

# Ordinary Council Meeting

## Minutes

Grafton - 26 July 2022 - 2:00pm





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## 1. OPENING OF ORDINARY MEETING

**MINUTES of the ORDINARY MEETING of the CLARENCE VALLEY COUNCIL at Grafton, 26 July 2022 commencing at 2:00pm and closing at x.yy am/pm .**

**AFFIRMATION** – Cr Toms 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 Clancy 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.

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### COUNCIL RESOLUTION

**Tiley/Novak**

**That letters of condolence be sent to the family of the late Irene Daley.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

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**ANNOUNCEMENT** – The A/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 Ian Tiley and Cr Karen Toms

A/General Manager (Laura Black), Director Environment & Planning (Adam Cameron), A/Director Corporate & Governance (Alex Moar), Director Works & Civil (Jamie Fleeting), Minutes Secretary (Karlie Chevalley) and (Lee Boon) were in attendance.

## 2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

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### COUNCIL RESOLUTION

**Johnstone/Day**

**That leave of unavoidable absence be granted for Cr Whaites.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

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**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 Toms	07.22.164	<ul style="list-style-type: none"><li>▪ Non-Significant Non-Pecuniary – Remain in the Meeting</li><li>▪ Director of JKT &amp; Sons P/L Company and has contract to manage Iluka Riverside Holiday Park on Crown Land.</li></ul>

**4. CONFIRMATION OF MINUTES****COUNCIL RESOLUTION**

**Pickering/Johnstone**

**That the Minutes of Ordinary Meeting of Council dated 28 June 2022, 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**

**Against: Nil**

**CARRIED**

**5. MAYORAL MINUTES**

<b>ITEM 05.22.013</b>	<b>MAYORAL MINUTE</b>
	<b>RURAL FIRE SERVICE (RFS) ASSETS THE "PROPERTY" OF COUNCILS</b>

<b>Meeting</b>	Council	26 July 2022
<b>Submitted by</b>	Cr Ian Tiley	
<b>Attachments</b>	Nil	

**SUMMARY**

This minute informs Council of the recent NSW Auditor General reiteration of the State Government determination that Rural Fire Service (RFS) assets are the "property" of councils, who must therefore absorb all depreciation costs. A strong course of action for Council is proposed as requested by LGNSW.

**PROPOSED MOTION**

That Council

1. Note the latest advice from LGNSW and
2. Advise the NSW Audit Office, as requested by Local Government NSW, that Council will not conduct the stocktake of RFS assets and will not record Rural Fire Service assets on Council's financial statements.
3. Requests the NSW Government acknowledge rural firefighting equipment is controlled by and the property of the Rural Fire Service.

**COUNCIL RESOLUTION - 05.22.013**

Tiley

That Council

1. Note the latest advice from LGNSW and
2. Advise the NSW Audit Office, as requested by Local Government NSW, that Council will not conduct the stocktake of RFS assets and will not record Rural Fire Service assets on Council's financial statements.
3. Requests the NSW Government acknowledge rural firefighting equipment is controlled by and the property of the Rural Fire Service.

Voting recorded as follows

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

Against: Nil

**CARRIED**

**ITEM 05.22.014 MAYORAL MINUTE  
LOCATION AND PRESERVATION OF CLARENCE COUNCIL HONOUR BOARDS**

<b>Meeting</b>	Council	26 July 2022
<b>Submitted by</b>	Cr Ian Tiley	
<b>Attachments</b>	Nil	

**SUMMARY**

The intent of this Minute is to secure Councils support, firstly for discovery of the locations of Councillor and staff honour boards of the former Councils located in the Clarence Valley, thereafter to restore the discovered Boards as required, and finally to instal them in suitable agreed locations, as a mark of respect and acknowledgement to those who have served local government and to their families and the community.

**PROPOSED MOTION**

That Council

1. Request the discovery of the locations and condition of Councillor and staff honour boards of the former Councils in the Clarence Valley with a report to be thereafter provided to Council on findings.
2. Report canvass suitable locations to house the discovered Boards in consultation with local museums, public hall committees and the Clarence community and also provide an estimate of cost of the project.

**COUNCIL RESOLUTION - 05.22.014**

Tiley

That Council

1. **Request the discovery of the locations and condition of Councillor and staff honour boards of the former Councils in the Clarence Valley with a report to be thereafter provided to Council on findings.**
2. **Report canvass suitable locations to house the discovered Boards in consultation with local museums, public hall committees and the Clarence community and also provide an estimate of cost of the project.**

Voting recorded as follows

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

**Against: Novak, Toms**

**CARRIED**



**ITEM 05.22.015 MAYORAL MINUTE  
CLARENCE VALLEY REFUGEE WELCOME ZONE**

<b>Meeting</b>	Council	26 July 2022
<b>Submitted by</b>	Cr Ian Tiley	
<b>Attachments</b>	Nil	

**SUMMARY**

This Minute asks Council to become a Refugee Welcome Zone and explains the process and intent of obtaining such a declaration.

**PROPOSED MOTION**

That Council take the necessary steps to become a Refugee Welcome Zone

**COUNCIL RESOLUTION - 05.22.015**

**Tiley**

**That Council take the necessary steps to become a Refugee Welcome Zone.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**6. NOTICES OF MOTION**

<b>ITEM 06.22.009 NOTICE OF MOTION JACARANDA TREE STOCKTAKE</b>		
<b>Meeting</b>	Council	26 July 2022
<b>Submitted by</b>	Cr Jeff Smith	
<b>Attachments</b>	Nil	

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

**SUMMARY**

This report seeks a summarised snapshot of the current stock of jacaranda trees in Grafton and South Grafton. Of particular interest is the quality of the avenues, the ageing of the current trees and the replacement program.

**PROPOSED MOTION**

That staff prepare a report for the August Council meeting detailing the following information regarding Jacaranda Trees in Grafton and South Grafton:

- a) the number of jacaranda trees removed over the last three financial years
- b) the number of new jacaranda trees planted (and their locations) over the last three financial years
- c) the current number of jacaranda trees reaching their end of life senescence.

**COUNCIL RESOLUTION - 06.22.009**

**Smith/Johnstone**

That staff prepare a report for the August Council meeting detailing the following information regarding Jacaranda Trees in Grafton and South Grafton as per the ABS census 2021 for suburb and locality:

- a) The number of jacaranda trees removed over the last three financial years
- b) The number of new jacaranda trees planted (and their locations) over the last three financial years
- c) The current number of jacaranda trees reaching their end of life senescence
- d) The monetary cost of planting a new or juvenile jacaranda tree be advised
- e) The cost of removing a mature jacaranda tree
- f) The total number of jacaranda trees

**Voting recorded as follows**

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

**Against:** Nil

**CARRIED**

**VOTE BY EXCEPTION****Day/Johnstone****That the following items be adopted by consent:****07.22.149****07.22.154****07.22.155****07.22.159****07.22.160****07.22.162****07.22.163****07.22.164****Voting recorded as follows****For: Clancy, Day, Johnstone, Novak, Pickering, Smith, Tiley, Toms****Against: Nil****CARRIED**

**7. REPORTS**

## OFFICE OF THE GENERAL MANAGER

**ITEM 07.22.148 CR JEFF SMITH - 29TH COASTAL CONFERENCE 2022**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	General Manager	
<b>Attachments</b>	Nil	

**SUMMARY**

The 29th NSW Coastal Conference was held at Kingscliff at Mantra on Salt Beach from Monday 30th May to Thursday 2nd June 2022. The key theme to this year's conference was Living with Uncertainty. This report is presented to Council in accordance with requirement 3.5 of the Councillor Attendance at Conferences Policy.

**OFFICER RECOMMENDATION**

That Council note that information provided by Councillor Smith after attending the LGNSW Special Conference.

**COUNCIL RESOLUTION - 07.22.148**

**Pickering/Clancy**

**That Council note that information provided by Councillor Smith after attending the LGNSW Special Conference.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**ITEM 07.22.147 INTERNAL AUDIT SERVICE PROVIDER**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	General Manager	
<b>Prepared by</b>	Internal Audit Officer, Kallet Ward	
<b>Attachments</b>	A. Expression of Interest 1 (Confidential) B. Expression of Interest 2 (Confidential) C. Expression of Interest 3 (Confidential) D. Expression of Interest 4 (Confidential)	

**SUMMARY**

This report requires Council to consider the appointment of an Internal Audit Service provider for the supply and delivery of Internal Audit Services for the Clarence Valley Council for a period of three years, expiring 30 June 2025.

Expressions of Interest (EOI) for the delivery of Internal Audit Services were invited from the 20<sup>th</sup> of May 2022 to the 10<sup>th</sup> of June 2022. The EOI's received have been reviewed by the Audit, Risk and Improvement Committee (ARIC) and this report recommends the acceptance of the EOI submission providing the greatest value to Council.

**OFFICER RECOMMENDATION**

That Council

1. endorse the appointment of Centium Pty Ltd as the Internal Audit Service Provider to deliver value-adding risk based internal audit services to Council for the period June 2022 to June 2025.
2. endorse the inclusion of an increase in the annual budget for Internal Audit Services by \$15,000 to \$45,000, in the Q1 Quarterly Budget Review Statement reported in October 2022.

**COUNCIL RESOLUTION - 07.22.147**

**Novak/Toms**

That Council

1. endorse the appointment of Centium Pty Ltd as the Internal Audit Service Provider to deliver value-adding risk based internal audit services to Council for the period June 2022 to June 2025.
2. endorse the inclusion of an increase in the annual budget for Internal Audit Services by \$15,000 to \$45,000, in the Q1 Quarterly Budget Review Statement reported in October 2022.

Voting recorded as follows

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

Against: Nil

**CARRIED**

## ITEM 07.22.165 2022 LGNSW ANNUAL CONFERENCE - MOTION FOR CONSIDERATION - ENVIRONMENTAL OFFENCES

Meeting	Council	26 July 2022
Directorate	General Manager	
Prepared by	Manager Environment & Regulatory Services, Scott Lenton	
Attachments	Nil	

### SUMMARY

This report provides information and justification for suggested motions for presentation at the 2022 LGNSW Annual Conference. Council established the Environment and Regulatory Services Section in 2021 with the aim to raise the priority given to the environment in Council's decision-making and operations and the recommendations of this report are consistent with that aim. The recommended motions seek to improve the ability for Council to manage use of public places such as public road reserves, parks and reserves, and take appropriate enforcement action when necessary. The motions relate to the *Local Government Act 1993* and the *Roads Act 1993*, both of which are core legislative instruments relevant to business administered by all NSW local Councils.

### OFFICER RECOMMENDATION

That Council submit the following motions for consideration at the 2022 LGNSW Annual Conference:

1. That Local Government NSW requests the NSW Government to complete a review of the *Local Government Act 1993* and *Local Government (General) Regulation 2021* to increase the opportunity for local Councils to issue penalty notices of appropriate value for offences causing environmental damage to public places, including but not limited to, wilful damage to trees pursuant to section 629(1) of the Act and increase penalty notice value for the offence of unlawfully remove a plant under section 629(2) of the Act; and
2. That Local Government NSW requests the NSW Government to complete a review of the *Roads Act 1993* and *Roads Regulation 2018* to provide the opportunity for local Councils to issue penalty notices of appropriate value (\$2200 min) and increase maximum penalties imposed via Local Court for offences related to the failure to obtain consent for actions under section 138 of the *Roads Act 1993*.

### MOTION

That Council submit the following motions for consideration at the 2022 LGNSW Annual Conference:

1. That Local Government NSW requests the NSW Government to complete a review of the *Local Government Act 1993* and *Local Government (General) Regulation 2021* to increase the opportunity for local Councils to issue penalty notices of appropriate value for offences causing environmental damage to public places, including but not limited to, wilful damage to trees pursuant to section 629(1) of the Act and increase penalty notice value for the offence of unlawfully remove a plant under section 629(2) of the Act; and
2. That Local Government NSW requests the NSW Government to complete a review of the *Roads Act 1993* and *Roads Regulation 2018* to provide the opportunity for local Councils to issue penalty notices of appropriate value (\$2200 min) and increase maximum penalties imposed via Local Court for offences related to the failure to obtain consent for actions under section 138 of the *Roads Act 1993*.

### COUNCIL RESOLUTION - 07.22.165

#### Pickering/Johnstone

1. That Council submit the following motion for consideration at the 2022 LGNSW Annual Conference
  - a. That Local Government NSW requests the NSW Government to complete a review of the *Local Government Act 1993* and *Local Government (General) Regulation 2021* to increase the opportunity for local Councils to issue penalty notices of appropriate value for offences causing environmental damage to public places, including but not limited to, wilful damage to trees pursuant to section 629(1) of the Act and increase penalty notice value for the offence of unlawfully remove a plant under section 629(2) of the Act; and
  - b. That Local Government NSW requests the NSW Government to complete a review of the *Roads Act 1993* and *Roads Regulation 2018* to provide the opportunity for local Councils to issue penalty notices of appropriate value (\$2200 min) and increase maximum penalties

imposed via Local Court for offences related to the failure to obtain consent for actions under section 138 of the *Roads Act 1993*.

2. That Council makes representations to the Minister for Local Government, the Hon Wendy Tuckerman and Local State Member for Clarence the Hon Chris Gulaptis requesting support to lobby the government on the above motions.

Voting recorded as follows

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

Against: Nil

**CARRIED**



**ITEM 07.22.166 2022 LGNSW ANNUAL CONFERENCE - MOTION FOR CONSIDERATION - SEWER & WATER OFFENCES**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	General Manager	
<b>Prepared by</b>	Manager Water Cycle, Greg Mashiah	
<b>Attachments</b>	Nil	

**SUMMARY**

This report provides information and justification for suggested motions to be presented at the 2022 LGNSW Annual Conference. While Sections 634 to 640 of the Local Government Act lists a range of sewer and water offences, the maximum penalties for these offences is frequently an order of magnitude lower than similar offences against state government owned utilities. The only offence for which a Penalty Infringement Notice (PIN) can be issued is for misuse of water; all other sewer and water offences need to be prosecuted. Even were Council successful in a prosecution and received the maximum penalty and costs, solicitors have advised it is likely Council would be out of pocket by thousands of dollars.

Representations made to OLG to date to address this issue have been unsuccessful. It is therefore recommended that Council propose a motion to the LGNSW Conference requesting the association lobby the state government to review sewer and water penalties under the Local Government Act. The proposed motion was considered at and endorsed by Council's Audit Risk and Improvement Committee meeting of 23 June.

**OFFICER RECOMMENDATION**

That Council submit the following motion for consideration at the 2022 LGNSW Annual Conference  
*That the Association lobby the state government to:*

1. Increase penalties for sewer and water offences under the Local Government Act to a similar level as applies to state government owned water utilities, including higher offences for corporations compared with individuals,
2. Add an additional offence of "wrongfully take, use or divert any water" to Section 636 of the Local Government Act, noting that this is currently an offence which applies for state government owned water utilities, and
3. Modify Schedule 1 of the Local Government (General) Regulation to extend the issuing of Penalty Infringement Notices (PIN) to all sewer and water offences, again noting that state government owned water utilities can issue PINs for most offences under their legislation.

**MOTION**

That Council submit the following motion for consideration at the 2022 LGNSW Annual Conference  
*That the Association lobby the state government to:*

1. Increase penalties for sewer and water offences under the Local Government Act to a similar level as applies to state government owned water utilities, including higher offences for corporations compared with individuals,
2. Add an additional offence of "wrongfully take, use or divert any water" to Section 636 of the Local Government Act, noting that this is currently an offence which applies for state government owned water utilities, and
3. Modify Schedule 1 of the Local Government (General) Regulation to extend the issuing of Penalty Infringement Notices (PIN) to all sewer and water offences, again noting that state government owned water utilities can issue PINs for most offences under their legislation.

**COUNCIL RESOLUTION - 07.22.166****Pickering/Johnstone**

1. **That Council submit the following motion for consideration at the 2022 LGNSW Annual Conference**  
**That the Association lobby the state government to:**
  - a. **Increase maximum penalties for sewer and water offences under the Local Government Act to a similar level as applies to state government owned water utilities, including higher offences for corporations compared with individuals,**

- b. Add an additional offence of “wrongfully take, use or divert any water” to Section 636 of the Local Government Act, noting that this is currently an offence which applies for state government owned water utilities, and
  - c. Modify Schedule 1 of the Local Government (General) Regulation to extend the issuing of Penalty Infringement Notices (PIN) to all sewer and water offences, again noting that state government owned water utilities can issue PINs for most offences under their legislation.
- 2. That Council makes representations to the Minister for Local Government, the Hon Wendy Tuckerman and Local State Member for Clarence the Hon Chris Gulaptis requesting support to lobby the government on the above motions.

Voting recorded as follows

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

Against: Nil

**CARRIED**

## ENVIRONMENT &amp; PLANNING

**ITEM 07.22.149 SUB 2022/0024 - TWO LOT SUBDIVISION - 19 THROUGH STREET, SOUTH GRAFTON**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	Development Planner, James Hamilton	
<b>Attachments</b>	A. SUB2022-0024 - Proposed Plans <a href="#">⇨</a> B. SUB2022 0024 Applicants Clause 4.6 Request <a href="#">⇨</a> C. SUB2022-0024 - Section 4.15 Assessment <a href="#">⇨</a>	

**SUMMARY**

<i>Applicant</i>	A Fletcher & Associates Pty Ltd
<i>Owner</i>	Lashan Fabrications Pty Ltd
<i>Address</i>	19 Through Street, South Grafton (Lot 2 DP 558366)
<i>Submissions</i>	Nil.

Development Application SUB2022/0024 seeks approval for a two (2) lot subdivision of 19 Through Street, South Grafton, being Lot 2 DP 558366. The Applicant has sought approval for a variation under Clause 4.6 – exceptions to development standards of the *Clarence Valley Local Environmental Plan 2011* to vary the minimum lot size of 1,000m<sup>2</sup> in the B5 Business Development zone.

The variation sought is greater than 10% which is outside of Council staff delegations, therefore the application is forwarded to Council for determination. The report provides an assessment of the application and a recommendation for Council's consideration.

**OFFICER RECOMMENDATION**

That Council:

1. Approve the requested variation to Clause 4.1 Minimum Subdivision Lot Size of the *Clarence Valley Local Environmental Plan 2011* under Clause 4.6 – Exceptions to Development Standards to enable creation of proposed Lot 202 (being 790m<sup>2</sup>) which is below the minimum 1000m<sup>2</sup> lot size of the B5 Business Development zone., being a variation of 20.9%; and
2. Approve Development Application SUB2022/0024 subject to the draft Advices and Conditions contained in Schedule 1.

**COUNCIL RESOLUTION - 07.22.149**

**Day/Johnstone**

**That Council:**

1. Approve the requested variation to Clause 4.1 Minimum Subdivision Lot Size of the *Clarence Valley Local Environmental Plan 2011* under Clause 4.6 – Exceptions to Development Standards to enable creation of proposed Lot 202 (being 790m<sup>2</sup>) which is below the minimum 1000m<sup>2</sup> lot size of the B5 Business Development zone., being a variation of 20.9%; and
2. Approve Development Application SUB2022/0024 subject to the draft Advices and Conditions contained in Schedule 1.

**Voting recorded as follows**

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

**Against:** Nil

**CARRIED**

**ITEM 07.22.150 DA2021/1343 DEMOLISH EXISTING FARMHOUSE AND SURROUNDING BUILDINGS AND CONSTRUCT A CREMATORIUM FACILITY, 873 ARMIDALE ROAD BRAUNSTONE**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	Senior Development Planner, Patrick Ridgway	
<b>Attachments</b>	A. Statement of Environmental Effects DA2021-1343 <a href="#">⇒</a> B. Proposed Plans - DA2021-1343 <a href="#">⇒</a> C. General Info on Joule Cremator DA2021-1343 <a href="#">⇒</a> D. Social Impact Assessment report DA2021-1343 <a href="#">⇒</a> E. Qualitative Air Quality Assessment DA2021-1343 <a href="#">⇒</a> F. Section 4.15 Assessment Report DA2021-1343 <a href="#">⇒</a> G. Submissions DA2021-1343 Crematorium redacted <a href="#">⇒</a>	

**SUMMARY**

<i>Applicant</i>	A. Fletcher & Associates Pty Ltd
<i>Owner</i>	Daniel Kelly
<i>Address</i>	873 Armidale Road Braunstone NSW 2460, being Lot 17 DP817400
<i>Submissions</i>	9 submissions and a petition signed by 20 people

Council has received Development Application DA2021/1343 for a crematoria facility at 873 Armidale Road, Braunstone, being Lot 17 DP817400. The facility will include an office, bathroom, two chimney stacks and an area for delivery and transfer. The subject site is within the RU2 Rural Landscape Zone and the facility will be located over a leased area of 10,580m<sup>2</sup> on the 103.9 hectare property.

During the exhibition period, nine (9) submissions and a petition signed by twenty (20) people objecting to the proposal was received. The majority of the submissions raised concerns as to the compatibility of the proposal with the surrounding area and impacts on amenity. The matters raised are discussed in detail in the Key Issues section of this report. Through limitations on the use to a maximum of three (3) days per week and the limited hours of operation, prohibiting advertising signage, as well as a requirement to provide landscape screening, the development is recommended for approval subject to the imposition of the draft Advices and Conditions contained within Schedule 1.

This report provides an assessment of the application and a recommendation for Council's consideration

**OFFICER RECOMMENDATION**

That DA2021/1343 be approved subject to the draft Advices and Conditions contained in Schedule 1.

**MOTION**

That DA2021/1343 be approved subject to the draft Advices and Conditions contained in Schedule 1.

**COUNCIL RESOLUTION - 07.22.150**

**Tiley**

**That Council note DA2021/1343 has been withdrawn by the applicant.**

**Voting recorded as follows**

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

**Against:** Nil

**CARRIED**

**ITEM 07.22.151 DA2021/0322 REDEVELOPMENT OF THE FISHING HAVEN HOLIDAY PARK, PALMERS ISLAND**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	Environment & Planning	
<b>Prepared by</b>	Senior Development Planner, Patrick Ridgway	
<b>Attachments</b>	A. DA2021-0322 Revised Layout Plan Fishing Haven CP <a href="#">⇒</a> B. DA2021-0322 JK Geotechnics Report 23-05-22 <a href="#">⇒</a> C. DA2021-0322 Geotechnical Insurance Advice Fishing Haven CP <a href="#">⇒</a> D. DP209170 Section 88E restriction <a href="#">⇒</a> E. Section 4.15 Assessment Report <a href="#">⇒</a> F. 2018 RHDHV Report - Investigations to address Deferred Commencement for DA2011-0743 <a href="#">⇒</a> G. DA2021-0322 Letter response to new cabins 4.7.2022 <a href="#">⇒</a>	

**SUMMARY**

<i>Applicant</i>	A Fletcher & Associates Pty Ltd
<i>Owner</i>	Stammax Pty Ltd
<i>Address</i>	35 River Street, Palmers Island, being Lots 6, 7, 8, 9, 10, 11, 12, 13 & 14 DP 209170, Lot 101 DP1268131 & Lot 201 DP 1173332
<i>Submissions</i>	Nil

A Development Application for the redevelopment of the Fishing Haven Caravan Park, Palmers Island has been received. The caravan park is located on RU1 and RU2 zoned land, within the Palmers Island Riverbank Erosion Planning Map identified in Clause 7.6 of the Clarence Valley Local Environmental Plan 2011 (the CVLEP), Part P – Palmers Island Riverbank Controls of the Rural Zones Development Control Plan (the DCP) and the Palmers Island River Bank Erosion and Assessment and Management Plan, July 1992.

The development includes the reconfiguration of the cabin and caravan sites and new internal road network to reduce the overall number of sites from 54 to 53 and to better manage risk from riverbank erosion. A key issue is the consideration of 16 sites proposed within Precinct 1 of the DCP's Palmers Island Riverbank Controls, being the area between the riverbank and the immediate management line. The Applicant has provided current geotechnical advice regarding the riverbank erosion risk to the proposed sites which concludes the risk is 'acceptable'.

The waterfront lots of the caravan park have a restriction on title requiring that no building, camping, caravans or tents are permitted on the land. Modification of these restrictions on title is also requested to allow the proposed re-development of the park.

The assessment of the application has considered the relevant planning instruments and development controls, including assessment of the risk from riverbank erosion and flooding. Overall, Council officers recommend approval for the following reasons:

- The proposal relocates and reduces the number sites away from the riverbank to lower risk 'acceptable' areas based on geotechnical advice
- The existing approval for the caravan park exposes people to higher risks from riverbank erosion
- Sites within the riverbank erosion area will be required to be removed should the riverbank failure occur within 18 metres of a site
- All proposed buildings are moveable dwellings or relocatable cabins
- The recommended conditions of consent and restriction-on-title properly manages risk to meet the CVLEP and DCP requirements.
- The caravan park comprises a single management entity which assists in ensuring compliance with the recommended conditions, including an updated flood evacuation plan.

Related to the development application, four (4) cabins have been located on four (4) of the proposed sites prior to an approval being issued. Council staff have sought an explanation from the applicant prior to this report being submitted to a Council meeting. A letter from the applicant dated 4 July 2022 is attached to this report outlines the reasons by the owners and submits that no compliance action is warranted, particularly if the Council approves the park reconfiguration.

This report is submitted to Council for consideration and provides a recommendation for determination.

## OFFICER RECOMMENDATION

That Council:

1. Approve Development Application DA2021/0322 subject to the draft Advices and Conditions attached to Schedule 1 of this report;
2. Agree to modify and add new restrictions on title on lots to allow camping, caravan and cabins sites on Lots 6, 7, 8, 9, 11, 12, 13 and 14 DP209170 and 101 DP1268131, subject to the risk management provisions in accordance with draft condition 6;
3. Note it is acting in 'good faith' to maintain Statutory Immunity under Section 733 of the *Local Government Act 1993* in making a decision based on:
  - a. The 'acceptable' risk assessments undertaken on riverbank erosion by the comprehensive Royal Haskoning investigation and assessment report in July 2018 and Geotechnical review by JK Geotechnics in May 2022; and
  - b. The imposition of conditions on DA2021/0322 to appropriately manage and improve the risk for temporary tourist and visitor accommodation from natural hazards and consideration of climate change impacts.

## COUNCIL RESOLUTION - 07.22.151

### Pickering/Johnstone

That Council:

1. Approve Development Application DA2021/0322 subject to the draft Advices and Conditions attached to Schedule 1 of this report;
2. Agree to modify and add new restrictions on title on lots to allow camping, caravan and cabins sites on Lots 6, 7, 8, 9, 11, 12, 13 and 14 DP209170 and 101 DP1268131, subject to the risk management provisions in accordance with draft condition 6;
3. Note it is acting in 'good faith' to maintain Statutory Immunity under Section 733 of the *Local Government Act 1993* in making a decision based on:
  - a. The 'acceptable' risk assessments undertaken on riverbank erosion by the comprehensive Royal Haskoning investigation and assessment report in July 2018 and Geotechnical review by JK Geotechnics in May 2022; and
  - b. The imposition of conditions on DA2021/0322 to appropriately manage and improve the risk for temporary tourist and visitor accommodation from natural hazards and consideration of climate change impacts.
4. That the following modified conditions of consent apply subject to:
  - a. Condition 1 being amended to reference drawing 'Plan of proposed Cabin and Van Site Layout', drawn by A Fletcher & Associates Pty Ltd, dated 17/05/22, drawing no. 9358 and revision B
  - b. Condition 5 being amended to read:  
*Within 8 weeks of a 10% Average Exceedance Probability (AEP) flood event occurring (and any flood in excess of a 10% AEP event) the applicant is to undertake a site-specific geotechnical investigation/survey of the Fishing Haven Caravan Park riverbank to assess any scouring and/or steeping of the riverbank that has occurred, and provide a copy of this assessment to Council. If any scouring and/or steeping of the riverbank has occurred the applicant is to undertake a detailed site-specific geotechnical investigation report on the structural stability and integrity of the existing riverbank embankment, sub-strata geology and adjacent soil profile and an assessment of risk to the Fishing Haven Caravan Park. The detailed site-specific geotechnical investigation report shall be submitted to Council within 3 months after the 10% AEP flood event (and any flood in excess of a 10% AEP event). The applicant shall implement any recommendations from the geotechnical investigation report, subject to Council approval.*
  - c. Condition 6 being amended to read:  
*At any time should riverbank erosion result in a site becoming within 8 metres of the 'Patterson Line' identified under the Patterson Britton and Partners Pty Ltd Report 1992 (being the landward limit of the zone of immediate high risk, including 1% annual exceedance probability, including toe scour, identified in the July 1992 Patterson Britton & Partners report) the consent for those sites will cease and any buildings or structures are to be removed at the landowner's expense.*

- d. condition 18 be amended to read; onsite detention (OSD) and water quality control systems need not be provided until a building is occupied on the lot, but the SWMP must demonstrate NorBe by calculation and details acceptable to Council. A section 88e easement, 88b easement, positive Covenant or restriction-as-to-user encumbrance for stormwater management on the land title of the existing allotments is required to ensure future building development compliance.*
- e. condition 21 be amended to read; A detailed Erosion and Sediment Control Management Plan for each stage of the redevelopment process must be submitted.*

Voting recorded as follows

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

Against: Nil

**CARRIED**



**CORPORATE & GOVERNANCE****ITEM 07.22.153 TREELANDS DRIVE COMMUNITY CENTRE UPGRADE PROJECT UPDATE AND FUNDING PLAN**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Manager Cultural, Community & Industry, Justin Putze	
<b>Attachments</b>	Nil	

**SUMMARY**

This report provides an update on the Treelands Drive Community Centre upgrade project and the funding plan to support the project. The Treelands Drive Community Centre (MIN 14.099/18) is one of a number of Bushfire Local Economic Recovery Funded projects. Upgrade of the Centre completes the strategic intent of the Treelands site as the Yamba Community Precinct, incorporating Council's community services, the TAFE Connected Learning site and Health Services Access site.

**OFFICER RECOMMENDATION**

That Council

1. Endorses the preparation of a planning proposal to amend the Clarence Valley Local Environmental Plan 2011 to reclassify the land at 45 Wooli Street, Yamba from 'community' to 'operational', noting that a public hearing will be required under s29 of the local Government Act in accordance with s57 of the Environment and Planning Assessment Act.
2. Delegate authority to the General Manager to execute documentation associated with the preparation and processing of the planning proposal.
3. Pending the reclassification to "operational" land, Council endorses the sale of 45 Wooli Street Yamba and allocation of the proceeds of sale toward the Treelands Drive Community Centre upgrade.
4. Endorse the planning proposal and associated costs be funded from the Strategic Building Reserve RA 10520 and recouped from the proceeds of sale of 45 Wooli Street Yamba.
5. Receive a report to approve the sale price of 45 Wooli Street, pending reclassification from 'Community' to 'Operational'

**MOTION**

That Council

1. Endorses the preparation of a planning proposal to amend the Clarence Valley Local Environmental Plan 2011 to reclassify the land at 45 Wooli Street, Yamba from 'community' to 'operational', noting that a public hearing will be required under s29 of the local Government Act in accordance with s57 of the Environment and Planning Assessment Act.
2. Delegate authority to the General Manager to execute documentation associated with the preparation and processing of the planning proposal.
3. Pending the reclassification to "operational" land, Council endorses the sale of 45 Wooli Street Yamba and allocation of the proceeds of sale toward the Treelands Drive Community Centre upgrade.
4. Endorse the planning proposal and associated costs be funded from the Strategic Building Reserve RA 10520 and recouped from the proceeds of sale of 45 Wooli Street Yamba.
5. Receive a report to approve the sale price of 45 Wooli Street, pending reclassification from 'Community' to 'Operational'

**MOTION**

Day/Clancy

That Council review estimates and design of the Treelands Drive Community Precinct upgrade and reconsult the community about this project and not proceed with the planning proposal to enable the sale of 45 Wooli Street, Yamba at this stage.

Voting recorded as follows

For: Clancy, Day, Tiley

Against: Johnstone, Novak, Pickering, Smith, Toms

The Motion was put and declared LOST



**COUNCIL RESOLUTION - 07.22.153****Novak/Toms**

**That this item be deferred to the September Ordinary Council Meeting to allow for the matter to be discussed at an August Workshop.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED****FORESHADOWED MOTION**

Pickering

That Council

1. Endorses the preparation of a planning proposal to amend the Clarence Valley Local Environmental Plan 2011 to reclassify the land at 45 Wooli Street, Yamba from 'community' to 'operational', noting that a public hearing will be required under s29 of the local Government Act in accordance with s57 of the Environment and Planning Assessment Act.
2. Delegate authority to the General Manager to execute documentation associated with the preparation and processing of the planning proposal.
3. Pending the reclassification to "operational" land, Council endorses the sale of 45 Wooli Street Yamba and allocation of the proceeds of sale toward the Treelands Drive Community Centre upgrade.
4. Endorse the planning proposal and associated costs be funded from the Strategic Building Reserve RA 10520 and recouped from the proceeds of sale of 45 Wooli Street Yamba.
5. Receive a report to approve the sale price of 45 Wooli Street, pending reclassification from 'Community' to 'Operational'

**ITEM 07.22.154 CHECKLIST MEETING SCHEDULE - UPDATES ON ACTIONS TAKEN**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Corporate Support Assistant, Karlie Chevalley	
<b>Attachments</b>	A. Completed checklist items (Separate Cover) <a href="#">↗</a> B. Outstanding checklist items (Separate Cover) <a href="#">↗</a> C. Rolling checklist from Feb 2022 (Separate Cover) <a href="#">↗</a>	

**SUMMARY**

This report updates Councillors on actions taken to implement resolutions of previous Council meeting.

**OFFICER RECOMMENDATION**

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

**COUNCIL RESOLUTION - 07.22.154**

**Day/Johnstone**

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

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**ITEM 07.22.155 GOVERNANCE REPORT Q4 2021-22**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Governance Officer, Bligh Grant	
<b>Attachments</b>	Nil	

**SUMMARY**

This report summarises the status of legal proceedings, complaints lodged, Government Information (Public Access) applications, new and/or updated Disclosure of Interest returns and insurance claims in Q4 2021-22 (1 April 2022 to 30 June 2022).

**OFFICER RECOMMENDATION**

That Council receive and note the Q4 2021-22 Governance Report.

**COUNCIL RESOLUTION - 07.22.155**

**Day/Johnstone**

**That Council receive and note the Q4 2021-22 Governance Report.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**ITEM 07.22.156 MONTHLY INVESTMENT REPORT - JUNE 2022**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Acting Financial Accountant, Kirsty Gooley	
<b>Attachments</b>	A. Movement of funds between months June 2022 <a href="#">⇒</a>	

**SUMMARY**

The purpose of this report is to inform Council of the details of Council's investment funds at the end of each month.

**OFFICER RECOMMENDATION**

That the report indicating Council's funds investment position as at 30 June 2022 be noted.

**COUNCIL RESOLUTION - 07.22.156**

**Clancy/Pickering**

**That the report indicating Council's funds investment position as at 30 June 2022 be noted.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**ITEM 07.22.157 COMMITTEES REPORT**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Governance Officer, Bligh Grant	
<b>Attachments</b>	Nil	

**SUMMARY**

This report asks Council to consider the recommendation of Council officers for the appointment of members to the Grafton Saleyards Committee. It also asks Council to progress the establishment of four (4) 355 committees.

**OFFICER RECOMMENDATION**

That Council:

1. Appoint the following to the Grafton Saleyards Committee: Barry McKee, Derek Morgan, David Farrell, Mitch Donovan, Geoff Brown, and Craig Pigg.
2. Note the election of the following Office Bearers for the Coaldale/Barrett's Creek Community Centre Committee: Stephen Golding - President; Jim Smith – Vice President; Alan Reardon – Secretary; Cheryl Smith – Treasurer.
3. Note the election of the following Office Bearers for the Dundurrabin Community Centre Management Committee: Deb Thornhill (Joint Chair); Sally Clayton (Joint Chair); Dylan Garson (Joint Secretary), Sally Lade (Shakti) (Joint Secretary); Leslie Ayling (Treasurer).
4. Accept the additional two recommended appointments to the Wooloweyah Parks and Reserves Management 355 Committee: Donna Cole and Loueen Winters.
5. Note the election of the following Office Bearers for the Ilarwill Hall Management Committee: Chris Hellyer (President); John White (Secretary); Bob Little (Treasurer); Joy de Roos to remain as the contact person for Hall bookings.
6. Appoint a Councillor as Chair of the Rural Fire Service (RFS) District Liaison Committee.

**COUNCIL RESOLUTION - 07.22.157**

**Johnstone/Novak**

That Council:

1. Appoint the following to the Grafton Saleyards Committee: Barry McKee, Derek Morgan, David Farrell, Mitch Donovan, Geoff Brown, and Craig Pigg.
2. Note the election of the following Office Bearers for the Coaldale/Barrett's Creek Community Centre Committee: Stephen Golding - President; Jim Smith – Vice President; Alan Reardon – Secretary; Cheryl Smith – Treasurer.
3. Note the election of the following Office Bearers for the Dundurrabin Community Centre Management Committee: Deb Thornhill (Joint Chair); Sally Clayton (Joint Chair); Dylan Garson (Joint Secretary), Sally Lade (Shakti) (Joint Secretary); Leslie Ayling (Treasurer).
4. Accept the additional two recommended appointments to the Wooloweyah Parks and Reserves Management 355 Committee: Donna Cole and Loueen Winters.
5. Note the election of the following Office Bearers for the Ilarwill Hall Management Committee: Chris Hellyer (President); John White (Secretary); Bob Little (Treasurer); Joy de Roos to remain as the contact person for Hall bookings.
6. Appoint a Councillor as Chair of the Rural Fire Service (RFS) District Liaison Committee.

Voting recorded as follows

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

Against: Nil

**CARRIED**

**COUNCIL RESOLUTION - 07.22.157a**

**Johnstone/Toms**

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**That Councillor Pickering be appointed as Chair and Councillor Novak be the alternate delegate of the Rural Fire Service (RFS) District Liaison Committee.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

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**ITEM 07.22.158 POLICY REPORT**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Governance Officer, Bligh Grant	
<b>Attachments</b>	A. Fraud and Corruption Control V5.0 <a href="#">⇒</a> B. Keeping Animals Policy V2.0 <a href="#">⇒</a> C. Councillor Induction and PD Policy V1.0 <a href="#">⇒</a> D. Councillor Attendance Conferences V5.1 <a href="#">⇒</a>	

**SUMMARY**

This report asks that Council consider four (4) Council policies, three (3) to be placed on exhibition and subject to there being no submissions that change the intent of the policy, they be adopted and one (1) for adoption by Council following being placed on exhibition.

**OFFICER RECOMMENDATION**

That Council:

1. Place the Fraud and Corruption Policy V5.0 on public exhibition and subject to there being no submissions that change the intent of the policy it be adopted ([Attachment A](#))
2. Place the Keeping Animals Policy V2.0 on public exhibition and subject to there being no submissions that change the intent of the Policy it be adopted ([Attachment B](#))
3. Place the Councillor Induction and Professional Development Policy V1.0 on public exhibition and subject to there being no submissions that change the intent of the policy it be adopted ([Attachment C](#)).
4. Adopt the Councillor Attendance at Conferences Policy V5.1 ([Attachment D](#))

**COUNCIL RESOLUTION - 07.22.158**

**Clancy/Johnstone**

That Council:

1. Place the Fraud and Corruption Policy V5.0 on public exhibition and subject to there being no submissions that change the intent of the policy it be adopted ([Attachment A](#))
2. Defer the Keeping Animals Policy V2.0 and Councillor Attendance at Conferences Policy V5.1 ([Attachment D](#)) to be discussed at a workshop.
3. Place the Councillor Induction and Professional Development Policy V1.0 on public exhibition and subject to there being no submissions that change the intent of the policy it be adopted ([Attachment C](#)).

Voting recorded as follows

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

Against: Nil

**CARRIED**

**ITEM 07.22.159 ITEMS FOR INFORMATION**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	General Manager	
<b>Attachments</b>	A. Dundurrabin Minutes March 2022 <a href="#">⇒</a> B. Wooloweyah Treasurer's Report May 2022 <a href="#">⇒</a> C. Wooloweyah Minutes June 2022 <a href="#">⇒</a> D. Ilarwill Minutes June 2022 <a href="#">⇒</a>	

**SUMMARY**

Correspondence and minutes attached are for noting.

**OFFICER RECOMMENDATION**

That Council note the following:

1. Dundurrabin Community Centre 355 Meeting Minutes – March 2022
2. Wooloweyah Treasurer's Report – May 2022
3. Wooloweyah Parks and Reserves Management Committee Meeting Minutes – June 2022
4. Ilarwill Hall Management Committee Meeting Minutes – June 2022

**COUNCIL RESOLUTION - 07.22.159**

**Day/Johnstone**

That Council note the following:

1. Dundurrabin Community Centre 355 Meeting Minutes – March 2022
2. Wooloweyah Treasurer's Report – May 2022
3. Wooloweyah Parks and Reserves Management Committee Meeting Minutes – June 2022
4. Ilarwill Hall Management Committee Meeting Minutes – June 2022
- 5.

Voting recorded as follows

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

Against: Nil

**CARRIED**



**ITEM 07.22.160 2021/2022 OPERATIONAL PLAN END OF YEAR REPORT**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	A/Director - Corporate & Governance, Alex Moar	
<b>Attachments</b>	Nil	

**SUMMARY**

This report provides the end of year update on Council's performance in fulfilling its actions, services, projects and programs in the 2021/2022 Operational Plan.

**OFFICER RECOMMENDATION**

That the 2021/2022 Operational Plan end of year report as at 30 June 2022 be noted.

**COUNCIL RESOLUTION - 07.22.160**

**Day/Johnstone**

**That the 2021/2022 Operational Plan end of year report as at 30 June 2022 be noted.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**WORKS & CIVIL****ITEM 07.22.162 LOCAL TRAFFIC COMMITTEE**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Support Officer (Operations), Julie Wilks	
<b>Attachments</b>	A. Local Traffic Committee Minutes <a href="#">⇒</a> B. 0018.22 Jacaranda Festival 2021 Traffic Guidance Schemes <a href="#">⇒</a> C. 0018.22 Jacaranda Festival Combined Event Management Plans <a href="#">⇒</a> D. 0019.22 Yamba Twilight Markets <a href="#">⇒</a> E. 0023.22 Iluka Development Upgrades. Council resolution <a href="#">⇒</a> F. 0023.22 Iluka Development Upgrades. Extracted line marking and signage plans <a href="#">⇒</a> G. 0020.22 Yamba Triathlon 2022 Traffic Guidance Schemes 2021 <a href="#">⇒</a> H. 0020.22 Yamba Triathlon Event Management Plan <a href="#">⇒</a>	

**SUMMARY**

This report lists the recommendations made at the 6 July 2022 meeting of the Clarence Valley Council Local Traffic Committee.

**OFFICER RECOMMENDATION**

That the recommendations of the Local Traffic Committee included in the Minutes of the 6 July 2022 meeting be adopted by Council.

**COUNCIL RESOLUTION - 07.22.162**

**Day/Johnstone**

**That the recommendations of the Local Traffic Committee included in the Minutes of the 6 July 2022 meeting be adopted by Council.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**ITEM 07.22.163 BROOMS HEAD HOLIDAY PARK PACKAGE ON-SITE SEWAGE TREATMENT PLANT PROJECT REPORT - ON CROWN LAND**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Manager Open Spaces & Facilities, Peter Birch	
<b>Attachments</b>	Nil	

**SUMMARY**

This report is seeking Council's delegation to the General Manager to accept open tenders for the new package -on-site sewage management treatment plant at the Brooms Head Holiday Park to facilitate project timeframes and update progress on the project.

**OFFICER RECOMMENDATION**

That Council under S377 of the Local Government Act, delegate to the General Manager to accept tenders for the new packaged -on-site sewage management treatment plant at the Brooms Head Holiday Park.

**COUNCIL RESOLUTION - 07.22.163**

**Day/Johnstone**

**That Council under S377 of the Local Government Act, delegate to the General Manager to accept tenders for the new packaged -on-site sewage management treatment plant at the Brooms Head Holiday Park.**

**Voting recorded as follows**

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

**Against: Nil**

**CARRIED**

**ITEM 07.22.164 CLARENCE COAST HOLIDAY PARKS PURCHASE OF PERMANENT SITES - ON CROWN LAND**

<b>Meeting</b>	Council	26 July 2022
<b>Directorate</b>	Works & Civil	
<b>Prepared by</b>	Manager Open Spaces & Facilities, Peter Birch	
<b>Attachments</b>	Nil	

**SUMMARY**

This report is recommending the allocation of budget to be used to purchase residential land lease 'permanent' sites for sale that are in prime locations in the Brooms Head, Minnie Water and Wooli Holiday Parks.

**OFFICER RECOMMENDATION**

That Council,

1. Allocate a budget of \$200,000 for the purchase of residential land lease sites within Brooms Head, Minnie Water and Wooli Holiday Parks to be funded from the Crown Reserve Fund.
2. Endorse the variation to the budget be included in the Q1 Quarterly Business Review Statement to be reported in October 2022.
3. Delegate to the General Manager to negotiate the purchase of the sites in consultation with the vendor following valuation.
4. Endorse the inclusion of the following action 'Purchase residential land lease sites within Brooms Head, Minnie Water and Wooli Holiday Parks as and when they become available' in the 2022/2023 Operational Plan for Holiday Parks.
5. Note that information about any purchases will be reported through six monthly reports against the Delivery Program reports.

**COUNCIL RESOLUTION - 07.22.164**

**Day/Johnstone**

That Council,

1. **Allocate a budget of \$200,000 for the purchase of residential land lease sites within Brooms Head, Minnie Water and Wooli Holiday Parks to be funded from the Crown Reserve Fund.**
2. **Endorse the variation to the budget be included in the Q1 Quarterly Business Review Statement to be reported in October 2022.**
3. **Delegate to the General Manager to negotiate the purchase of the sites in consultation with the vendor following valuation.**
4. **Endorse the inclusion of the following action 'Purchase residential land lease sites within Brooms Head, Minnie Water and Wooli Holiday Parks as and when they become available' in the 2022/2023 Operational Plan for Holiday Parks.**
5. **Note that information about any purchases will be reported through six monthly reports against the Delivery Program reports.**

Voting recorded as follows

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

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 3:33pm.