

Ordinary Council Meeting

Minutes

Grafton - 28 November 2023 - 3:00pm



AGENDA

| | Page |
|---|------|
| 01 OPENING OF ORDINARY MEETING | |
| <ul style="list-style-type: none"> • Affirmation/Prayer • Acknowledgement of Country • Announcement – Recording of Meeting • Statement of Ethical Obligations | |
| 02 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE | |
| 03 DISCLOSURES AND DECLARATIONS OF INTEREST | |
| 04 CONFIRMATION OF MINUTES | |
| <ul style="list-style-type: none"> • Ordinary Meeting of Council held 24 October 2023 | |
| 05 MAYORAL MINUTES | |
| 05.23.012 Bipartisan Support – Parliamentary Inquiry into Crime, Law and Order in Regional NSW | 5 |
| 06 NOTICE OF MOTIONS | |
| 06.23.016 Clarence Valley Food Security and Production | 7 |
| 07 REPORTS | |
| OFFICE OF THE GENERAL MANAGER | |
| 07.23.208 Councillors Listening Tour | 9 |
| ENVIRONMENT & PLANNING | |
| 07.23.209 DA2023/0175 - Application for (Sawmill) Rural Industry, Shelters, Signage and Roadside Stall, 96 Banana Road, Mororo - Lot 1 DP1259695 & Lot 502 DP746692 | 10 |
| CORPORATE & COMMUNITY | |
| 07.23.210 Annual Report 2022-2023 | 13 |
| 07.23.211 Policy Report | 14 |
| 07.23.212 Items for Information | 15 |
| 07.23.213 Council Meeting Checklist - Update On Actions Taken | 16 |
| 07.23.214 Monthly Finance Report - October 2023 | 17 |
| 07.23.215 Monthly Investment Report - October 2023 | 18 |
| 07.23.216 DA/CC fees for Yamba Rotary | 19 |
| 07.23.217 2023/2024 Community Initiatives Program Round 2 | 20 |
| 07.23.218 2023/2024 Special Event Sponsorship - Round Two | 21 |
| 07.23.219 Adoption of Disability Inclusion Action Plan 2023/2026 and Crime Prevention Strategy 2023/2026 | 22 |
| 07.23.220 Lawrence Community Economic Development Plan | 23 |
| 07.23.221 Former Grafton Gaol: Update on Planned Usage | 24 |
| WORKS & CIVIL | |
| 07.23.222 Glenreagh Boil Water Alert - Rebate to Affected Customers | 25 |

| | |
|---|----|
| 07.23.223 Coastal Management Program (Open Coast) - Stage 2 Hazard Assessment | 26 |
| 07.23.224 Floodplain Risk Management Committee - Councillor Membership | 27 |
| 07.23.225 Ulmarra Sewerage Investigation | 28 |

08 CONFIDENTIAL BUSINESS

| | |
|--|----|
| 08.23.009 Code of Conduct Complaint Supplementary Report | 29 |
|--|----|

09 QUESTIONS WITH NOTICE

Nil

10 LATE ITEMS OF BUSINESS AND MATTERS ARISING

11 CLOSE OF ORDINARY MEETING

1. OPENING OF ORDINARY MEETING

MINUTES of the ORDINARY MEETING of the CLARENCE VALLEY COUNCIL at Grafton, 28 November 2023 commencing at 3:00pm and closing at 5.27pm.

AFFIRMATION – Cr Bill Day 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 Karen Toms 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 Practice, of their oath or affirmation and obligations to disclose and appropriately manage conflicts of interest.

COUNCIL RESOLUTION

Johnstone/Tiley

That Council approve Councillor Greg Clancy attend by audio-visual link under section 5.23 of the Code of Meeting Practice for Ordinary Council Meeting held on 28th November 2023 as he will be interstate attending a conference.

Voting recorded as follows

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

Against: Nil

CARRIED

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

Director – Corporate & Community (Alex Moar), Director – Environment & Planning (Adam Cameron), Acting General Manager and Director – Works & Civil (Jamie Fleeting) and Minutes Secretary (Michelle West)

2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

General Manager - Laura Black

3. DISCLOSURES AND DECLARATIONS OF INTEREST

| | | |
|--------------------|-----------|--|
| CR STEVE PICKERING | 07.23.217 | <ul style="list-style-type: none"> ▪ NON-SIGNIFICANT NON-PECUNIARY – REMAIN IN THE MEETING ▪ INVOLVEMENT WITH THE WILD ABOUT WOOLI ART COMPETITION |
| CR KAREN TOMS | 07.23.217 | <ul style="list-style-type: none"> ▪ PECUNIARY – LEAVE THE MEETING ▪ CONTRACT DIRECTOR JKT & SONS P/L MANAGER OF ILUKA RIVERSIDE H.P WHO MANAGES HALL HIRE |

4. CONFIRMATION OF MINUTES**COUNCIL RESOLUTION****Toms/Whaites**

That the Minutes of Ordinary Meeting of Council dated 24 October 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

5. MAYORAL MINUTES

**ITEM 05.23.012 MAYORAL MINUTE
BIPARTISAN SUPPORT – PARLIAMENTARY INQUIRY INTO CRIME, LAW AND
ORDER IN REGIONAL NSW**

| | | |
|---------------------|---|------------------|
| Meeting | Council | 28 November 2023 |
| Submitted by | Cr Peter Johnstone | |
| Attachments | A. CMA - Endorsed Report - Crime, Law and Order in Regional NSW (Separate Cover) ↗ | |

SUMMARY

On 19 October 2023 Country Mayors Association of NSW (CMA) supported by the Police Association of NSW launched the CMA report into Crime, Law and Order in regional communities. The recommendations within the report call for the establishment of a Parliamentary inquiry, an increase in funding to enhance front line policing in regional communities in need, establishment of first response agreements in all police stations and that the formula used to determine the first response agreements in those stations with agreements are reviewed. The report also calls for bipartisan support from all State MP's.

PROPOSED MOTION

That Council endorse the below recommendations listed in the Country Mayors Association of NSW report into Crime, Law and Order and make representations through Local State Parliamentary member Richie Williamson to commit to bipartisan support for

- a. the establishment of a Parliamentary Inquiry to report on the rate of crime in all categories reported on by the Bureau of Crime Statistical and Research (BOCSAR) in Regional, Rural and Remote New South Wales, specifically focussing on the inequity between Metro and Regional Local Government areas.
- b. an increase in funding for the NSW police force to increase front line policing numbers in Regional, Rural and Remote regions most at need
- c. a commitment to the minimum staffing agreements (known in the NSW Police Force as First Response Agreements) for non-24 hour police stations (all of which are located in Regional, Rural and Remote Local Government areas); and
- d. a review of the formula used to determine the staffing levels including the universally agreed outdated current model for those Local Government areas that do have a First Response Agreement in place

COUNCIL RESOLUTION - 05.23.012

Johnstone

That Council endorse the below recommendations listed in the Country Mayors Association of NSW report into Crime, Law and Order and make representations through Local State Parliamentary member Richie Williamson to commit to bipartisan support for

- a. the establishment of a Parliamentary Inquiry to report on the rate of crime in all categories reported on by the Bureau of Crime Statistical and Research (BOCSAR) in Regional, Rural and Remote New South Wales, specifically focussing on the inequity between Metro and Regional Local Government areas.**
- b. an increase in funding for the NSW police force to increase front line policing numbers in Regional, Rural and Remote regions most at need**
- c. a commitment to the minimum staffing agreements (known in the NSW Police Force as First Response Agreements) for non-24 hour police stations (all of which are located in Regional, Rural and Remote Local Government areas); and**
- d. a review of the formula used to determine the staffing levels including the universally agreed outdated current model for those Local Government areas that do have a First Response Agreement in place**

Voting recorded as follows

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

Against: Nil

CARRIED

6. NOTICES OF MOTION

**ITEM 06.23.016 NOTICE OF MOTION
CLARENCE VALLEY FOOD SECURITY AND PRODUCTION**

| | | |
|---------------------|---|------------------|
| Meeting | Council | 28 November 2023 |
| Submitted by | Cr Debrah Novak | |
| Attachments | A. Report - food production and supply in NSW ⇨ B. Plan C - NR Food Security and Resilience Scoping Study_Final Report ⇨ | |

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

SUMMARY

In November 2022, the NSW Government undertook an inquiry into food production and supply in NSW (report 3/57).

This inquiry was self-referred on 10 November 2021. That the Committee on Environment and Planning inquiry into and report on food production and supply in NSW, including improving food security, equitable access to food, reducing food waste and destruction.

The report highlighted food insecurity and a lack of equal access to nutritious food. NSW food production and supply systems face serious workforce challenges as well as the impacts from Natural Disasters for humans and livestock.

The inquiry made 65 recommendations that aim to address issues in the NSW food system some of these recommendations directly impact local councils.

The NSW Government and local Councils have an opportunity to tackle food insecurity and food waste which will bring significant environmental, social and health benefits by reducing our emissions, capitalising on opportunities to bolster the local food economy, and improving the health & wellbeing of our communities.

PROPOSED MOTION

That Clarence Valley Council

1. note and thank the previous NSW Coalition Government for their 'Food Production and Supply in NSW' Inquiry and Report (November 2022).
2. note the newly elected NSW Labor Government (March 2023) had until May 2023 to respond to this report however this has not yet happened.
3. write to the following NSW Labor Government Ministers requesting the Government to respond to the NSW 2022 Food Production and Supply Inquiry Report as a matter of urgency:
 - NSW Premier the Hon. Chris Minns MP
 - Minister for Agriculture the Hon. Tara Moriarty MP
 - Minister for Local Government the Hon. Ron Hoenig MP
 - Minister for Regional New South Wales and North Coast the Hon. Rose Jackson MP
4. write to the Chair of the Northern Rivers Joint Organisation, Cr Sharon Cadwallader to have this matter put on the agenda for their next quarterly meeting.
5. write to the Northern Rivers RDA GM Nathan McGrath and ask to have this matter put on the agenda for the next RDA meeting.
6. acknowledge **Recommendation 6** from the Food Production and Supply in NSW' inquiry, that the NSW Government works with local councils to develop and implement strategies to improve local food systems, and provides appropriate funding as required.

COUNCIL RESOLUTION - 06.23.016**Novak/Whaites****That Clarence Valley Council**

- 1. write to the following NSW Labor Government Ministers requesting the Government to respond to the NSW 2022 Food Production and Supply Inquiry Report as a matter of urgency:**
 - NSW Premier the Hon. Chris Minns MP**
 - Minister for Agriculture the Hon. Tara Moriarty MP**
 - Minister for Local Government the Hon. Ron Hoenig MP**
 - Minister for Regional New South Wales and North Coast the Hon. Rose Jackson MP**
- 2. write to the Chair of the Northern Rivers Joint Organisation, Cr Sharon Cadwallader to have this matter put on the agenda for their next quarterly meeting.**
- 3. write to the Northern Rivers RDA GM Nathan McGrath and ask to have this matter put on the agenda for the next RDA meeting.**
- 4. acknowledge Recommendation 6 from the Food Production and Supply in NSW' inquiry, that the NSW Government works with local councils to develop and implement strategies to improve local food systems, and provides appropriate funding as required.**

Voting recorded as follows**For: Clancy, Day, Johnstone, Novak, Pickering, Smith, Tiley, Toms, Whaites****Against: Nil****CARRIED****VOTE BY EXCEPTION - 07.23.208****Pickering/Tiley****That the following items be adopted as recommended:****07.23.208****07.23.209****07.23.211****07.23.213****07.23.214****07.23.215****07.23.216****07.23.218****07.23.222****07.23.225****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 07.23.208 COUNCILLORS LISTENING TOUR**

| | | |
|--------------------|-----------------|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | General Manager | |
| Attachments | Nil | |

SUMMARY

Councillor Listening Tours that were conducted in October & November include:

- Copmanhurst
- Junction Hill
- Ulmarra
- Lawrence
- Gulmarrad

OFFICER RECOMMENDATION

That the information contained in the report be noted.

COUNCIL RESOLUTION - 07.23.208

Pickering/Tiley

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 07.23.209 DA2023/0175 - APPLICATION FOR (SAWMILL) RURAL INDUSTRY, SHELTERS, SIGNAGE AND ROADSIDE STALL, 96 BANANA ROAD, MORORO - LOT 1 DP1259695 & LOT 502 DP746692

| | | |
|--------------------|---|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Environment & Planning | |
| Prepared by | Senior Development Planner, Patrick Ridgway | |
| Reviewed by | Director Environment & Planning, Adam Cameron | |
| Attachments | A. DA2023-0175 - Statement of Environmental Effects (Separate Cover) ⇒ B. DA2023-0175 - Combined Submissions ⇒ C. DA2023-0175 - Detailed Road Survey ⇒ D. DA2023-0175 - Council Reports 19.127.09 13.165.13 ⇒ E. DA2023-0175 - Site Plan and shelter plans ⇒ F. DA2023 0175 - Section 4.15 Assessment (Separate Cover) ⇒ | |

SUMMARY

| | |
|--------------------|--|
| <i>Applicant</i> | Ms Tracey Mather c/- Parker Scanlon |
| <i>Owner</i> | Tracey and Peter Mather |
| <i>Address</i> | 96 Banana Road, Mororo NSW 2469, being Lot 1 DP 1259694 & Lot 502 DP 746692 |
| <i>Submissions</i> | Four (4) in total. - Two (2) individual submissions and a submission on behalf of two (2) neighbours |

Development Application DA2023/0175 was lodged on 29 March 2023 for use of the site for Rural Industry (Sawmill) and Roadside Stall. The application has been lodged following a history of complaints and follow up compliance issues, resulting in the issuing of a Development Control Order for the unlawful use of the site. Four (4) of the closest neighbours have objected to the proposal.

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

OFFICER RECOMMENDATION

That Council refuse Development Application DA2023/0175 for the following reasons:

1. following a request for information under Clause 36 of the *Environmental Planning and Assessment Regulation 2021* insufficient information has been submitted for Council to properly consider the application including:
 - a) a Traffic Impact Assessment to assess the suitability of the road and traffic impacts has not been provided as per Clauses C4.1 and C4.2(3) of the Rural Zones Development Control Plan (the DCP);
 - b) the noise and amenity impacts have not been adequately addressed as per Clause C4.3(i) of the Clarence Valley Rural Zones Development Control Plan 2011;
 - c) a Noise assessment report from a suitably accredited consultant has not been provided;
 - d) the proposed hours of operation are uncertain in regard to potential impacts;
 - e) the proposed limits of the operation of the rural industry are ambiguous; and
 - f) the impacts of clearing of native vegetation for road improvements has not been provided.
2. the proposed development is not consistent with the following Objects of the *Environmental Planning and Assessment Act 1979*:
 - a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;
 - b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment;
 - c) to promote the orderly and economic use and development of land;
 - g) to promote good design and amenity of the built environment.

3. the proposed development conflicts with the Objectives of the RU2 Rural Landscape Zone under the *Clarence Valley Local Environmental Plan 2011* in that it does not:
 - a) maintain the rural landscape character of the land;
 - b) provide for a range of compatible land uses, including extensive agriculture; and
 - c) minimise conflicts between land uses within the zone and with adjoining zones.
4. the proposed development conflicts with the objectives for development in Clarence Valley Rural Zones Development Control Plan 2011, Clause C1, in that it is not:
 - a) responsive to site constraints and the surrounding environment;
 - b) of a high quality and sensitive to the rural character of the locality in which it is being developed;
 - c) functional and appropriate for the type of land use /activity being provided; and
 - d) provide adequate buffers to residential development to reduce conflicts between rural/agricultural uses and residential amenity.
5. the current road access is unsuitable for the increased traffic demand generated by the proposed development therefore not complying with Clause 7.8 of the *Clarence Valley Local Environmental Plan 2011* or Clause C8.5 of the Clarence Valley Rural Zones Development Control Plan 2011.
6. the applicant is not proposing to upgrade the relevant access road (Banana Road, being an unmaintained Crown Road) to Council's standards as required under the Roads Policy and approval would require the transfer of the road to Council, which Council has resolved to not support at previous meetings (Items 09.127/09 & 13.165/13).
7. the site is not considered suitable for the proposed development in regard to ongoing negative impacts from operational noise from the proposed Rural Industry on nearby dwellings.
8. having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* the proposal is not considered to be in the public interest as the application does not satisfactorily address Council's concerns and will likely result in a negative impact for the community.

COUNCIL RESOLUTION - 07.23.209

Pickering/Tiley

That Council refuse Development Application DA2023/0175 for the following reasons:

1. following a request for information under Clause 36 of the *Environmental Planning and Assessment Regulation 2021* insufficient information has been submitted for Council to properly consider the application including:
 - a) a Traffic Impact Assessment to assess the suitability of the road and traffic impacts has not been provided as per Clauses C4.1 and C4.2(3) of the Rural Zones Development Control Plan (the DCP);
 - b) the noise and amenity impacts have not been adequately addressed as per Clause C4.3(i) of the Clarence Valley Rural Zones Development Control Plan 2011;
 - c) a Noise assessment report from a suitably accredited consultant has not been provided;
 - d) the proposed hours of operation are uncertain in regard to potential impacts;
 - e) the proposed limits of the operation of the rural industry are ambiguous; and
 - f) the impacts of clearing of native vegetation for road improvements has not been provided.
2. the proposed development is not consistent with the following Objects of the *Environmental Planning and Assessment Act 1979*:
 - a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;*
 - b) *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment;*
 - c) *to promote the orderly and economic use and development of land;*
 - g) *to promote good design and amenity of the built environment.*
3. the proposed development conflicts with the Objectives of the RU2 Rural Landscape Zone under the *Clarence Valley Local Environmental Plan 2011* in that it does not:
 - a) maintain the rural landscape character of the land;
 - b) provide for a range of compatible land uses, including extensive agriculture; and
 - c) minimise conflicts between land uses within the zone and with adjoining zones.
4. the proposed development conflicts with the objectives for development in Clarence Valley Rural Zones Development Control Plan 2011, Clause C1, in that it is not:

- a) responsive to site constraints and the surrounding environment;
 - b) of a high quality and sensitive to the rural character of the locality in which it is being developed;
 - c) functional and appropriate for the type of land use /activity being provided; and
 - d) provide adequate buffers to residential development to reduce conflicts between rural/agricultural uses and residential amenity.
5. the current road access is unsuitable for the increased traffic demand generated by the proposed development therefore not complying with Clause 7.8 of the *Clarence Valley Local Environmental Plan 2011* or Clause C8.5 of the Clarence Valley Rural Zones Development Control Plan 2011.
 6. the applicant is not proposing to upgrade the relevant access road (Banana Road, being an unmaintained Crown Road) to Council's standards as required under the Roads Policy and approval would require the transfer of the road to Council, which Council has resolved to not support at previous meetings (Items 09.127/09 & 13.165/13).
 7. the site is not considered suitable for the proposed development in regard to ongoing negative impacts from operational noise from the proposed Rural Industry on nearby dwellings.
 8. having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* the proposal is not considered to be in the public interest as the application does not satisfactorily address Council's concerns and will likely result in a negative impact for the community.

Voting recorded as follows

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

Against: Nil

CARRIED

CORPORATE & COMMUNITY**ITEM 07.23.210 ANNUAL REPORT 2022-2023**

| | | |
|--------------------|---|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Director Corporate & Community, Alex Moar | |
| Reviewed by | Acting General Manager, Jamie Fleeting | |
| Attachments | Nil | |

SUMMARY

The Annual Report is one of the key points of accountability between Council and the community. The report outlines the Council's achievements in meeting statutory compliance requirements throughout the 2022/2023 financial year. Due to the extension granted by the Office of Local Government (OLG) the Annual Report does not contain the audited financial reports. When completed, the Annual Report will be updated and returned to Council for adoption and updated on the website.

OFFICER RECOMMENDATION

That Council

1. endorse the 2022/2023 Annual Report and delegate to the General Manager and/or Acting General Manager to make any minor edits eg grammatical to the document that does not change the intent or statutory details if required.
2. endorse that the 2022/2023 Annual Report be made available to the community on Council's website.
3. endorse the URL link to the 2022/2023 Annual Report be sent to the Office of Local Government, in accordance with the checklist for completing the Annual Report, in order that the Minister for Local Government be advised of its availability.
4. note the 2022/2023 Annual Report does not contain the audited financial reports due to the extension granted from the Office of the Local Government for the lodgement the Audited Financial Statements for 2022/2023 until 22 December 2023.

COUNCIL RESOLUTION - 07.23.210

Clancy/Toms

That Council

1. endorse the 2022/2023 Annual Report and delegate to the General Manager and/or Acting General Manager to make any minor edits eg grammatical to the document that does not change the intent or statutory details if required.
2. endorse that the 2022/2023 Annual Report be made available to the community on Council's website.
3. endorse the URL link to the 2022/2023 Annual Report be sent to the Office of Local Government, in accordance with the checklist for completing the Annual Report, in order that the Minister for Local Government be advised of its availability.
4. note the 2022/2023 Annual Report does not contain the audited financial reports due to the extension granted from the Office of the Local Government for the lodgement the Audited Financial Statements for 2022/2023 until 22 December 2023.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.211 POLICY REPORT

| | | |
|--------------------|--|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Coordinator Corporate & Customer Experience, Lynette Burley | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | A. Debt Recovery - Ordinary Rates and Annual Charges Policy V5.0 ⇒ B. Debt Recovery - Water Billing Policy V5.0 ⇒ C. Code of Meeting Practice Policy V15.0 ⇒ | |

SUMMARY

This report recommends action in relation to various Council policies.

OFFICER RECOMMENDATION

That Council

1. place the following policies on exhibition and subject to there being no submissions that change the intent of the policies that they be adopted:
 - a. Debt Recovery – Ordinary Rates and Annual Charges Policy V5.0 (Attachment A)
 - b. Debt Recovery – Water Billing Policy V5.0 (Attachment B)
2. adopt the Code of Meeting Practice V15.0 (Attachment C) noting that no submissions were received and that two post exhibition updates do not alter the intent of the policy

COUNCIL RESOLUTION - 07.23.211**Pickering/Tiley**

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. Debt Recovery – Ordinary Rates and Annual Charges Policy V5.0 (Attachment A)
 - b. Debt Recovery – Water Billing Policy V5.0 (Attachment B)
2. adopt the Code of Meeting Practice V15.0 (Attachment C) noting that no submissions were received and that two post exhibition updates do not alter the intent of the policy

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.212 ITEMS FOR INFORMATION

| | | |
|--------------------|--|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | General Manager | |
| Attachments | A. Access Committee Minutes - September 2023 ⇨ B. Correspondence from the Minister for Local Government ⇨ C. 2023/2024 Special Event Sponsorship Round 2 Schedule and Recommendations ⇨ D. Coaldale Barretts Creek Hall Committee- July 2023 ⇨ E. Coaldale Barretts Creek Hall Committee- October 2023 ⇨ F. Coast & Estuary Management Committee Minutes - November 2023 ⇨ G. Correspondence from The Minister for Planning & Public Spaces ⇨ H. Housing Priorities Letter from Hon Paul Scully ⇨ | |

SUMMARY

Correspondence and committee minutes are attached for noting.

OFFICER RECOMMENDATION

That the Items for Information as listed below be noted

- Access Committee Minutes – September 2023
- Correspondence from the Minister for Local Government
- 2023/2024 Special Event Sponsorship Round 2 Schedule and Recommendations
- Coaldale Barretts Creek Hall Committee Minutes - July 2023
- Coaldale Barretts Creek Hall Committee Minutes - October 2023
- Coast & Estuary Management Committee Minutes – November
- Correspondence from The Minister for Planning and Public Spaces
- Correspondence from Hon Paul Scully

COUNCIL RESOLUTION - 07.23.212

Toms/Novak

That the Items for Information as listed below be noted

- Access Committee Minutes – September 2023
- Correspondence from the Minister for Local Government
- 2023/2024 Special Event Sponsorship Round 2 Schedule and Recommendations
- Coaldale Barretts Creek Hall Committee Minutes - July 2023
- Coaldale Barretts Creek Hall Committee Minutes - October 2023
- Coast & Estuary Management Committee Minutes – November
- Correspondence from The Minister for Planning and Public Spaces
- Correspondence from Hon Paul Scully

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.213 COUNCIL MEETING CHECKLIST - UPDATE ON ACTIONS TAKEN

| | | |
|--------------------|---|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Corporate Support, Michelle West | |
| Reviewed by | Acting General Manager, Jamie Fleeting | |
| Attachments | A. Actions List - Completed ⇒ B. Actions List - Outstanding ⇒ C. Rolling Checklist from 2019-2021 ⇒ | |

SUMMARY

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

OFFICER RECOMMENDATION

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

COUNCIL RESOLUTION - 07.23.213**Pickering/Tiley**

That the schedule of actions 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 07.23.214 MONTHLY FINANCE REPORT - OCTOBER 2023

| | | |
|--------------------|--|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Financial Accountant, Nick Harvey | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | A. Detailed Income & Expenditure Statements by Service - October 2023 ⇒ B. Monthly Grant Application Summary - Oct 2023 ⇒ | |

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 (\$62,000). The reserve fund variations identified in this report will decrease the balance of the Financial Reserves by \$85,000.

OFFICER RECOMMENDATION

That Council:

1. note the monthly financial information report for October 2023 attached to this report.
2. endorse the proposed General Fund variations as set out in this report totalling \$62,000, for inclusion in the December Quarterly Budget Review Statement to be reported in February 2024.
3. endorse the proposed variations, which decrease the Financial Reserves by \$85,000, to be included in the December Quarterly Budget Review Statement to be reported in February 2024.
4. note and endorse the grant applications as identified in Attachment B.

COUNCIL RESOLUTION - 07.23.214

Pickering/Tiley

That Council:

1. note the monthly financial information report for October 2023 attached to this report.
2. endorse the proposed General Fund variations as set out in this report totalling \$62,000, for inclusion in the December Quarterly Budget Review Statement to be reported in February 2024.
3. endorse the proposed variations, which decrease the Financial Reserves by \$85,000, to be included in the December Quarterly Budget Review Statement to be reported in February 2024.
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 07.23.215 MONTHLY INVESTMENT REPORT - OCTOBER 2023

| | | |
|--------------------|--|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Financial Accountant, Nick Harvey | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | A. Movement of Funds Between Months - October 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 October 2023 be noted.

COUNCIL RESOLUTION - 07.23.215**Pickering/Tiley**

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

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.216 DA/CC FEES FOR YAMBA ROTARY

| | | |
|--------------------|---|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Project Officer, Lainie Edwards | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | Nil | |

SUMMARY

Yamba Rotary has requested a donation towards the DA fees to construct a new shed at the Yamba Sewerage Treatment Plant.

OFFICER RECOMMENDATION

That Council, in accordance with the CVC Donations Policy, waive 50% of the Rotary Yamba DA fee-being \$1,217.27.

COUNCIL RESOLUTION - 07.23.216

Pickering/Tiley

That Council, in accordance with the CVC Donations Policy, waive 50% of the Rotary Yamba DA fee-being \$1,217.27.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.217 2023/2024 COMMUNITY INITIATIVES PROGRAM ROUND 2

| | | |
|--------------------|--|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Project Officer, Lainie Edwards | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | A. 2023-24 Community Initiatives Program - Round 2 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 2

OFFICER RECOMMENDATION

That Council approve donations under the 2023/2024 Community Initiatives Program – Round 2 to the value of \$22,510.78 in accordance with the recommendations set out in the attached schedule.

COUNCIL RESOLUTION - 07.23.217**Tiley/Pickering**

That Council approve donations under the 2023/2024 Community Initiatives Program – Round 2 to the value of \$22,510.78 in accordance with the recommendations set out in the attached schedule.

Voting recorded as follows

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

Against: Nil

CARRIED

Cr Toms left the meeting at 3:31 pm.

Cr Toms returned to the meeting at 3:32 pm.

ITEM 07.23.218 2023/2024 SPECIAL EVENT SPONSORSHIP - ROUND TWO

| | | |
|--------------------|---|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Event Development Officer, Deb Merritt | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | A. 2023_24 Special Event Sponsorship Round 2_schedule and recommendations ↔ | |

SUMMARY

This report presents a summary of sponsorship applications received under Round Two 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 and recommendations to the value of \$28,000 and approve the processing of these sponsorships in accordance with the adopted Event Sponsorship Policy.

COUNCIL RESOLUTION - 07.23.218**Pickering/Tiley**

That Council adopt the recommendations for the provision of funding to applicants as listed in the attached schedule and recommendations to the value of \$28,000 and approve the processing of these sponsorships in accordance with the adopted Event Sponsorship Policy.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.219 ADOPTION OF DISABILITY INCLUSION ACTION PLAN 2023/2026 AND CRIME PREVENTION STRATEGY 2023/2026

| | | |
|--------------------|---|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Community Projects Officer (Safe Communities), Andrea Nikas | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | Nil | |

SUMMARY

The CVC Disability Inclusion Action Plan 2023/2026 and Crime Prevention Strategy 2023/2026 have had no submissions that change the intent of the document and are considered adopted and placed on Councils website.

OFFICER RECOMMENDATION

That Council note the adoption of the

1. The Disability Inclusion Action Plan 2023/2026 and;
2. The Crime Prevention Strategy 2023/2026.

COUNCIL RESOLUTION - 07.23.219

Toms/Pickering

That Council note the adoption of the

1. The Disability Inclusion Action Plan 2023/2026 and;
2. The Crime Prevention Strategy 2023/2026.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.220 LAWRENCE COMMUNITY ECONOMIC DEVELOPMENT PLAN

| | | |
|--------------------|--|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Acting Industry Engagement Officer, Katee Blizzard | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | Nil | |

SUMMARY

The Lawrence Community Economic Development Plan (LCEDP) has been drafted to provide a plan for sustainable economic growth, the enhancement of community well-being, and to address the unique needs and aspirations of the Lawrence community.

OFFICER RECOMMENDATION

That Council endorse the Lawrence Community Economic Development Plan for public exhibition and subject to their being no submissions that change the intent of the plan, it be adopted.

COUNCIL RESOLUTION - 07.23.220

Clancy/Toms

That Council endorse the Lawrence Community Economic Development Plan for public exhibition and subject to there being no submissions that change the intent of the plan, it be adopted.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.221 FORMER GRAFTON GAOL: UPDATE ON PLANNED USAGE

| | | |
|--------------------|---|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Regional Gallery Director, Sarah Gurich | |
| Reviewed by | Director Corporate & Community, Alex Moar | |
| Attachments | A. Minutes CV Community and Cultural Committee meeting 2023 08 23 ⇒ | |

SUMMARY**OFFICER RECOMMENDATION**

That Council notes the information provided.

MOTION

Clancy/Toms

That Clarence Valley Council

1. note the information provided in Item 07.23.221 Grafton Goal Update on Planned Usage
2. ask the General Manager to write to NSW Government to explore the possibility of Council purchasing the historical section of the goal and what financial support the government would give to it's ongoing maintenance
3. report the feedback received back to Council as soon as practically possible.

Voting recorded as follows

For: Clancy, Day, Johnstone, Toms

Against: Novak, Pickering, Smith, Tiley, Whaites

The Motion was put and declared LOST

COUNCIL RESOLUTION

Novak/Whaites

That Clarence Valley Council

1. note the information provided in Item 07.23.221 Grafton Goal Update on Planned Usage
2. ask the General Manager to write to NSW Government to explore the possibility of Council purchasing the historical section of the goal and what financial support the government would give to it's ongoing maintenance
3. ask the General Manager to write to the NSW Museums and Galleries General Manager Brett Adlington seeking advice on the restoration status for this state heritage listed facility.
4. report the feedback received back to Council as soon as practically possible.

Voting recorded as follows

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

Against: Nil

CARRIED

WORKS & CIVIL**ITEM 07.23.222 GLENREAGH BOIL WATER ALERT - REBATE TO AFFECTED CUSTOMERS**

| | | |
|--------------------|--|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Works & Civil | |
| Prepared by | Manager Water Cycle, Greg Mashiah | |
| Reviewed by | Director Works & Civil, Jamie Fleeting | |
| Attachments | Nil | |

SUMMARY

On 11 October 2023 Council issued a “boil water alert” to 279 properties at Glenreagh following turbidity exceeding the “Critical Control Point” (CCP) limit of 2NTU specified in Council’s Drinking Water Management System (DWMS). The very fine material in water sourced from Shannon Creek Dam meant that Glenreagh’s treatment system was unable to reduce turbidity below the CCP. As turbidity exceeded the CCP, the NSW Department of Health required Council to impose a boil water alert until an alternative treatment plant which could meet the CCP could be sourced and installed.

The earliest the boil water alert will be lifted is the week commencing 4 December 2023 (subject to NSW Health approval). Due to the length of time the boil water alert has been in place (at least 54 days), Council has received requests from some affected customers for compensation to offset increased electricity costs from the need to boil water. The increased cost of power consumption from boiling water is estimated to be up to \$0.669/day. Due to the length of time this boil water alert was in place, it is recommended that water bills for affected customers be reduced by \$50 to offset the increased electricity costs.

OFFICER RECOMMENDATION

That water consumption notices for Glenreagh residential, rural and commercial treated water customers be reduced by \$50 to offset increased electricity costs resulting from the boil water alert that was in place from 11 October 2023.

COUNCIL RESOLUTION - 07.23.222

Pickering/Tiley

That water consumption notices for Glenreagh residential, rural and commercial treated water customers be reduced by \$50 to offset increased electricity costs resulting from the boil water alert that was in place from 11 October 2023.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.223 COASTAL MANAGEMENT PROGRAM (OPEN COAST) - STAGE 2 HAZARD ASSESSMENT

| | | |
|--------------------|--|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Works & Civil | |
| Prepared by | Manager Water Cycle, Greg Mashiah | |
| Reviewed by | Acting General Manager, Jamie Fleeting | |
| Attachments | A. Coastal Management Program (Open Coast) Stage 2 Report (Separate Cover) ⇨ | |

SUMMARY

Council currently manages its coastline via eleven (11) management plans which are of varying legal status. Under the *Coastal Management Act 2016*, existing Coastal Zone Management Plans expire on 31 December 2023 and Council needs to have a certified Coastal Management Program (CMP) to seek financial assistance under the State Government's Coast and Estuary Program for implementing works. When certified, CMPs will be valid for ten (10) years. Council has engaged consultants Hydrosphere to prepare Stages 2 to 4 of the Open Coast CMP. Stage 2 (Hazard assessment) was considered by the Coast and Estuary Committee (CEMC) at its meeting of 6 November 2023, which recommends that Council note the Stage 2 report and proceed to Stage 3 (Identify and Evaluate Options).

OFFICER RECOMMENDATION

That Council:

1. notes the Coastal Management Program Stage 2 Report,
2. makes the Stage 2 report publicly available on Council's website and the Clarence Conversations project pages,
3. proceed with Stage 3 of the Coastal Management Program, and
4. include investigation of the feasibility of completing the coastal walkway "missing link" along Marine Parade between the lighthouse and Main Beach in Stage 3.

COUNCIL RESOLUTION - 07.23.223

Novak/Smith

That Council:

1. notes the Coastal Management Program Stage 2 Report,
2. makes the Stage 2 report publicly available on Council's website and the Clarence Conversations project pages,
3. proceed with Stage 3 of the Coastal Management Program, and
4. include investigation of the feasibility of completing the coastal walkway "missing link" along Marine Parade between the lighthouse and Main Beach in Stage 3.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.23.224 FLOODPLAIN RISK MANAGEMENT COMMITTEE - COUNCILLOR MEMBERSHIP

| | | |
|--------------------|---|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Works & Civil | |
| Prepared by | Manager Water Cycle, Greg Mashiah | |
| Reviewed by | Acting General Manager, Jamie Fleeting | |
| Attachments | A. Cr Tiley resignation from Floodplain Risk Management Committee ⇒ | |

SUMMARY

The Terms of Reference (ToR) of the Floodplain Risk Management Committee (FRMC) provides for there to be up to two Councillors (one as Chair). At its meeting of 22 February 2022 Council appointed Cr Novak as chair and Cr Tiley as a second councillor representative to the FRMC. Following the last FRMC meeting Cr Tiley submitted his resignation from the Committee, which creates a vacancy.

OFFICER RECOMMENDATION

That Council nominate a second Councillor to the Floodplain Risk Management Committee.

COUNCIL RESOLUTION - 07.23.224

Toms/Novak

That Council nominate a second Councillor to the Floodplain Risk Management Committee.

Voting recorded as follows

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

Against: Nil

CARRIED

Cr Toms nominated to the FRMC unopposed.

ITEM 07.23.225 ULMARRA SEWERAGE INVESTIGATION

| | | |
|--------------------|--|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Works & Civil | |
| Prepared by | Manager Water Cycle, Greg Mashiah | |
| Reviewed by | Director Works & Civil, Jamie Fleeting | |
| Attachments | Nil | |

SUMMARY

At its meeting of 26 September 2023 Council resolved to defer consideration of the Ulmarra Sewerage Investigation report for up to two months pending a presentation by the independent report authors, Public Works Advisory (PWA). PWA are undertaking additional investigation in response to Councillor questions. The additional investigation will not be completed in time for consideration at the November meeting.

OFFICER RECOMMENDATION

That Council notes a revised Ulmarra Sewer investigation report incorporating additional investigation requested by Councillors at a workshop on 10 October 2023 will be presented to a future Council meeting.

COUNCIL RESOLUTION - 07.23.225**Pickering/Tiley**

That Council notes a revised Ulmarra Sewer investigation report incorporating additional investigation requested by Councillors at a workshop on 10 October 2023 will be presented to a future Council meeting.

Voting recorded as follows

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

Against: Nil

CARRIED**COUNCIL RESOLUTION****Novak/Toms**

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

Voting recorded as follows

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

Against: Nil

CARRIED

That council adjourn for a 5 minute break at 4.26pm

Cr Clancy left the meeting at 4:27 pm.

Cr Novak left the meeting at 4:28 pm.

Cr Toms left the meeting at 4:28 pm.

7. CONFIDENTIAL BUSINESS**OFFICER RECOMMENDATION**

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

- 08.23.009 Code of Conduct Complaint Supplementary Report - 10A(2) (i) *The report contains alleged contraventions of any code of conduct requirements applicable under section 440*

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

- 08.23.009 Code of Conduct Complaint Supplementary Report - 10A(2) (i) *The report contains alleged contraventions of any code of conduct requirements applicable under section 440*

ITEM 08.23.009 CODE OF CONDUCT COMPLAINT SUPPLEMENTARY REPORT

| | | |
|---------------------|---|------------------|
| Meeting | Council | 28 November 2023 |
| Directorate | Corporate & Community | |
| Prepared by | Director Corporate & Community, Alex Moar | |
| Reviewed by | Director Works & Civil, Jamie Fleeting | |
| Attachments | A. Code of Conduct Supplementary Report (Confidential) B. Code of Conduct Report (Confidential) | |
| CONFIDENTIAL | <i>The General Manager advises that the following matter be dealt with in Closed Session as the matter and information are confidential in accordance with the Local Government Act 1993 Section 10A(2) (i) The report contains alleged contraventions of any code of conduct requirements applicable under section 440</i> | |

Cr Toms returned to the meeting 5.24pm
Cr Novak returned to the meeting 5.24pm

COUNCIL RESOLUTION

Whaites/Smith

That the confidential resolution for item 08.23.009 be made public.

Voting recorded as follows

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

Against: Nil

CARRIED

COUNCIL RESOLUTION - 08.23.009

Day/Smith

That Council

1. note the supplementary report requested in October 2023 (Attachment A)
2. note the Code of Conduct Reviewers report and the recommendation made (Attachment B)
3. under clause 7.60 of the procedures, Council does not resolve to adopt the Investigator's recommendation to impose a sanction on Councillor Clancy on the basis that the investigator has not substantiated any of the allegations
4. under these circumstances, Council's complaints Coordinator pursuant to clause 7.61 of the procedures, notify the Office of Local Government of Council's decision and the reasons for it.

Voting recorded as follows

For: Day, Johnstone, Smith, Tiley

Against: Pickering*, Whaites*

*** Cr Whaites & Cr Pickering's dissenting vote is recorded as per section 11.5 of the Code of Meeting Practice.**

CARRIED

9. QUESTIONS WITH NOTICE

Nil

10. LATE ITEMS OF BUSINESS AND MATTERS ARISING

Nil

11. CLOSE OF ORDINARY MEETING

There being no further business the Council Meeting closed at 5.27pm



CERTIFICATION OF MINUTES

I certify that the preceding 29 pages are the Minutes of the meeting of Clarence Valley Council held on 28 November 2023.

Signed by:

A handwritten signature in brown ink, appearing to read 'P. Johnstone', is written above a horizontal line.

Peter Johnstone

Mayor / Chairperson