUBLIC LAND - MOTION FROM BIODIVERSITY ADVISORY COMMITTEE

| | | |
|--------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Environment & Planning | |
| Prepared by | Natural Resource Management & Projects Coordinator, Reece Luxton | |
| Reviewed by | Director Environment & Planning, Adam Cameron | |
| Attachments | A. Biodiversity Advisory Committee - minutes of meeting #4 - 2 February 2023 ⇒ B. correspondence - Clarence Environment Centre - call for end to native forest logging 20 August 2022 ⇒ | |

SUMMARY

The issue of native forest logging on public land has been discussed at several meetings of the Biodiversity Advisory Committee (BAC), calling for phasing out logging of public native forests and to transition to sustainable plantation timber harvesting. Eurobodalla Shire Council, Bellingen Shire Council and Mid Coast Council have recently adopted resolutions to the same effect. At the fourth meeting of the BAC, a recommendation was adopted (refer to Attachment A). Council staff have now considered the recommendation and propose an Officer's Recommendation for Council's consideration.

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

ITEM 07.23.093 REQUEST FOR ECOLOGIST POSITION IN COUNCIL - MOTION FROM BIODIVERSITY ADVISORY COMMITTEE

| | | |
|--------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Environment & Planning | |
| Prepared by | Natural Resource Management & Projects Coordinator, Reece Luxton | |
| Reviewed by | Director Environment & Planning, Adam Cameron | |
| Attachments | A. Biodiversity Advisory Committee #5 - minutes of meeting - 5 April 2023 ⇒ | |

SUMMARY

At the fifth meeting of the Biodiversity Advisory Committee (BAC), the recommendation for employment of an ecologist by Council was discussed. The Committee is concerned that there are inadequate staff resources with attention of focus on ecological matters within Council. This view is also subject to discussions within the Natural Resource Management team with their Service Review (in process).

OFFICER RECOMMENDATION

That Council note the recommendation from the Biodiversity Advisory Committee for a qualified ecologist to be added to the Council's organisation structure.

MOTION

Clancy/Smith

That Council supports the recommendation from the Biodiversity Advisory Committee for a qualified ecologist to be added to the Council's organisation structure.

Voting recorded as follows

For: Clancy, Johnstone, Pickering, Smith

Against: Day, Novak, Tiley, Toms, Whaites

The Motion was put and declared LOST

ITEM 07.23.094 GREEN INFRASTRUCTURE STRATEGY

| | | |
|--------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Environment & Planning | |
| Prepared by | Strategic Planner, Jasmine Oakes | |
| Reviewed by | Director Environment & Planning, Adam Cameron | |
| Attachments | A. Final Clarence Valley Green Infrastructure Strategy (Separate Cover) ⇒ B. Full Submissions - Green Infrastructure Strategy (Separate Cover) ⇒ C. Submissions Analysis - Green Infrastructure Strategy (Separate Cover) ⇒ | |

SUMMARY

This report recommends that Council adopt the Clarence Valley Green Infrastructure Strategy (the Strategy). The Strategy has been amended in response to public feedback and the seven (7) submissions received during the public exhibition of the draft Strategy between 3 March and 30 April 2023.

This Strategy will assist Council to improve environmental, landscape and open space outcomes within our existing urban areas and future development areas. It will inform decision making for land use planning, development applications and resource allocation over the next 20 years.

OFFICER RECOMMENDATION

That Council:

1. adopt the Clarence Valley Green Infrastructure Strategy – June 2023 (Attachment A);
2. delegate authority to the General Manager to make minor amendments to the Green Infrastructure Strategy for publishing purposes.
3. note the seven (7) submissions received and the resulting improvements made to the Strategy, and thank those that took time to make a submission.
4. issue the Clarence Valley Green Infrastructure Strategy – June 2022 to the Department of Planning and Environment for endorsement and publish on Council's website and the NSW Government Planning Portal.

COUNCIL RESOLUTION - 07.23.094

Smith/Pickering

That Council:

1. **adopt the Clarence Valley Green Infrastructure Strategy – June 2023 (Attachment A);**
2. **delegate authority to the General Manager to make minor amendments to the Green Infrastructure Strategy for publishing purposes.**
3. **note the seven (7) submissions received and the resulting improvements made to the Strategy, and thank those that took time to make a submission.**
4. **issue the Clarence Valley Green Infrastructure Strategy – June 2022 to the Department of Planning and Environment for endorsement and publish on Council's website and the NSW Government Planning Portal.**

Voting recorded as follows

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

Against: Nil

CARRIED

CORPORATE & COMMUNITY

ITEM 07.23.095 ITEMS FOR INFORMATION

| | | |
|--------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | General Manager | |
| Attachments | A. Climate Change Advisory Committee Minutes Meeting 28 April 2023 ⇒ B. Access Advisory Committee Minutes 17 May 2023 ⇒ C. Letter to Premier re Tranche 2 RHP final with crest SIGNED ⇒ | |

SUMMARY

Correspondence and committee minutes attached for noting.

OFFICER RECOMMENDATION

That the Items for Information as listed below be noted

- Climate Change Advisory Committee Meeting Minutes: 28 April 2023
- Access Advisory Committee Meeting Minutes: 17 May 2023
- Letter to Premier re Tranche 2: 15 June 2023

COUNCIL RESOLUTION - 07.23.095**Pickering/Day**

That the Items for Information as listed below be noted

- Climate Change Advisory Committee Meeting Minutes: 28 April 2023
- Access Advisory Committee Meeting Minutes: 17 May 2023
- Letter to Premier re Tranche 2: 15 June 2023

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.096 COUNCIL MEETING CHECKLIST - UPDATE ON ACTIONS TAKEN

| | | |
|--------------------|--|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Corporate Support, Michelle West | |
| Reviewed by | General Manager, Laura Black | |
| Attachments | A. Completed Checklist (Separate Cover) ⇨ B. Outstanding Checklist (Separate Cover) ⇨ C. Rolling Checklist from 2019-2021 (Separate Cover) ⇨ | |

SUMMARY

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

OFFICER RECOMMENDATION

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

COUNCIL RESOLUTION - 07.23.096**Pickering/Day**

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

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.097 POLICY REPORT

| | | |
|--------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Coordinator Corporate & Customer Experience, Lynette Burley | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | A. Environment Management Policy V1.0 [Draft] ↔ B. Recycled Water Policy V5.0 [Draft] ↔ C. Water Management Policy V5.0 [Draft] ↔ D. Structures and Vegetation in Close Proximity to Flood Levees V3.0 [Draft] ↔ E. Borrowing Policy V9.0 [Draft] ↔ | |

SUMMARY

This report asks that Council place one (1) new policy on exhibition and three (3) revised Council policies on exhibition and, subject to there being no submissions that change the intent of the policies, that they be adopted.

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) Environment Management Policy V1.0 [Attachment A]
 - b) Recycled Water Policy V5.0 [Attachment B]
 - c) Water Quality Management Policy V5.0 [Attachment C]
 - d) Structures and Vegetation in Close Proximity to Flood Levees V3.0 [Attachment D]
 - e) Borrowing Policy V8.0 [Draft] (Attachment E)
2. note the adopted Policies that have now been uploaded to the website, the details of which are contained in report.

COUNCIL RESOLUTION - 07.23.097

Smith/Johnstone

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) Environment Management Policy V1.0 [Attachment A]
 - b) Recycled Water Policy V5.0 [Attachment B]
 - c) Water Quality Management Policy V5.0 [Attachment C]
 - d) Structures and Vegetation in Close Proximity to Flood Levees V3.0 [Attachment D]
2. place the Borrowing Policy V8.0 [Attachment E] on exhibition, following which return it to Council to consider inclusion of reference to the 2021 Ernst & Young borrowing capacity analysis.
3. note the adopted Policies that have now been uploaded to the website, the details of which are contained in report.
4. engage an independent financial expert to review Council's current and planned future borrowing capacity including debt service cover ratio and debt ceiling fund the activity from the General Fund by incorporating it in the 2023/2024 Annual Budget.

Voting recorded as follows

For: Day, Johnstone, Smith, Tiley, Whaites

Against: Clancy, Novak, Pickering, Toms

CARRIED

ITEM 07.23.098 INTEGRATED PLANNING AND REPORTING FRAMEWORK 2023/2024

| | | |
|--------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Manager Finance & Systems, Kate Maginness | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | Nil | |

SUMMARY

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

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

OFFICER RECOMMENDATION

That Council:

1. Note the public exhibition period submissions contained within the report in summary and attached to the report in full
2. Adopt the following:
 - a. the Operational Plan 2023/2024
 - b. the Resourcing Strategy incorporating:
 - i. the Long Term Financial Plan (2023/2024 to 2032/2033)
 - ii. the Workforce Management Strategy (2022/2023-2025/2026)
 - iii. the Asset Management Strategy (2022/2023 – 2031/2032)
3. Adopt the 2023/2024 Fees and Charges (Attachment A)
4. Delegate authority to the general Manager to make minor amendments to the Integrated Planning & Reporting suite of documents for publishing purposes.

COUNCIL RESOLUTION - 07.23.098

Toms/Novak

That Council:

1. note the public exhibition period submissions contained within the report in summary and attached to the report in full
2. adopt the following:
 - a. the Operational Plan 2023/2024 – noting Minute 07.23.097 to include \$25,000 to ‘engage an independent financial expert to review Council’s current and planned future borrowing capacity including debt service cover ratio and debt ceiling’, taking the deficit to \$55,526.
 - b. the Resourcing Strategy incorporating:
 - i. the Long Term Financial Plan (2023/2024 to 2032/2033)
 - ii. the Workforce Management Strategy (2022/2023-2025/2026)
 - iii. the Asset Management Strategy (2022/2023 – 2031/2032)
3. adopt the 2023/2024 Fees and Charges (Attachment A)
4. delegate authority to the General Manager to make minor amendments to the Integrated Planning & Reporting suite of documents for publishing purposes.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.099 MONTHLY INVESTMENT REPORT - MAY 2023

| | | |
|--------------------|--|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Financial Accountant, Nick Harvey | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | A. Movement of Funds Between Months - May 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 31 May 2023 be noted.

COUNCIL RESOLUTION - 07.23.099**Pickering/Day**

That the report indicating Council's funds investment position as at 31 May 2023 be noted.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.100 2022/2023 MONTHLY FINANCE REPORT - MAY 2023

| | | |
|--------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Financial Accountant, Nick Harvey | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | A. 2022-23 Monthly Income & Expenditure Statements by Service ⇨ B. Monthly Grant Application Summary - May 2023 ⇨ C. 2022-23 Deferred Capital Project Listing ⇨ | |

SUMMARY

The purpose of this report is to provide financial data at the end of each month for actual income and expenditure, for all funds and provide advance notice of potential budget variations. This report is submitted to Council in addition to the statutory reporting requirements of the Quarterly Budget Review Statements.

Budget variations identified in this report impact the General Fund end of year result by \$30,000. The reserve fund variations identified in this report will decrease the balance of the Financial Reserves by \$141,628.

OFFICER RECOMMENDATION

That Council:

1. note the monthly financial information report for May 2023 attached to this report.
2. endorse the proposed General Fund variations as set out in this report totalling \$30,000, which will be included in the 2022/2023 General Purpose Financial Statements Refer to Audit report.
3. endorse the proposed variations, which decrease the Financial Reserves by \$141,628, which will be included in the 2022/2023 General Purpose Financial Statements Refer to Audit report.
4. note and endorse the grant applications as identified in Attachment B.

COUNCIL RESOLUTION - 07.23.100**Pickering/Day**

That Council:

1. note the monthly financial information report for May 2023 attached to this report.
2. endorse the proposed General Fund variations as set out in this report totalling \$30,000, which will be included in the 2022/2023 General Purpose Financial Statements Refer to Audit report.
3. endorse the proposed variations, which decrease the Financial Reserves by \$141,628, which will be included in the 2022/2023 General Purpose Financial Statements Refer to Audit report.
4. note and endorse the grant applications as identified in Attachment B.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.101 2023/2024 RATES AND CHARGES

| | | |
|--------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Revenue Coordinator, Paula Krahe | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | Nil | |

SUMMARY

This report contains recommendations regarding the making and levying of the Rates and Charges for 2023/2024.

OFFICER RECOMMENDATION

That Council in accordance with the provisions of Sections 493, 494, 496, 501, 502, 503, 542, 552 and 553 of the Local Government Act of 1993 (NSW) make and levy the following Rates and Charges for the year commencing 1 July 2023 and ending 30 June 2024.

1. Ordinary Rates (Section 494)

- (i) A Residential Rate of 0.32661 cents in the dollar on the Rateable Land Value of all rateable land categorised as Residential with a minimum rate of Seven Hundred and Twelve Dollars (\$712.00), in respect of any separate parcel of rateable land. Land that has been identified as "Residential-Flood Prone Land" the minimum rate/base amount will not apply. The Rate to be known as the "Residential Rate".
- (ii) A Residential Rate of 0.19966 cents in the dollar on the Rateable Land Value of all rateable land in the coastal villages of Angourie, Brooms Head, Diggers Camp, Iluka, Minnie Water, Sandon River, Woolli and Wooloweyah categorised as Residential, sub-category "A", with a minimum rate of Seven hundred and twelve dollars (\$712.00). The rate to be known as the Residential Rate "A".
- (iii) A Residential Rate of 0.21824 cents in the dollar on the Rateable Land Value of all rateable land within the towns of Maclean and Townsend categorised as Residential, sub-category "B", with a Base Amount of Five Hundred and Forty Dollars (\$540.00). The revenue from the base amount to be approximately 44.14% of the revenue from this rate. The rate to be known as the "Residential Rate B".
- (iv) A Residential Rate of 0.16281 cents in the dollar on the Rateable Land Value of all rateable land in the town of Yamba categorised as Residential, sub-category "C", with a Base Amount of Five Hundred and Forty (\$540.00). The revenue from the base amount to be approximately 32.44% of the revenue from this rate. The rate to be known as the "Residential Rate C".
- (v) A Residential Rate of 0.588060 cents in the dollar on the Rateable Land Value of rateable land in the city of Grafton and village of Junction Hill categorised as Residential, sub-category "E" with a Base Amount of Five Hundred and Forty Dollars (\$540.00). The revenue from the base amount to be approximately 36.20% of the revenue from this rate. The rate to be known as the "Residential Rate E".
- (vi) A Business Rate of 0.3773 cents in the dollar on the Rateable Land value of all rateable land with a Base Amount of Five Hundred and Forty Dollars (\$540.00) for all land categorised as Business. The revenue from the base amount to be approximately 28.17% of the revenue from this rate. The rate to be known as the "Business Rate".
- (vii) A Business Rate of 0.41829 cents in the dollar on the Rateable Land Value of all rateable land in the Maclean CBD categorised as Business, subcategory "B" with a Base Amount of Five Hundred and Forty Dollars (\$540.00). The revenue from the base amount to be approximately 18.63% of the revenue from this rate. The Rate to be known as the "Business B-Maclean CBD". A map showing this CBD boundary is found in Attachment A.
- (viii) A Business Rate of 0.41829 cents in the dollar on the Rateable Land Value of all rateable land in the Maclean/Townsend area other than the Maclean CBD area, categorised as Business, sub-category "B" with a Base Amount of Five Hundred and Twelve Dollars (\$540.00). The revenue from the base amount to be approximately 18.63% of the revenue from this rate. The Rate to be known as the "Business B – Maclean/Townsend Other Business". A map showing this CBD boundary is found in Attachment A.

- (ix) A Business Rate of 0.28437 cents in the dollar on the Rateable Land Value of all rateable land in the Iluka Industrial area categorised as Business, sub-category "C" with a Base Amount of Five Hundred and Forty Dollars (\$540.00). The revenue from the base amount to be approximately 16.50% of the revenue from this rate. The rate to be known as the "Business Rate C – Iluka Industrial". A map showing this CBD boundary is found in Attachment A.
- (x) A Business Rate of 0.28437 cents in the dollar on the Rateable Land Value of all rateable land in the town of Iluka other than the Iluka Industrial area, categorised as Business, sub-category "C" with a Base Amount of Five Hundred and Forty Dollars (\$540.00). The revenue from the base amount to be approximately 16.50% of the revenue from this rate. The rate to be known as the "Business Rate C – Iluka Other Business". A map showing this CBD boundary is found in Attachment A.
- (xi) A Business Rate of 0.2809 cents in the dollar on the Rateable Land Value of all rateable land in the Yamba CBD (including the Treelands Drive business area) categorised as Business, sub-category "D" with a Base Amount of Five Hundred and Forty Dollars (\$540.00). The revenue from this base amount to be approximately 16.70% of the revenue from this rate. This rate to be known as "Business Rate D – Yamba CBD". A map showing this CBD boundary is found in Attachment A.
- (xii) A Business Rate of 0.2809 cents in the dollar on the Rateable Land Value of all rateable land in the town of Yamba other than the Yamba CBD categorised as Business, sub-category "D" with a Base Amount of Five Hundred and Forty Dollars (\$540.00). The revenue from this base amount to be approximately 16.70% of the revenue from this rate. This rate to be known as "Business Rate D – Yamba Other Business". A map showing this CBD boundary is found in Attachment A.
- (xiii) A Business Rate of 1.73226 in the dollar on the Rateable Land Value of all rateable land in the Grafton and South Grafton CBD, categorised as Business, sub-category "E" with a Base Amount of Five Hundred and Forty Dollars (\$540.00). The revenue from the base amount to be approximately 8.41% of the revenue from this rate. The rate to be known as "Business Rate E – Grafton & South Grafton CBD". A map showing this CBD boundary is found in Attachment A.
- (xiv) A Business Rate of 0.67746 cents in the dollar on the Rateable Land Value of all rateable land in the areas of Junction Hill, Trenayr and Koolkhan and the city of Grafton other than the Grafton and South Grafton CBD, categorised as Business, sub-category "F" with a Base Amount of Five Hundred and Forty Dollars (\$540.00). The revenue from the base amount to be approximately 18.39% of the revenue from this rate. The rate to be known as "Business Rate F – Grafton & South Grafton Other Business". A map showing the Junction Hill, Trenayr and Koolkhan boundary found in Attachment A
- (xv) A Business Rate of 1.55896 cents in the dollar on the Rateable Land Value of all rateable land categorised as Business with a minimum rate of Sixty-Five Dollars (\$65.00) where the parcel of rateable land is rated separately and determined as a jetty or pontoon. The rate is to be known as "Business-Jetties".
- (xvi) A Farmland Rate of 0.18796 cents in the dollar on the Rateable Land Value of all rateable land categorised as Farmland with a Base amount of Three Hundred and Fifty Dollars (\$350.00). The revenue from the base amount to be approximately 18.99% of the revenue from this rate. The rate to be known as "Farmland".

2. Sewer Availability Charges (Section 501)

- (i) A Special Charge for all land categorised "Residential" and rateable to a sewerage system, the charge being One Thousand Two Hundred and Seventy-Six Dollars (\$1,276.00) per land parcel excepting any parcel in respect of land not built upon and not connected to the Council sewerage system in which case the charge shall be Seven Hundred and Thirty Seven Dollars (\$737.00) to be known as the "Clarence Valley Council Sewerage Charge".
- (ii) A Special Charge to be known as the "Clarence Valley Council Sewerage Charge" for all land parcels categorised "Residential" which have additional connections to a premise which can be subject to separate and permanent occupation. The charge to be calculated by multiplying the occupied charge in Item 2(i) (\$1,276.00) by the number of separate occupations per property which can be occupied separately on a permanent basis.
- (iii) A Special Charge to be known as the "Clarence Valley Council Sewerage Charge" for all land categorised "Residential" and connected to a pressure sewerage system, the charge being One Thousand Two hundred and Fifty One Dollars (\$1,251.00) per land parcel excepting any parcel in respect of land not built upon and not connected to the Council sewerage system in which case the charge shall be Seven Hundred and Thirty Seven Dollars (\$737.00). If the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the

- occupied charge of (\$1,251.00) by the number of separate occupations per property which can be occupied separately and on a permanent basis.
- (iv) A Special Sewer access charge based on water meter size for all land parcels categorised “Business” (i.e. Non-Residential) and connected to a sewerage system prior to 1 July 2021. The charges to be as follows:
- a. A charge of \$1,276.00.00 for a 20mm service.
 - b. A charge of \$1,276.00 for a 25mm service.
 - c. A charge of \$1,887.00 for a 32mm service.
 - d. A charge of \$2,948.00 for a 40mm service.
 - e. A charge of \$4,606.00 for a 50mm service.
 - f. A charge of \$11,792.00 for an 80mm service.
 - g. A charge of \$18,425.00 for a 100mm service.
 - h. A charge of \$41,456.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Thirty Seven Dollars (\$737.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (v) A Special Sewer access charge based on water meter size for all land parcels categorised “Business” (i.e. Non-Residential) that are connected to a pressure sewerage system prior to 1 July 2021. The charges to be as follows;
- a. A charge of \$1,251.00 for a 20mm service.
 - b. A charge of \$1,251.00 for a 25mm service.
 - c. A charge of \$1,862.00 for a 32mm service.
 - d. A charge of \$2,923.00 for a 40mm service.
 - e. A charge of \$4,581.00 for a 50mm service.
 - f. A charge of \$11,767.00 for an 80mm service.
 - g. A charge of \$18,400.00 for a 100mm service.
 - h. A charge of \$41,431.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Thirty Seven Dollars (\$737.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (vi) A Special Sewer Access charge for all Residential Properties exempt from Ordinary Rates in accordance with the Local Government Act, 1993 but within the Sewerage Access area and connected to the Council sewerage system, will be charged the “Clarence Valley Council Sewerage Charge”. If the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge (\$1,276.00) by the number of separate occupations per property which can be occupied separately and on a permanent basis. Otherwise, the charge is to be calculated at (\$1,276.00)
- (vii) A Special Sewer Access Charge for all Residential Properties exempt from Ordinary Rates in accordance with the Local Government Act, 1993 but within the Sewerage Access area and connected to a pressure sewerage system prior to 1 July 2021 will be charged \$25 less than the “Clarence Valley Council Sewerage Charge”. If the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge (\$1,251.00) by the number of separate occupations per property which can be occupied separately and on a permanent basis. Otherwise, the charge is to be calculated at (\$1,251.00)
- (viii) A Special Sewer access charge based on water meter size for all land parcels exempt from Ordinary Rates excluding residential properties, connected to a sewerage system prior to 1 July 2021. The charges to be as follows:
- a. A charge of \$1,276.00 for a 20mm service.
 - b. A charge of \$1,276.00 for a 25mm service.
 - c. A charge of \$1,887.00 for a 32mm service.
 - d. A charge of \$2,948.00 for a 40mm service.
 - e. A charge of \$4,606.00 for a 50mm service.
 - f. A charge of \$11,792.00 for an 80mm service.
 - g. A charge of \$18,425.00 for a 100mm service.
 - h. A charge of \$41,456.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Four Dollars (\$737.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (ix) A Special Sewer access charge based on water meter size for all land parcels categorised “Non Rateable” and excluding non-rateable residential properties that are connected to a pressure sewerage system prior to 1 July 2021. The charges to be as follows;
- a. A charge of \$679.00 for a 20mm service.

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

excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Thirty Seven Dollars (\$737.00) to be known as the "Clarence Valley Council Sewerage Charge".

- (x) A meter installed as a fire service to a property is exempt from availability charges.
- (xi) Onsite Sewage Management Charge A Special Charge for all occupied land parcels not receiving a Sewerage service. The charge to be Forty-Six Dollars (\$46.00) for each rateable parcel. The charge to be known as "Residential Onsite Wastewater Management Charge".
- (xii) Backflow Prevention Device Annual Charge An annual charge of \$65.00 for all properties that have containment backflow prevention devices that are required to be annually tested and certified in accordance with Council's Backflow prevention and cross connection control policy. The charge to be known as "Non Residential Backflow Prevention Device Charge"

3. Sewer Consumption Charges (Section 502)

- (i) A Consumption Charge of Three Dollars and Eighty Seven Cents (\$3.87) per kilolitre will be charged on all Non-Residential and Non-Rateable properties. The charge for Non-Residential properties will be based on water consumption of the previous trimester and affected by a Sewerage Discharge Apportionment Factor. The non-residential sewer charge is the sum of the access charge and the generation charge, with a minimum charge of the residential charge (\$1,276.00 in 2023/24). This charge to be known as the "Sewerage Consumption Charge".
- (ii) The Non-Residential High Consumption Sewerage Generation Charge (for development approved after 1 July 2021) for sewerage generation above 0.74kl/day per billing period in the Grafton, Junction Hill & Coutts Crossing locality be charged a rate of \$6.00/kl.
- (iii) The Non-Residential High Consumption Sewerage Generation (for development approved after 1 July 2021) for sewerage generation above 0.74kl/day per billing period in the Maclean, Townsend, Illarwill, Lawrence, Iluka and Yamba localities be charged a rate of \$7.67/kl

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

- (i) Domestic Waste Charge (Excluding Green Waste -2 Bin Service) An annual charge of Three Hundred and Thirty Seven Dollars (\$337.00) per service, for the collection, disposal, recycling and management of Domestic Waste generated on all residential properties including premises which can be subject to separate occupation, receiving or situated in a location where the collection service is available. This charge to be known as "Domestic Waste 2 Bin"
- (ii) Domestic Waste Charge (Including Green Waste - 3 Bin Service) An annual charge of Three Hundred and Ninety Dollars (\$390.00) per service, for the collection, disposal, recycling and management of waste generated on all residential properties, including premises which can be subject to separate occupation, receiving or situated in a location where the collection service is available. This charge to be known as "Domestic Waste 3 Bin".
- (iii) Non-Residential Waste Charge (Excluding Green Waste – 2Bin Service) An Annual Charge of Three hundred and Eight Dollars (\$337.00) per service, for the collection, disposal, recycling and management of waste generated on property categorised "Business" receiving a service similar to that provided in (4.i).
- (iv) Non-Residential Waste Charge (Including Green Waste – 3 Bin Service) An Annual Charge of Three Hundred and Ninety Dollars (\$390.00) per service, for the collection, disposal, recycling and management of waste generated on property categorised "Business" receiving a service similar to that provided in (4.ii).
- (v) Domestic Waste Charge (Additional Red Bin service) An annual charge of Two Hundred and Eight Dollars (\$208.00) per additional red bin supplied to a property receiving a 2 Bin or 3 Bin Service but requiring an additional red bin. This charge to be known as "Domestic Waste Additional Red Bin".
- (vi) Domestic Waste Charge (Additional Yellow Bin service) An annual charge of One hundred and Fifteen Dollars (\$115.00) per additional yellow bin supplied to a property receiving a 2 Bin or 3 Bin Service but requiring an additional yellow bin. This charge to be known as "Domestic Waste Additional Yellow Bin".

- (vii) Domestic Waste Charge (Additional Green Bin service) An annual charge of One Hundred and Fifteen Dollars (\$115.00) per additional green bin supplied to a property receiving a 3 Bin Service but requiring an additional green bin. This charge to be known as “Domestic Waste Additional Green Bin”.
- (viii) Domestic Waste Charge – Vacant An annual charge of Thirty Seven Dollars (\$37.00) for all parcels of rateable vacant property which would receive a collection service when becoming occupied or located where the service is available. This charge to be known as “Domestic Waste Vacant”.
- (ix) Waste Management levy An annual charge of Seventy Dollars (\$70.00) for all rateable properties in the Clarence Valley Council area. This charge to be known as “Waste Management Levy”.

5. Water Availability Charges (Section 501)

- (i) An annual charge of \$185.00 for all unconnected land which is situated within 225 metres of a Council water main and can be connected to the water main.
- (ii) An annual charge of \$136.00 for all land which has a 20mm connection to the water main.
- (iii) An annual charge of \$213.00 for all land which has a 25mm connection to the water main.
- (iv) An annual charge of \$348.00 for all land which has a 32mm connection to the water main.
- (v) An annual charge of \$544.00 for all land which has a 40mm connection to the water main.
- (vi) An annual charge of \$850.00 for all land which has a 50mm connection to the water main.
- (vii) An annual charge of \$2,176.00 for all land which has an 80mm connection to the water main.
- (viii) An annual charge of \$3,400.00 for all land which has a 100mm connection to the water main.
- (ix) An annual charge of \$7,650.00 for all land which has a 150mm connection to the water main.
- (iv) An annual charge of \$68.00 for all land provided with untreated (Raw) water with a 20mm connection to the water main.
- (v) An annual charge of \$106.50 for all land provided with untreated (Raw) water with a 25mm connection to the water main.

6. Water Consumption Charges (Section 502)

A Water Consumption charge of Two Dollars and Seventy-Eight Cents (\$2.78) per kilolitre for all residential properties, applying to the daily average water consumption below 1.233kL/day per billing period.

A Water Consumption charge of Four Dollars and Seventeen Cents (\$4.17) for all residential properties with a water consumption category of residential applying to any daily average water consumption exceeding 1.233 kl per day, per billing period.

A Water Consumption charge of Two Dollars and Seventy Eight Cents (\$2.78) per kilolitre for all non-residential properties. This charge to be known as the “Water Usage Non-Residential”.

A Water Consumption charge of Ten Dollars and Eight Two Cents (\$10.82) per kilolitre for all water usage registered on a meter installed as a fire service to the property where the consumption has been for purposes other than for fire service purposes as a disincentive for using the service for incorrect purposes. This charge to be known as the “Water Usage Fire Service”.

A Water Consumption charge of One Dollar and Thirty Nine Cents (\$1.39) per kilolitre for all properties connected to Untreated (Raw) Water. This charge to be known as the “Water Usage Untreated (Raw) Water”.

A Non-Residential High Consumption charge (for Development approved after 1 July 2021) for average daily water consumption above 1.233kl/day per billing period of Seven Dollars and Eighty Three Cents (\$7.83) per kilolitre. This charge to be known as the “Non Residential High Consumption”.

7. Interest on overdue rates

That the interest rate on overdue amounts applicable to outstanding rates and charges for 2023/2024 be the maximum rate of 9% for the period 1 July 2023 – 30 June 2024 as set by the Independent Pricing and Regulatory Tribunal (IPART) accruing on a daily basis.

8. Small Balance Rates & Charges write off

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

COUNCIL RESOLUTION - 07.23.101

Smith/Toms

That Council in accordance with the provisions of Sections 493, 494, 496, 501, 502, 503, 542, 552 and 553 of the Local Government Act of 1993 (NSW) make and levy the following Rates and Charges for the year commencing 1 July 2023 and ending 30 June 2024.

1. Ordinary Rates (Section 494)

- (i) A Residential Rate of 0.32661 cents in the dollar on the Rateable Land Value of all rateable land categorised as Residential with a minimum rate of Seven Hundred and Twelve Dollars (\$712.00), in respect of any separate parcel of rateable land. Land that has been identified as "Residential-Flood Prone Land" the minimum rate/base amount will not apply. The Rate to be known as the "Residential Rate".
- (ii) A Residential Rate of 0.19966 cents in the dollar on the Rateable Land Value of all rateable land in the coastal villages of Angourie, Brooms Head, Diggers Camp, Iluka, Minnie Water, Sandon River, Wooli and Wooloweyah categorised as Residential, sub-category "A", with a minimum rate of Seven hundred and twelve dollars (\$712.00). The rate to be known as the Residential Rate "A".
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- (iv) A Residential Rate of 0.16281 cents in the dollar on the Rateable Land Value of all rateable land in the town of Yamba categorised as Residential, sub-category "C", with a Base Amount of Five Hundred and Forty (\$540.00). The revenue from the base amount to be approximately 32.44% of the revenue from this rate. The rate to be known as the "Residential Rate C".
- (v) A Residential Rate of 0.588060 cents in the dollar on the Rateable Land Value of rateable land in the city of Grafton and village of Junction Hill categorised as Residential, sub-category "E" with a Base Amount of Five Hundred and Forty Dollars (\$540.00). The revenue from the base amount to be approximately 36.20% of the revenue from this rate. The rate to be known as the "Residential Rate E".
- (vi) A Business Rate of 0.3773 cents in the dollar on the Rateable Land value of all rateable land with a Base Amount of Five Hundred and Forty Dollars (\$540.00) for all land categorised as Business. The revenue from the base amount to be approximately 28.17% of the revenue from this rate. The rate to be known as the "Business Rate".
- (vii) A Business Rate of 0.41829 cents in the dollar on the Rateable Land Value of all rateable land in the Maclean CBD categorised as Business, subcategory "B" with a Base Amount of Five Hundred and Forty Dollars (\$540.00). The revenue from the base amount to be approximately 18.63% of the revenue from this rate. The Rate to be known as the "Business B-Maclean CBD". A map showing this CBD boundary is found in Attachment A.
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- be approximately 16.50% of the revenue from this rate. The rate to be known as the “Business Rate C – Iluka Industrial”. A map showing this CBD boundary is found in Attachment A.
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- (ii) A Special Charge to be known as the “Clarence Valley Council Sewerage Charge” for all land parcels categorised “Residential” which have additional connections to a premise which can be subject to separate and permanent occupation. The charge to be calculated by multiplying the occupied charge in Item 2(i) (\$1,276.00) by the number of separate occupations per property which can be occupied separately on a permanent basis.
- (iii) A Special Charge to be known as the “Clarence Valley Council Sewerage Charge” for all land categorised “Residential” and connected to a pressure sewerage system, the charge being One Thousand Two hundred and Fifty One Dollars (\$1,251.00) per land parcel excepting any parcel in respect of land not built upon and not connected to the Council sewerage system in which case the charge shall be Seven Hundred and Thirty Seven Dollars (\$737.00). If the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge of (\$1,251.00) by the number of separate occupations per property which can be occupied separately and on a permanent basis.

- (iv) A Special Sewer access charge based on water meter size for all land parcels categorised “Business” (i.e. Non-Residential) and connected to a sewerage system prior to 1 July 2021. The charges to be as follows:
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- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Thirty Seven Dollars (\$737.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (v) A Special Sewer access charge based on water meter size for all land parcels categorised “Business” (i.e. Non-Residential) that are connected to a pressure sewerage system prior to 1 July 2021. The charges to be as follows;
- A charge of \$1,251.00 for a 20mm service.
 - A charge of \$1,251.00 for a 25mm service.
 - A charge of \$1,862.00 for a 32mm service.
 - A charge of \$2,923.00 for a 40mm service.
 - A charge of \$4,581.00 for a 50mm service.
 - A charge of \$11,767.00 for an 80mm service.
 - A charge of \$18,400.00 for a 100mm service.
 - A charge of \$41,431.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Thirty Seven Dollars (\$737.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (vi) A Special Sewer Access charge for all Residential Properties exempt from Ordinary Rates in accordance with the Local Government Act, 1993 but within the Sewerage Access area and connected to the Council sewerage system, will be charged the “Clarence Valley Council Sewerage Charge”. If the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge (\$1,276.00) by the number of separate occupations per property which can be occupied separately and on a permanent basis. Otherwise, the charge is to be calculated at (\$1,276.00)
- (vii) A Special Sewer Access Charge for all Residential Properties exempt from Ordinary Rates in accordance with the Local Government Act, 1993 but within the Sewerage Access area and connected to a pressure sewerage system prior to 1 July 2021 will be charged \$25 less than the “Clarence Valley Council Sewerage Charge”. If the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge (\$1,251.00) by the number of separate occupations per property which can be occupied separately and on a permanent basis. Otherwise, the charge is to be calculated at (\$1,251.00)
- (viii) A Special Sewer access charge based on water meter size for all land parcels exempt from Ordinary Rates excluding residential properties, connected to a sewerage system prior to 1 July 2021. The charges to be as follows:
- A charge of \$1,276.00 for a 20mm service.
 - A charge of \$1,276.00 for a 25mm service.
 - A charge of \$1,887.00 for a 32mm service.
 - A charge of \$2,948.00 for a 40mm service.
 - A charge of \$4,606.00 for a 50mm service.
 - A charge of \$11,792.00 for an 80mm service.
 - A charge of \$18,425.00 for a 100mm service.
 - A charge of \$41,456.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Four Dollars (\$737.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (ix) A Special Sewer access charge based on water meter size for all land parcels categorised “Non Rateable” and excluding non-rateable residential properties that are connected to a pressure sewerage system prior to 1 July 2021. The charges to be as follows;
- A charge of \$679.00 for a 20mm service.
 - A charge of \$1,075.00 for a 25mm service.
 - A charge of \$1,777.00 for a 32mm service.
 - A charge of \$2,791.00 for a 40mm service.

- e. A charge of \$4,375.00 for a 50mm service.
- f. A charge of \$11,239.00 for an 80mm service.
- g. A charge of \$17,575.00 for a 100mm service.
- h. A charge of \$39,575.00 for a 150mm service.

excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Thirty Seven Dollars (\$737.00) to be known as the "Clarence Valley Council Sewerage Charge".

- (x) A meter installed as a fire service to a property is exempt from availability charges.
- (xi) Onsite Sewerage Management Charge A Special Charge for all occupied land parcels not receiving a Sewerage service. The charge to be Forty-Six Dollars (\$46.00) for each rateable parcel. The charge to be known as "Residential Onsite Wastewater Management Charge".
- (xii) Backflow Prevention Device Annual Charge An annual charge of \$65.00 for all properties that have containment backflow prevention devices that are required to be annually tested and certified in accordance with Council's Backflow prevention and cross connection control policy. The charge to be known as "Non Residential Backflow Prevention Device Charge"

3. Sewer Consumption Charges (Section 502)

- (i) A Consumption Charge of Three Dollars and Eighty Seven Cents (\$3.87) per kilolitre will be charged on all Non-Residential and Non-Rateable properties. The charge for Non-Residential properties will be based on water consumption of the previous trimester and affected by a Sewerage Discharge Apportionment Factor. The non-residential sewer charge is the sum of the access charge and the generation charge, with a minimum charge of the residential charge (\$1,276.00 in 2023/24). This charge to be known as the "Sewerage Consumption Charge".
- (ii) The Non-Residential High Consumption Sewerage Generation Charge (for development approved after 1 July 2021) for sewerage generation above 0.74kl/day per billing period in the Grafton, Junction Hill & Coutts Crossing locality be charged a rate of \$6.00/kl.
- (iii) The Non-Residential High Consumption Sewerage Generation (for development approved after 1 July 2021) for sewerage generation above 0.74kl/day per billing period in the Maclean, Townsend, Illarwill, Lawrence, Iluka and Yamba localities be charged a rate of \$7.67/kl

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

- (i) Domestic Waste Charge (Excluding Green Waste -2 Bin Service) An annual charge of Three Hundred and Thirty Seven Dollars (\$337.00) per service, for the collection, disposal, recycling and management of Domestic Waste generated on all residential properties including premises which can be subject to separate occupation, receiving or situated in a location where the collection service is available. This charge to be known as "Domestic Waste 2 Bin"
- (ii) Domestic Waste Charge (Including Green Waste - 3 Bin Service) An annual charge of Three Hundred and Ninety Dollars (\$390.00) per service, for the collection, disposal, recycling and management of waste generated on all residential properties, including premises which can be subject to separate occupation, receiving or situated in a location where the collection service is available. This charge to be known as "Domestic Waste 3 Bin".
- (iii) Non-Residential Waste Charge (Excluding Green Waste – 2Bin Service) An Annual Charge of Three hundred and Eight Dollars (\$337.00) per service, for the collection, disposal, recycling and management of waste generated on property categorised "Business" receiving a service similar to that provided in (4.i).
- (iv) Non-Residential Waste Charge (Including Green Waste – 3 Bin Service) An Annual Charge of Three Hundred and Ninety Dollars (\$390.00) per service, for the collection, disposal, recycling and management of waste generated on property categorised "Business" receiving a service similar to that provided in (4.ii).
- (v) Domestic Waste Charge (Additional Red Bin service) An annual charge of Two Hundred and Eight Dollars (\$208.00) per additional red bin supplied to a property receiving a 2 Bin or 3 Bin Service but requiring an additional red bin. This charge to be known as "Domestic Waste Additional Red Bin".
- (vi) Domestic Waste Charge (Additional Yellow Bin service) An annual charge of One hundred and Fifteen Dollars (\$115.00) per additional yellow bin supplied to a property receiving a 2 Bin or 3 Bin Service but requiring an additional yellow bin. This charge to be known as "Domestic Waste Additional Yellow Bin".
- (vii) Domestic Waste Charge (Additional Green Bin service) An annual charge of One Hundred and Fifteen Dollars (\$115.00) per additional green bin supplied to a property receiving a 3 Bin

Service but requiring an additional green bin. This charge to be known as “Domestic Waste Additional Green Bin”.

- (viii) **Domestic Waste Charge – Vacant** An annual charge of Thirty Seven Dollars (\$37.00) for all parcels of rateable vacant property which would receive a collection service when becoming occupied or located were the service is available. This charge to be known as “Domestic Waste Vacant”.
- (ix) **Waste Management levy** An annual charge of Seventy Dollars (\$70.00) for all rateable properties in the Clarence Valley Council area. This charge to be known as “Waste Management Levy”.

5. Water Availability Charges (Section 501)

- (i) An annual charge of \$185.00 for all unconnected land which is situated within 225 metres of a Council water main and can be connected to the water main.
- (ii) An annual charge of \$136.00 for all land which has a 20mm connection to the water main.
- (iii) An annual charge of \$213.00 for all land which has a 25mm connection to the water main.
- (iv) An annual charge of \$348.00 for all land which has a 32mm connection to the water main.
- (v) An annual charge of \$544.00 for all land which has a 40mm connection to the water main.
- (vi) An annual charge of \$850.00 for all land which has a 50mm connection to the water main.
- (vii) An annual charge of \$2,176.00 for all land which has an 80mm connection to the water main.
- (viii) An annual charge of \$3,400.00 for all land which has a 100mm connection to the water main.
- (ix) An annual charge of \$7,650.00 for al land which has a 150mm connection to the water main.
- (iv) An annual charge of \$68.00 for all land provided with untreated (Raw) water with a 20mm connection to the water main.
- (v) An annual charge of \$106.50 for all land provided with untreated (Raw) water with a 25mm connection to the water main.

6. Water Consumption Charges (Section 502)

A Water Consumption charge of Two Dollars and Seventy-Eight Cents (\$2.78) per kilolitre for all residential properties, applying to the daily average water consumption below 1.233kL/day per billing period.

A Water Consumption charge of Four Dollars and Seventeen Cents (\$4.17) for all residential properties with a water consumption category of residential applying to any daily average water consumption exceeding 1.233 kl per day, per billing period.

A Water Consumption charge of Two Dollars and Seventy Eight Cents (\$2.78) per kilolitre for all non-residential properties. This charge to be known as the “Water Usage Non-Residential”.

A Water Consumption charge of Ten Dollars and Eight Two Cents (\$10.82) per kilolitre for all water usage registered on a meter installed as a fire service to the property where the consumption has been for purposes other than for fire service purposes as a disincentive for using the service for incorrect purposes. This charge to be knows as the “Water Usage Fire Service”.

A Water Consumption charge of One Dollar and Thirty Nine Cents (\$1.39) per kilolitre for all properties connected to Untreated (Raw) Water. This charge to be known as the “Water Usage Untreated (Raw) Water”.

A Non-Residential High Consumption charge (for Development approved after 1 July 2021) for average daily water consumption above 1.233kl/day per billing period of Seven Dollars and Eighty Three Cents (\$7.83) per kilolitre. This charge to be known as the “Non Residential High Consumption”.

7. Interest on overdue rates

That the interest rate on overdue amounts applicable to outstanding rates and charges for 2023/2024 be the maximum rate of 9% for the period 1 July 2023 – 30 June 2024 as set by the Independent Pricing and Regulatory Tribunal (IPART) accruing on a daily basis.

8. Small Balance Rates & Charges write off

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

Voting recorded as follows

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

Against: Smith

CARRIED

ITEM 07.23.102 SPECIAL EVENT SPONSORSHIP REQUEST - ROUND ONE 2023/24

| | | |
|--------------------|--|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Event Development Officer, Deb Merritt | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | A. 2023_24 Round 1 Event Sponsorship_recommendations ⇒ | |

SUMMARY

This report summarises sponsorship applications received under Round One of the Special Events Sponsorship 2023/2024 program, the criteria applied in the assessment of the applications and recommendations for the allocation of funding.

OFFICER RECOMMENDATION

That Council adopt the recommendations for the provision of funding to applicants as listed in the attached schedule to the value of \$59,750 and authorise the processing of these sponsorships in accord with the adopted Event Sponsorship Policy.

COUNCIL RESOLUTION - 07.23.102**Pickering/Day**

That Council adopt the recommendations for the provision of funding to applicants as listed in the attached schedule to the value of \$59,750 and authorise the processing of these sponsorships in accord with the adopted Event Sponsorship Policy.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.103 2023/2024 COMMUNITY INITIATIVES PROGRAM ROUND 1

| | | |
|--------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Project Officer, Lainie Edwards | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | A. 2023_24 CIP R1 Recommendations ⇨ | |

SUMMARY

This report summarises the assessment of applications received from community organisations for a donation from Council as part of the 2023/2024 Community Initiatives Program - Round 1.

OFFICER RECOMMENDATION

That Council approve donations under the 2023/2024 Community Initiatives Program – Round 1 to the value of \$63,975.49 in accordance with the recommendations set out in the attached schedule.

COUNCIL RESOLUTION - 07.23.103**Pickering/Day**

That Council approve donations under the 2023/2024 Community Initiatives Program – Round 1 to the value of \$63,975.49 in accordance with the recommendations set out in the attached schedule.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.104 2023 CULTURAL AND SPORTS TRUST FUND

| | | |
|--------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Project Officer, Lainie Edwards | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | Nil | |

SUMMARY

Requests for assistance from the Clarence Valley Cultural and Sports Trust fund have been received on behalf of Martina Williams.

OFFICER RECOMMENDATION

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

1. \$300 to assist Martina Williams, who has been selected in the 2023 Hockey NSW U18's Women's State Team to compete at the Australian National Championships in Hobart from the 29th June – 9th July 2023.

COUNCIL RESOLUTION - 07.23.104

Pickering/Johnstone

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

1. **\$300 to assist Martina Williams, who has been selected in the 2023 Hockey NSW U18's Women's State Team to compete at the Australian National Championships in Hobart from the 29th June – 9th July 2023.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.105 DA FEE WAIVER - GRAFTON ROWING CLUB

| | | |
|--------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Project Officer, Lainie Edwards | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | A. Letter for consideration of donation ↔ | |

SUMMARY

A request has been received from Grafton Rowing Club for Council consideration for a donation to cover the Development Application (DA) fees for DA2023/0262.

OFFICER RECOMMENDATION

That Council, in accordance with the Clarence Valley Council Donations Policy, waive 50% of the Grafton Rowing Club DA fee being \$3127.11

COUNCIL RESOLUTION - 07.23.105

Novak/Toms

That Council, in accordance with the Clarence Valley Donations Policy, fund 50% of the Grafton Rowing Club DA fee being \$3,127.11.

Voting recorded as follows

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

Against: Nil

CARRIED

WORKS & CIVIL**ITEM 07.23.106 TENDER RFT 22-47 REGIONAL ROADS REHABILITATION**

| | | |
|--------------------|--|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Works & Civil | |
| Prepared by | Manager Civil Services, Devin Simpson | |
| Reviewed by | Director Works & Civil, Jamie Fleeting | |
| Attachments | Nil | |

SUMMARY

This report presents the tender outcome for RFT22-47 Regional Roads Rehabilitation in accordance with Council Resolution 07.23.080 where at the May ordinary meeting the General Manager was delegated to award this tender to expedite restoration works.

OFFICER RECOMMENDATION

That Council note the tender award for RFT22-47 Regional Roads Rehabilitation to Stabilcorp Pty Ltd for an upper limit fee of \$13,126,230.50.

COUNCIL RESOLUTION - 07.23.106**Pickering/Day**

That Council note the tender award for RFT22-47 Regional Roads Rehabilitation to Stabilcorp Pty Ltd for an upper limit fee of \$13,126,230.50.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.107 CLARENCE AND LOWER CLARENCE SPORTS COMMITTEES

| | | |
|--------------------|--|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Works & Civil | |
| Prepared by | Parks & Recreation Officer, Gavin Beveridge | |
| Reviewed by | Director Works & Civil, Jamie Fleeting | |
| Attachments | A. Minutes - Clarence Sports Committee - Monday 15 May 2023 ↗ B. Minutes - Lower Clarence Sports Committee - Monday 15 May 2023 ↗ | |

SUMMARY

This report provides a copy of the minutes of the meetings and recommendations from the Clarence and Lower Clarence Sports Committees held on Monday 15 May 2023 for consideration.

OFFICER RECOMMENDATION

That Council:

1. receive and note the Minutes from Monday 15 May 2023 Clarence Sports Committee and Lower Clarence Sports Committee meetings.
2. endorse the recommendation by the Clarence Sports Committee that \$8,216.00 (ex GST) is allocated to the Grafton Netball Association for New Shelters and Seating at Westward Park, Grafton.
3. endorse the recommendation by the Clarence Sports Committee that \$26,850.00 (ex GST) is allocated to the Clarence Valley Council for Aluminium Grandstands at Westward Park, Grafton.
4. endorse that \$403.10 of unallocated grant funding (PJ 541500) to the Clarence Sports Committee be returned to Council's Sportsground Income Reserve Account (RA11035).
5. endorse the recommendation by the Lower Clarence Sports Committee that \$12,669.31 (ex GST) is allocated to the Maclean Show Society for Grandstands Concrete Pads, Stable Gates & Fridge at Maclean Showground, Maclean.
6. endorse the recommendation by the Lower Clarence Sports Committee that \$5,000.00 (ex GST) is allocated to the Maclean Football Club for Replace Football Goal Posts at Wherrett Park, Maclean.
7. endorse the recommendation by the Lower Clarence Sports Committee that \$5,400.00 (ex GST) is allocated to the Lawrence Rodeo for Upgrade Arena Panels at Maclean Showground, Maclean.
8. endorse the recommendation by the Lower Clarence Sports Committee that \$2,093.18 (ex GST) is allocated to the Lower Clarence Cricket Association for Replace Wickets Covers at Wherrett Park, Maclean and Yamba Oval, Yamba.
9. endorse the recommendation by the Lower Clarence Sports Committee that \$6,613.64 (ex GST) is allocated to the Yamba Buccaneers Rugby Club for Supply of Storage Shed at Yamba Oval, Yamba.
10. endorse the recommendation by the Lower Clarence Sports Committee that \$6,159.10 (ex GST) is prioritised from the 2023/24 Lower Clarence Sports Committee Funding and allocated to the Yamba Buccaneers Rugby Club for Concrete Works & Installation of Storage Shed at Yamba Oval, Yamba.
11. endorse that \$2,089.38 of unallocated grant funding (PJ 540112) to the Lower Clarence Sports Committee be returned to Council's Sportsground Income Reserve Account (RA11035).
12. accept and endorse the application for membership to the Clarence Sports Committee received from the South Grafton Ex-servicemen's Motorcycle Club.

COUNCIL RESOLUTION - 07.23.107

Novak/Whaites

That Council:

1. receive and note the Minutes from Monday 15 May 2023 Clarence Sports Committee and Lower Clarence Sports Committee meetings.
2. endorse the recommendation by the Clarence Sports Committee that \$8,216.00 (ex GST) is allocated to the Grafton Netball Association for New Shelters and Seating at Westward Park, Grafton.
3. endorse the recommendation by the Clarence Sports Committee that \$26,850.00 (ex GST) is allocated to the Clarence Valley Council for Aluminium Grandstands at Westward Park, Grafton.
4. endorse that \$403.10 of unallocated grant funding (PJ 541500) to the Clarence Sports Committee be returned to Council's Sportsground Income Reserve Account (RA11035).

5. endorse the recommendation by the Lower Clarence Sports Committee that \$12,669.31 (ex GST) is allocated to the Maclean Show Society for Grandstands Concrete Pads, Stable Gates & Fridge at Maclean Showground, Maclean.
6. endorse the recommendation by the Lower Clarence Sports Committee that \$5,000.00 (ex GST) is allocated to the Maclean Football Club for Replace Football Goal Posts at Wherrett Park, Maclean.
7. endorse the recommendation by the Lower Clarence Sports Committee that \$5,400.00 (ex GST) is allocated to the Lawrence Rodeo for Upgrade Arena Panels at Maclean Showground, Maclean.
8. endorse the recommendation by the Lower Clarence Sports Committee that \$2,093.18 (ex GST) is allocated to the Lower Clarence Cricket Association for Replace Wickets Covers at Wherrett Park, Maclean and Yamba Oval, Yamba.
9. endorse the recommendation by the Lower Clarence Sports Committee that \$6,613.64 (ex GST) is allocated to the Yamba Buccaneers Rugby Club for Supply of Storage Shed at Yamba Oval, Yamba.
10. endorse the recommendation by the Lower Clarence Sports Committee that \$6,159.10 (ex GST) is prioritised from the 2023/24 Lower Clarence Sports Committee Funding and allocated to the Yamba Buccaneers Rugby Club for Concrete Works & Installation of Storage Shed at Yamba Oval, Yamba.
11. endorse that \$2,089.38 of unallocated grant funding (PJ 540112) to the Lower Clarence Sports Committee be returned to Council's Sportsground Income Reserve Account (RA11035).
12. accept and endorse the application for membership to the Clarence Sports Committee received from the South Grafton Ex-servicemen's Motorcycle Club.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.108 OUTCOME REPORT 22/43 - DOG PARK CONSTRUCTION, CORCORAN PARK, GRAFTON

| | | |
|--------------------|--|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Works & Civil | |
| Prepared by | Senior Parks & Recreation Officer, Rachelle Passmore | |
| Reviewed by | Director Works & Civil, Jamie Fleeting | |
| Attachments | Nil | |

SUMMARY

This report provides an update on negotiations in relation to RFT22/43 dog park construction, Corcoran Park, Grafton.

OFFICER RECOMMENDATION

That Council note that Boyds Bay Landscaping Services Pty Ltd has been engaged for the construction of the dog park at Corcoran Park, Grafton with negotiated amendments within scope for \$898,171.31 (including GST).

COUNCIL RESOLUTION - 07.23.108**Smith/Whaites**

That Council note that Boyds Bay Landscaping Services Pty Ltd has been engaged for the construction of the dog park at Corcoran Park, Grafton with negotiated amendments within scope for \$898,171.31 (including GST).

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.109 FLOODPLAIN RISK MANAGEMENT COMMITTEE - 15 MAY MEETING

| | | |
|--------------------|--|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Works & Civil | |
| Prepared by | Manager Water Cycle, Greg Mashiah | |
| Reviewed by | Director Works & Civil, Jamie Fleeting | |
| Attachments | A. Floodplain Risk Management Committee Meeting 15 May 2023 - Draft Minutes and Presentations (Separate Cover) ↔ | |

SUMMARY

The Advisory Floodplain Risk Management Committee (FRMC) meeting of 15 May 2023 made three recommendations to Council. One of the recommendations (adoption of the Flood Study) is the subject of a separate report, and the other two recommendations (changing the meeting frequency to quarterly and making representation to the Joint Organisation (JO) regarding the Drainage Reset Program) are reported to Council for consideration.

OFFICER RECOMMENDATION

That Council:

1. notes the draft minutes of the 15 May 2023 Floodplain Risk Management Committee
2. makes representation through the Northern Rivers Joint Organisation regarding concerns with the rollout of the State Government's "Drainage Reset" program.
3. notes the Floodplain Risk Management Committee's request to meet quarterly.

COUNCIL RESOLUTION - 07.23.109

Pickering/Day

That Council:

1. notes the draft minutes of the 15 May 2023 Floodplain Risk Management Committee
2. makes representation through the Northern Rivers Joint Organisation regarding concerns with the rollout of the State Government's "Drainage Reset" program.
3. notes the Floodplain Risk Management Committee's request to meet quarterly.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.110 ABORIGINAL COMMUNITIES SEWER AND WATER PROGRAM - MALABUGILMAH SEWER PUMP STATION AND RETENTION POND UPGRADE

| | | |
|--------------------|--|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Works & Civil | |
| Prepared by | Manager Water Cycle, Greg Mashiah | |
| Reviewed by | Director Works & Civil, Jamie Fleeting | |
| Attachments | A. DPE Water Concurrence to Ecoteam engagement ⇒ | |

SUMMARY

Council operates sewer and water services to the Aboriginal Community of Malabugilmah with funding administered by the Department of Planning and Environment – Water (DPE – Water). Ecotechnology Australia Pty Ltd (Ecoteam) operate the water and sewer system at Malabugilmah under contract to Council, and were requested to provide a proposal to renew the sewer pump station and retention ponds. The Ecoteam proposal exceeds the amount stipulated in the Local Government Act for calling of Tenders. It is considered that extenuating circumstances exist such that a satisfactory result would not be achieved by inviting tenders and, as the Ecoteam proposal is assessed by Council and DPE-Water as providing value for money and DPE-Water has indicated it approves and (subject to approval from the program steering committee) will fund the works, it is recommended that the proposal from Ecoteam be accepted.

OFFICER RECOMMENDATION

That:

1. Council considers, due to the need for continuity of water services to the Malabugilmah community and the requirement for concurrence from the Local Aboriginal Land Council for undertaking the work, extenuating circumstances exist under Section 55 of the Local Government Act in that a satisfactory result would not be achieved by inviting tenders for undertaking the Malabugilmah Sewer Pump Station and Retention Ponds upgrade.
2. Subject to funding for the project being approved by the Aboriginal Communities Sewer and Water Program steering committee, the proposal from Ecotechnology Australia Pty Ltd to undertake the Malabugilmah Sewer Pump Station and Retention Ponds upgrade in the amount of \$316,329.55 (including GST) be accepted and funded from Financial Project 902081.

COUNCIL RESOLUTION - 07.23.110

Pickering/Day

That:

1. Council considers, due to the need for continuity of water services to the Malabugilmah community and the requirement for concurrence from the Local Aboriginal Land Council for undertaking the work, extenuating circumstances exist under Section 55 of the Local Government Act in that a satisfactory result would not be achieved by inviting tenders for undertaking the Malabugilmah Sewer Pump Station and Retention Ponds upgrade.
2. subject to funding for the project being approved by the Aboriginal Communities Sewer and Water Program steering committee, the proposal from Ecotechnology Australia Pty Ltd to undertake the Malabugilmah Sewer Pump Station and Retention Ponds upgrade in the amount of \$316,329.55 (including GST) be accepted and funded from Financial Project 902081.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.111 TENDER RFT22-44 RUSHFORTH ROAD WATER TREATMENT PLANT FILTRATION ENVIRONMENTAL IMPACT STATEMENT

| | | |
|--------------------|--|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Works & Civil | |
| Prepared by | Manager Water Cycle, Greg Mashiah | |
| Reviewed by | Director Works & Civil, Jamie Fleeting | |
| Attachments | A. Tender RFT22-44 Tender Evaluation Committee report (Confidential) | |

SUMMARY

On 24 April 2023 Council called tenders for preparation of an Environmental Impact Statement (EIS) for a filtration plant at the Rushforth Road Water Treatment Plant, which closed on 26 May 2023. Four (4) complying tenders were received. The Tender Evaluation Committee (TEC) considers, having regards to all the circumstances, that the tender from Epic Environmental Pty Ltd is the most advantageous for Council and recommends that this tender be accepted.

OFFICER RECOMMENDATION

That Council awards Tender RFT22/044 Rushforth Road Water Treatment Plant Filtration Environmental Impact Statement to Epic Environmental Pty Ltd in the amount of \$296,010.00 (including GST), to be funded from Financial Project 902255 (Rushforth Rd Treatment Plant Filtration Works).

COUNCIL RESOLUTION - 07.23.111

Pickering/Day

That Council awards Tender RFT22/044 Rushforth Road Water Treatment Plant Filtration Environmental Impact Statement to Epic Environmental Pty Ltd in the amount of \$296,010.00 (including GST), to be funded from Financial Project 902255 (Rushforth Rd Treatment Plant Filtration Works).

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.112 LOWER CLARENCE FLOOD MODEL 2022 COUNCILLOR WORKSHOP OUTCOME

| | | |
|--------------------|---|--------------|
| Meeting | Council | 27 June 2023 |
| Directorate | Works & Civil | |
| Prepared by | Manager Water Cycle, Greg Mashiah | |
| Reviewed by | Director Works & Civil, Jamie Fleeting | |
| Attachments | A. Councillor Workshop 6 June - Questions on Notice and responses ⇒ B. Lower Clarence Flood Model Update 2023 - Draft Report V3 (Small) (Separate Cover) ⇒ | |

SUMMARY

At the Ordinary Meeting of Council held 23 May 2023, a Motion to adopt the Lower Clarence Flood Model 2022 was Lost and Council resolved (07.23.085) to defer consideration of the study for one month to allow further consideration at a Councillor workshop.

As there was no new information forthcoming as a result of the workshop that would cause staff to recommend reconsideration of the Lost Motion, a Notice of Motion has been lodged to enable Council to reconsider the matter.

OFFICER RECOMMENDATION

That Council note the Clarence Flood Study presentation to the 6 June 2023 Councillor workshop.

COUNCIL RESOLUTION - 07.23.112**Pickering/Day**

That Council note the Clarence Flood Study presentation to the 6 June 2023 Councillor workshop.

Voting recorded as follows

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

Against: Nil

CARRIED

6. CONFIDENTIAL BUSINESS

9. QUESTIONS WITH NOTICE

Nil

10. LATE ITEMS OF BUSINESS AND MATTERS ARISING

11. CLOSE OF ORDINARY MEETING

There being no further business the Council Meeting closed at 4:46pm.



CERTIFICATION OF MINUTES

I certify that the preceding 58 pages are the Minutes of the meeting of Clarence Valley Council held on 27 June 2023.

Signed by:



Ian Tiley

Mayor / Chairperson