

Ordinary Council Meeting

Minutes

Grafton - 27 August 2024 - 3:00 PM



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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 Grafton, 27 August 2024 commencing at 3:00 PM and closing at 4.30pm.

PRAYER – Cr Allison Whaites delivered the Prayer.

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

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

ANNOUNCEMENT – The General Manager delivered the Announcement.

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

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

PRESENT

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

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

2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE**COUNCIL RESOLUTION**

Day/Clancy

That leave of absence be granted for Cr Ian Tiley.

Voting recorded as follows

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

Against: Nil

CARRIED

3. DISCLOSURES AND DECLARATIONS OF INTEREST

Nil

4. CONFIRMATION OF MINUTES**COUNCIL RESOLUTION**

Pickering/Smith

That the Minutes of Ordinary Meeting of Council dated 23 July 2024, copies of which have been circulated, be taken as read and be confirmed.

Voting recorded as follows

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

Against: Nil

CARRIED

5. MAYORAL MINUTES**ITEM 05.24.007 MAYORAL MINUTE
STATE FUNDS FOR EMERGENCY SERVICES COORDINATION CENTRE**

Meeting	Council	27 August 2024
Submitted by	Cr Peter Johnstone	
Attachments	Nil	

SUMMARY

The Reconstruction Authority has confirmed that State funds of \$6million have been secured to construct an Emergency Services Coordination Centre to service the Northern Rivers and that a consultant will soon be engaged to undertake a site feasibility study. Discussions to date have favoured Lismore as the preferred location.

PROPOSED MOTION

That Council seek the support of the Local State Member to lobby the Minister for Emergency Services, the Hon Jihad Dib MP to strongly consider the Grafton Regional Airport as the preferred site for future development as an Emergency Services Coordination Centre.

COUNCIL RESOLUTION - 05.24.007

Johnstone

That Council seek the support of the Local State Member to lobby the Minister for Emergency Services, the Hon Jihad Dib MP to strongly consider the Grafton Regional Airport as the preferred site for future development as an Emergency Services Coordination Centre.

Voting recorded as follows

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

Against: Nil

CARRIED

6. NOTICES OF MOTION

Nil

VOTE BY EXCEPTION - 07.24.145

Whaites/Pickering

That the following items be adopted as recommended:

07.24.145

07.24.147

07.24.148

07.24.150

07.24.151

07.24.152

07.24.157

Voting recorded as follows

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

Against: Nil

CARRIED

7. REPORTS

OFFICE OF THE GENERAL MANAGER

ITEM 07.24.143 AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT

Meeting	Council	27 August 2024
Directorate	General Manager	
Prepared by	Internal Audit Officer, Kallet Ward	
Reviewed by	General Manager, Laura Black	
Attachments	A. ARIC Annual Report 2023/2024 (Separate Cover) ⇒	

SUMMARY

The Audit, Risk, and Improvement Committee Annual Report 2023-2024 documents the activities of the Audit, Risk and Improvement Committee (ARIC) from 1 July 2023 to 30 June 2024. The ARIC provides independent advice on council's risk management, control, governance, internal audit, organisational performance, and external responsibilities.

OFFICER RECOMMENDATION

That Council notes the Audit, Risk, and Improvement Committee Annual Report 2023/2024

COUNCIL RESOLUTION - 07.24.143

Clancy/Novak

That Council notes the Audit, Risk, and Improvement Committee Annual Report 2023/2024

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.144 RESPONSE TO QUESTIONS WITH NOTICE YAMBACAN

Meeting	Council	27 August 2024
Directorate	General Manager	
Prepared by	Coordinator Business & Executive Support, Bryanna Boyd	
Reviewed by	General Manager, Laura Black	
Attachments	A. Estimated Cost Implications of Delays to Delivering YCPPP ↗	

SUMMARY

At Council's Ordinary Council Meeting held 27 February 2024, Councillor Toms submitted a question with notice relating to the resources required to respond to RFIs and GIPAs lodged by Yamba CAN Inc and any cost implications of delays in delivering the Yamba Community Precinct project. This report seeks to provide the requested information.

OFFICER RECOMMENDATION

That Council note:

- the allocation of resources required to respond to GIPAs submitted by Yamba CAN Inc since January 2022.
- the allocation of resources required to respond to RFI (Request for Information) submitted by Yamba CAN Inc since January 2022.
- the cost implications of delays to delivering the Yamba Community Precinct project since January 2022.

COUNCIL RESOLUTION

Johnstone/Novak

That under section 10.25 of the Code of Meeting Practice, the motion now be put.

Voting recorded as follows

For: Johnstone, Novak, Pickering, Toms, Whaites

Against: Clancy, Day, Smith

CARRIED

MOTION

Day/Clancy

That Council reject this report.

Voting recorded as follows

For: Clancy, Day, Smith

Against: Johnstone, Novak, Pickering, Toms, Whaites

The Motion was put and declared LOST

POINT OF ORDER

Novak

Cr Novak directed to Cr Day 'There's no evidence to what Cr Day is saying'

The Chair upheld the point of order

POINT OF ORDER

Pickering

Cr Pickering directed to Cr Day 'The report does not attribute the increased costs to the Treelands Drive Community Centre to Yamba CAN, they're 2 different issues'.

The Chair over ruled the point of order

POINT OF ORDER

Clancy

Cr Clancy directed to Cr Johnstone 'I had a right to speak as the seconder'.

The Chair over ruled the point of order

COUNCIL RESOLUTION – 07.24.144

Johnstone/Toms

That Council note:

- a) the allocation of resources required to respond to GIPAs submitted by Yamba CAN Inc since January 2022.
- b) the allocation of resources required to respond to RFI (Request for Information) submitted by Yamba CAN Inc since January 2022.

Voting recorded as follows

For: Johnstone, Novak, Pickering, Toms, Whaites

Against: Clancy, Day, Smith

CARRIED

ENVIRONMENT & PLANNING

Nil

CORPORATE & COMMUNITY**ITEM 07.24.145 OUTCOME FROM THE LAND AND ENVIRONMENT COURT NSW MCNEILL V CLARENCE VALLEY COUNCIL NSWLEC 85**

Meeting	Council	27 August 2024
Directorate	Corporate & Community	
Prepared by	Director Corporate & Community, Alex Moar	
Reviewed by	General Manager, Laura Black	
Attachments	Nil	

SUMMARY

Outcome from the Land and Environment Court NSW hearing McNeill verses Clarence Valley Council [2024] NSWLEC 85 hearing on 16 August 2024.

OFFICER RECOMMENDATION

That Council note:

1. the decision made by her Honour J Pritchard on 16 August 2024 was to dismiss proceedings 2024/261604 (Class 4) with costs.
2. costs were sought but not ordered in relation to proceedings 2024/230994 (Class 3).

COUNCIL RESOLUTION - 07.24.145

Whaites/Pickering

That Council note:

1. the decision made by her Honour J Pritchard on 16 August 2024 was to dismiss proceedings 2024/261604 (Class 4) with costs.
2. costs were sought but not ordered in relation to proceedings 2024/230994 (Class 3).

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.146 S355 COMMITTEES REVIEW AND UPDATE

Meeting	Council	27 August 2024
Directorate	Corporate & Community	
Prepared by	Governance Officer, Lohraine Souza	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	A. s355 Committee Survey Questionnaire ⇨	
	B. s355 Committee Survey results ⇨	

SUMMARY

This report confirms the operation of s355 Management Committees during the caretaker period and presents the findings from a recent survey conducted by s355 Committee Members.

OFFICER RECOMMENDATION

That Council:

1. extends sincere appreciation to all committee members involved with s355 Management Committees identified in the body of the report, for their valuable contributions and dedication.
2. note s355 Management Committees will continue to operate during the caretaker period.
3. note that when elected, the newly appointed Council will consider continuing the operations of s355 Management Committees and membership in the upcoming term.
4. note the overview of the survey results, key findings, and recommendations for future actions of the survey conducted between 19 July 2024 to 29 July 2024
5. note the update to the Wooloweyah Parks and Reserve Management s.355 Committee
 - a. resignation of Committee member Dom Ferry (by email) from his position as Hall Manager, effective 9 May 2024.
 - b. the nominations received from two local community members, Sharon Hale and Karen Bowler to be committee members

COUNCIL RESOLUTION - 07.24.146

Pickering/Novak

That Council:

1. extends sincere appreciation to all committee members involved with s355 Management Committees identified in the body of the report, for their valuable contributions and dedication.
2. note s355 Management Committees will continue to operate during the caretaker period.
3. note that when elected, the newly appointed Council will consider continuing the operations of s355 Management Committees and membership in the upcoming term.
4. note the overview of the survey results, key findings, and recommendations for future actions of the survey conducted between 19 July 2024 to 29 July 2024
5. note the update to the Wooloweyah Parks and Reserve Management s.355 Committee
 - a. resignation of Committee member Dom Ferry (by email) from his position as Hall Manager, effective 9 May 2024.
 - b. the nominations received from two local community members, Sharon Hale and Karen Bowler to be committee members

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.147 ADVISORY COMMITTEES COUNCIL TERM REVIEW

Meeting	Council	27 August 2024
Directorate	Corporate & Community	
Prepared by	Governance Officer, Lohrairie Souza	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	Nil	

SUMMARY

This report outlines a review of the Advisory Committee's terms of reference, recommendations made to Council, meetings held and feedback from committee members, in order to provide recommendations of Advisory Committee's impact and improvements for the new council.

OFFICER RECOMMENDATION

That Council notes the information outlined in the report and the recommendations for consideration by the new Council.

COUNCIL RESOLUTION - 07.24.147**Whaites/Pickering**

That Council notes the information outlined in the report and the recommendations for consideration by the new Council.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.148 GOVERNANCE REPORT - ANNUAL DISCLOSURE OF INTEREST

Meeting	Council	27 August 2024
Directorate	Corporate & Community	
Prepared by	Governance Officer, Lohrairie Souza	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	A. Disclosure of Interest Councillors redacted (Separate Cover) ⇨ B. Disclosure of Interest Designated person redacted (Separate Cover) ⇨	

SUMMARY

This report asks that Council accept the Annual Disclosures of Interest Returns for seven (7) Councillors, including two (2) updates and twenty-two (22) Designated Persons, including one (1) commencement return and that they be published on Council's website.

OFFICER RECOMMENDATION

That Council note:

1. the Annual Disclosures of Interest for Councillors (Attachment A) and publish them on Council's website.
2. the Disclosures of Interest for Designated Persons (Attachment B) and publish them on Council's website.

COUNCIL RESOLUTION - 07.24.148**Whaites/Pickering**

That Council note:

1. the Annual Disclosures of Interest for Councillors (Attachment A) and publish them on Council's website.
2. the Disclosures of Interest for Designated Persons (Attachment B) and publish them on Council's website.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.149 ITEMS FOR INFORMATION

Meeting	Council	27 August 2024
Directorate	General Manager	
Attachments	<ul style="list-style-type: none"> A. Access Committee Minutes - May 2024 ⇒ B. Access Committee Minutes - June 2024 ⇒ C. Access Committee Minutes - July 2024 ⇒ D. Accessible Beach Audit 2024 (Separate Cover) ⇒ E. EDTAC Meeting Minutes - April 2024 ⇒ F. EDTAC Meeting Minutes - June 2024 ⇒ G. ARIC Meeting Minutes - May 2024 (Confidential) H. Coast and Estuary Management Committee Minutes - June 2024 ⇒ I. Saleyard Committee Meeting Minutes - June 2024 ⇒ J. Wooloweyah Hall Committee Minutes - July 2024 ⇒ K. Water Efficiency Working Group Minutes - July 2024 ⇒ L. Response from Minister - Armidale Road ⇒ M. Correspondence from State MP Richie Williamson - Ulmarra Ferry ⇒ N. CVC - Council League Table ⇒ O. Youth Portfolio Summary 2023-2024 (Separate Cover) ⇒ P. Correspondence from the Hon Tara Moriarty MLC - Agriculture Drainage Review Report ⇒ Q. Arts Northern Rivers Annual Report 2023 (Separate Cover) ⇒ 	

SUMMARY

Correspondence and committee minutes are attached for noting.

OFFICER RECOMMENDATION

That Council

1. note the information as listed below as noted
 - a. Access Committee Minutes - May 2024
 - b. Access Committee Minutes - June 2024
 - c. Access Committee Minutes - July 2024
 - d. Accessible Beach Audit 2024
 - e. EDTAC Meeting Minutes - April 2024
 - f. EDTAC Meeting Minutes - June 2024
 - g. ARIC Meeting Minutes - May 2024
 - h. Coast and Estuary Management Committee Minutes - June 2024
 - i. Saleyard Committee Meeting Minutes - June 2024
 - j. Wooloweyah Hall Committee Minutes - July 2024
 - k. Water Efficiency Working Group Minutes - July 2024
 - l. Response from Minister - Armidale Road
 - m. Correspondence from State MP Richie Williamson - Ulmarra Ferry
 - n. CVC – Council League Table
 - o. Youth Portfolio Summary 2023-2024
 - p. Correspondence from the Hon Tara Moriarty MLC – Agriculture Drainage Review Report
 - q. Arts Northern Rivers Annual Report 2023
2. note the following recommendation from the EDTAC April meeting and corresponding action
 - a. Improve signage on Big River Way both north and south to direct people to the businesses and attractions within the village of Ulmarra. Action - Council to write to Transport NSW as this is a state road and,
 - b. consider the congestion and parking challenges on Victoria St. Grafton and consider the development of a Multilevel Parking Station. Action – noted. Unable to progress further due to costing, location and impact on current area.

3. note the outcome of the Accessible Beach Access Report for further review by the new Council post October 2024

COUNCIL RESOLUTION - 07.24.149

Smith/Novak

That Council

1. note the information as listed below as noted
 - a. Access Committee Minutes - May 2024
 - b. Access Committee Minutes - June 2024
 - c. Access Committee Minutes - July 2024
 - d. Accessible Beach Audit 2024
 - e. EDTAC Meeting Minutes - April 2024
 - f. EDTAC Meeting Minutes - June 2024
 - g. ARIC Meeting Minutes - May 2024
 - h. Coast and Estuary Management Committee Minutes - June 2024
 - i. Saleyard Committee Meeting Minutes - June 2024
 - j. Wooloweyah Hall Committee Minutes - July 2024
 - k. Water Efficiency Working Group Minutes - July 2024
 - l. Response from Minister - Armidale Road
 - m. Correspondence from State MP Richie Williamson - Ulmarra Ferry
 - n. CVC – Council League Table
 - o. Youth Portfolio Summary 2023-2024
 - p. Correspondence from the Hon Tara Moriarty MLC – Agriculture Drainage Review Report
 - q. Arts Northern Rivers Annual Report 2023
2. note the following recommendation from the EDTAC April meeting and corresponding action
 - a. Improve signage on Big River Way both north and south to direct people to the businesses and attractions within the village of Ulmarra. Action - Council to write to Transport NSW as this is a state road and,
 - b. consider the congestion and parking challenges on Victoria St. Grafton and consider the development of a Multilevel Parking Station. Action – noted. Unable to progress further due to costing, location and impact on current area.
3. note the outcome of the Accessible Beach Access Report for further review by the new Council post October 2024

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.150 COUNCIL MEETING CHECKLIST - UPDATE ON ACTIONS TAKEN

Meeting	Council	27 August 2024
Directorate	Corporate & Community	
Prepared by	Corporate Support Officer, Michelle West	
Reviewed by	General Manager, Laura Black	
Attachments	A. Actions Checklist - Completed ⇒	
	B. Actions Checklist - 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 - 07.24.150**Whaites/Pickering**

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, Toms, Whaites

Against: Nil

CARRIED

ITEM 07.24.151 MONTHLY FINANCE REPORT - JULY 2024

Meeting	Council	27 August 2024
Directorate	Corporate & Community	
Prepared by	Financial Accountant, Nick Harvey	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	A. Monthly Detailed Income and Expenditure By Service ⇒ B. Monthly Grant Report ⇒	

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, decreasing the surplus to \$106,797. The reserve fund variations identified in this report will decrease the balance of the Financial Reserves by \$415,885.

OFFICER RECOMMENDATION

That Council:

1. note the monthly financial information report for July 2024 attached to this report.
2. endorse the proposed General Fund variations as set out in this report totalling \$30,000, for inclusion in the September Quarterly Budget Review Statement to be reported in October 2024.
3. endorse the proposed variations, which decrease the Financial Reserves by \$415,885, to be included in the September Quarterly Budget Review Statement to reported in October 2024.
4. note and endorse the grant applications as identified in Attachment B.

COUNCIL RESOLUTION - 07.24.151

Whaites/Pickering

That Council:

1. note the monthly financial information report for July 2024 attached to this report.
2. endorse the proposed General Fund variations as set out in this report totalling \$30,000, for inclusion in the September Quarterly Budget Review Statement to be reported in October 2024.
3. endorse the proposed variations, which decrease the Financial Reserves by \$415,885, to be included in the September Quarterly Budget Review Statement to reported in October 2024.
4. note and endorse the grant applications as identified in Attachment B.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.152 MONTHLY INVESTMENT REPORT - JULY 2024

Meeting	Council	27 August 2024
Directorate	Corporate & Community	
Prepared by	Financial Accountant, Nick Harvey	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	A. Movement of Funds Between Months - July 2024 ⇒	

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 July 2024 be noted.

COUNCIL RESOLUTION - 07.24.152

Whaites/Pickering

That the report indicating Council's funds investment position as at 31 July 2024 be noted.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.153 2024 CULTURAL AND SPORTS TRUST FUND

Meeting	Council	27 August 2024
Directorate	Corporate & Community	
Prepared by	Project Officer, Lainie Edwards	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	Nil	

SUMMARY

An application for assistance has been made to the Clarence Valley Cultural & Sports Trust Fund on behalf of Charlie Rouse and Milla Stephenson, who have been selected to compete at the U14s Hockey Championships held in Perth at the Hockey Stadium and Melville Toyota Stadium from the 29th of September to the 5th of October 2024.

OFFICER RECOMMENDATION

That Council approve a donation of \$300.00 per individual, from the Clarence Valley Cultural & Sports Trust Fund, to support Charlie Rouse and Milla Stephenson to compete at the U14s Hockey Championships held in Perth from the 29th of September to the 5th of October 2024.

COUNCIL RESOLUTION - 07.24.153**Pickering/Novak**

That Council approve a donations from the Clarence Valley Cultural & Sports Trust Fund, of \$300 per individual to support Charlie Rouse and Milla Stephenson to compete at the U14s Hockey Championships to be held in Perth from 29 September to 5 October 2024 and \$550 to support Joe Bougen to compete at the Shidokan 43rd WMAC International Championship in Yokohama Japan on the 13th October 2024.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.154 CLARENCE VALLEY DESTINATION MANAGEMENT PLAN 2024/2030

Meeting	Council	27 August 2024
Directorate	Corporate & Community	
Prepared by	Coordinator Economic Development and Tourism, Katee Blizzard	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	Nil	

SUMMARY

The Draft Clarence Valley Destination Management Plan 2024/2030 (CV DMP) has been updated following a review of community and industry submissions and engagement. The revised CV DMP 2024/2030 is presented to the Council for adoption.

OFFICER RECOMMENDATION

That Council:

1. note the public exhibition period submissions and responses attached to the report.
2. adopt the Clarence Valley Destination Management Plan 2024/2030

COUNCIL RESOLUTION - 07.24.154

Day/Clancy

That Council:

1. note the public exhibition period submissions and responses attached to the report.
2. adopt the Clarence Valley Destination Management Plan 2024/2030
3. require an annual report detailing Council tourism actions and expenditure to achieve the Clarence Valley Destination Management Plan 2024/2030.

Voting recorded as follows

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

Against: Nil

CARRIED

WORKS & CIVIL**ITEM 07.24.155 REGIONAL AQUATIC FACILITY NAMING AND MANAGEMENT**

Meeting	Council	27 August 2024
Directorate	Works & Civil	
Prepared by	Manager Open Spaces & Facilities, Rachelle Passmore	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	Nil	

SUMMARY

The Regional Aquatic Facility is currently under construction and expected to open in December 2024. This report notes that the management and operation of the facility (following commissioning) to be undertaken by Council to allow staff to collate and consider appropriate data/analytics to inform future management options. This report also notes the process for consideration of the naming of the facility and / or components with the complex.

OFFICER RECOMMENDATION

That Council note:

1. that the Regional Aquatic Facility will be managed by Council with a report tabled at 24 months (following commissioning of the new facility) to allow consideration of future management options.
2. that community consultation will be undertaken regarding the naming of the Regional Aquatic Facility and/or components within the complex and reported to the new Council.

COUNCIL RESOLUTION - 07.24.155

Smith/Clancy

That Council note:

1. that the Regional Aquatic Facility will be managed by Council with a report tabled at 24 months (following commissioning of the new facility) to allow consideration of future management options.
2. that community consultation will be undertaken regarding the naming of the Regional Aquatic Facility and/or components within the complex and reported to the new Council.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.156 PROPOSED ROAD CLOSURE - PART MCGRATHS LANE, THE WHITEMAN

Meeting	Council	27 August 2024
Directorate	Works & Civil	
Prepared by	Property Officer, Tyler Marsh	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. Recommended Disposal Price - Part McGraths Lane, The Whiteman (Confidential) B. Neighbour objection to proposed road closure ⇒	

SUMMARY

This report is to consider the permanent road closure of part McGraths Lane, The Whiteman, and the transfer of ownership to the adjoining Landowners. The request is made by the adjoining Landowners of Lot 4 DP 751369, being 153 McGraths Lane, The Whiteman.

OFFICER RECOMMENDATION

That Council:

1. permanently close part of McGraths Lane, The Whiteman in line with the provisions of the *Roads Act 1993* (depicted green in Figure 1).
2. transfer the closed road to the adjoining Landowners of Lot 4 DP 7513369 for the recommended purchase price outlined in Attachment A (confidential).
3. authorise the General Manager to execute all documents relating to the closure and sale to affect the above requirements.
4. instruct the Landowners that they are to meet all costs associated with the road closure.

COUNCIL RESOLUTION - 07.24.156**Pickering/Toms**

That Council defer the closure of part of McGraths Lane pending a site inspection by the Council.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.157 LOCAL TRAFFIC COMMITTEE

Meeting	Council	27 August 2024
Directorate	Works & Civil	
Prepared by	Road Safety Officer, Alana Brooks	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. Local Traffic Committee Minutes August 2024 (Separate Cover) ⇒ B. Local Traffic Committee attachment Item 15.24 ⇒ C. Local Traffic Committee attachment Item 16.24 (Separate Cover) ⇒ D. Local Traffic Committee attachment Item 18.24 A (Separate Cover) ⇒ E. Local Traffic Committee attachment Item 18.24 B ⇒ F. Local Traffic Committee attachment Item 19.24 A ⇒ G. Local Traffic Committee attachment Item 19.24 A ⇒	

SUMMARY

This report outlines the recommendations proposed by the Local Traffic Committee on 7 August 2024.

OFFICER RECOMMENDATION

That Council adopt the recommendations of the Local Traffic Committee determined on 7 August 2024.

COUNCIL RESOLUTION - 07.24.157**Whaites/Pickering**

That Council adopt the recommendations of the Local Traffic Committee determined on 7 August 2024.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.158 OPEN COAST COASTAL MANAGEMENT PROGRAM - STAGE 4

Meeting	Council	27 August 2024
Directorate	Works & Civil	
Prepared by	Senior Coast & Estuary Officer, Uriah Makings	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. Clarence Valley Open Coast Coastal Management Program (Separate Cover) ⇒ B. Draft Open Coast CMP Public Exhibition - Submissions Analysis (Separate Cover) ⇒ C. Public Submissions (Separate Cover) ⇒ D. Coastal Protection Works - definitions ⇒	

SUMMARY

Council currently manages its coastline via numerous management plans of varying relevance and legal status. Under the *Coastal Management Act, 2016*, existing certified Coastal Zone Management Plans (CZMP) expired on 31 December 2023. Council is required to have a certified Coastal Management Program (CMP) to seek financial assistance under the State Government's Coastal and Estuary Grants Program for implementing coastal management works. Once certified, CMPs are valid for ten (10) years. Council engaged consultants Hydrosphere Consulting to prepare Stages 2 to 4 of the Open Coast CMP.

The draft Stage 4 of the Open Coast CMP was placed on exhibition from 28 June to 29 July 2024. Feedback from public submissions and various State agencies on the exhibited CMP was considered and the CMP was amended where appropriate to address the feedback. State Government agency concurrence is required for the CMP to be certified, and agencies may request further minor changes to the CMP prior to providing their concurrence. It is recommended the CMP be submitted to the Minister for certification and gazettal, and the General Manager be delegated authority to make minor changes as required to facilitate concurrence from the NSW Government.

OFFICER RECOMMENDATION

That Council:

1. adopts the Open Coast Coastal Management Program Stage 4 Report, as amended following public exhibition, for submission to the Minister for Local Government for certification and gazettal.
2. delegates authority to the General Manager to make minor changes to the adopted Open Coast Coastal Management Program Stage 4 report as required for State Government agency concurrence to gazettal.

COUNCIL RESOLUTION - 07.24.158

Pickering/Novak

That Council:

1. **adopts the Open Coast Coastal Management Program Stage 4 Report, as amended following public exhibition, for submission to the Minister for Local Government for certification and gazettal.**
2. **delegates authority to the General Manager to make minor changes to the adopted Open Coast Coastal Management Program Stage 4 report as required for State Government agency concurrence to gazettal.**

Voting recorded as follows

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

Against: Nil

CARRIED

7. CONFIDENTIAL BUSINESS

9. QUESTIONS WITH NOTICE

Nil

10. LATE ITEMS OF BUSINESS AND MATTERS ARISING

11. CLOSE OF ORDINARY MEETING

There being no further business the Council Meeting closed at 4.30pm



CERTIFICATION OF MINUTES

I certify that the preceding xxx pages are the Minutes of the meeting of Clarence Valley Council held on meeting date.

Signed by:

First name surname
Mayor / Chairperson