

Ordinary Council Meeting

Minutes

Grafton - 25 June 2024 - 3:00 PM



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1. OPENING OF ORDINARY MEETING

MINUTES of the ORDINARY MEETING of the CLARENCE VALLEY COUNCIL at Grafton, 25 June 2024 commencing at 3:00 PM and closing at 5.43pm.

AFFIRMATION – Cr Debrah Novak delivered the Affirmation.

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

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

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

ANNOUNCEMENT – The General Manager delivered the Announcement.

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

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

PRESENT

Cr Greg Clancy, Cr Bill Day, Cr Peter Johnstone, Cr Debrah Novak, Cr Steve Pickering, Cr Jeff Smith, Cr Ian Tiley, Cr Karen Toms and Cr Allison Whaites
General Manager (Laura Black), Director – Corporate & Community (Alex Moar), Director – Environment & Planning (Adam Cameron), Director – Works & Civil (Jamie Fleeting) and Minutes Secretary ()

2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Nil

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 Debrah Novak	07.24.101	<ul style="list-style-type: none"> ▪ Pecuniary – Remain in the Meeting ▪ Contractor to the Markets
Cr Toms	07.24.102	<ul style="list-style-type: none"> ▪ Pecuniary – Leave the Meeting ▪ Director of JKT & Sons P/L. Contract Manager for IRHP who manage the Spencer Street Community Hall bookings.
Cr Smith	07.24.105	<ul style="list-style-type: none"> ▪ Non-Significant Non-Pecuniary – Remain in the Meeting ▪ Member of the Jacaranda Festival

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

That the Minutes of Ordinary Meeting of Council dated 28 May 2024, copies of which have been circulated, be taken as read and be confirmed.

Voting recorded as follows

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

Against: Clancy

CARRIED**5. MAYORAL MINUTES**

Nil

6. NOTICES OF MOTION

Nil

VOTE BY EXCEPTION - 07.24.092**Tiley/Clancy**

That the following items be adopted as recommended:

07.24.092

07.24.094

07.24.095

07.24.096

07.24.099

07.24.105

07.24.108

07.24.109

07.24.111

07.24.112

07.24.113

07.24.114

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 07.24.090 FUNDING FOR CLARENCE VALLEY IN LIEU OF ULMARRA TO SOUTHGATE FERRY OPERATIONS

Meeting	Council	25 June 2024
Directorate	General Manager	
Prepared by	General Manager, Laura Black	
Reviewed by	General Manager, Laura Black	
Attachments	A. Correspondence to Transport NSW October 2021 ↗ B. Correspondence to the State Member October 2021 ↗	

SUMMARY

The cessation of Ulmarra to Southgate Ferry on 10 June 2024, gives rise to an opportunity to advocate for compensatory funds to be spent on infrastructure in the Clarence Valley. This report seeks Council's consideration of advocating that funds proportional to the loss of the ferry service be spent in community.

Total funds sought are \$8,883,950 to be allocated to Clarence Valley Council. Transport NSW staff have advised the cost to upgrade the ferry would likely have been in the vicinity of \$4m and annual running costs exceed \$800,000.

OFFICER RECOMMENDATION

That Council:

1. writes to Local State Member Richie Williamson seeking his support in advocating for an allocation of funds to the Clarence Valley in lieu of continuation of the Ulmarra to Southgate Ferry service by Transport NSW.
2. writes to the Minister for Regional Transport, the Hon. Jenny Aitchison requesting:
 - a. funding totalling \$8,883,950 to enable the upgrade of 5kms of Lawrence Road from Great Marlow to Grafton and, completion of the Ulmarra Riverside Precinct Bailey Park connectivity and Small Park upgrade and, completion of the Grafton Waterfront Precinct from Clarence Street to the Grafton Bridge.
 - b. Transport NSW prioritises its commitment to design and deliver pedestrian access across Big River Way in the town of Ulmarra to facilitate connectivity in the town.
 - c. Funds be made available to Transport NSW to prioritise the upgrade of the Pound and Villiers Street intersection to a signalised intersection as this is both a residual matter relating to the Grafton Bridge duplication and an intersection that will experience increased vehicular movements as a result of cessation of the Ulmarra to Southgate Ferry.

COUNCIL RESOLUTION - 07.24.090

Pickering/Novak

That Council:

1. writes to Local State Member Richie Williamson seeking his support in advocating for an allocation of funds to the Clarence Valley in lieu of continuation of the Ulmarra to Southgate Ferry service by Transport NSW.
2. writes to the Minister for Regional Transport, the Hon. Jenny Aitchison requesting:
 - a. funding totalling \$8,883,950 to enable the upgrade of 5kms of Lawrence Road from Great Marlow to Grafton and, completion of the Ulmarra Riverside Precinct Bailey Park connectivity and Small Park upgrade and, completion of the Grafton Waterfront Precinct from Clarence Street to the Grafton Bridge.
 - b. Transport NSW prioritises its commitment to design and deliver pedestrian access across Big River Way in the town of Ulmarra to facilitate connectivity in the town.
 - c. Funds be made available to Transport NSW to prioritise the upgrade of the Pound and Villiers Street intersection to a signalised intersection as this is both a residual matter

relating to the Grafton Bridge duplication and an intersection that will experience increased vehicular movements as a result of cessation of the Ulmarra to Southgate Ferry.

Voting recorded as follows

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

Against: Nil

CARRIED

ENVIRONMENT & PLANNING**ITEM 07.24.091 MOD2024/0004 - MODIFICATION OF DA2022/0471 FOR MULTI DWELLING HOUSING (17 DWELLINGS) AT 6 YAMBA ROAD, YAMBA**

Meeting	Council	25 June 2024
Directorate	Environment & Planning	
Prepared by	Development Planner, Jessica Summerhayes	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	A. MOD2024/0004 Proposal Plans ⇨ B. MOD2024/0004 Shadow Diagrams ⇨ C. MOD2024/0004 Assessment Report ⇨ D. MOD2024/0004 Submissions ⇨ E. MOD2024/0004 Statement of Environmental Effects ⇨	

SUMMARY

<i>Applicant</i>	Habitat Yamba Pty Ltd
<i>Owner</i>	Noah Developments Pty Ltd
<i>Address</i>	Lot 263 DP 8228296, Yamba Road YAMBA NSW 2464
<i>Submissions</i>	Five (5) submissions objecting to the proposal

Council has received a Modification Application under Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*. The Modification Application seeks to amend DA2022/0471 for Multi Dwelling Housing (17 dwellings) and a swimming pool as follows:

- Increasing the building height of Building 1 only, as a result of a redesign of the roof from a flat roof to a skillion roof and an increase in internal ceiling heights,
- Redesign of visitor parking, changed from a parallel park to a 'nose in' arrangement, and
- Minor modifications to some internal layouts of the dwellings although it is noted that the dwelling type mix remain the same.

The application was advertised and notified in accordance with the Community Participation Plan and a total of five (5) submissions were received during assessment of the application.

The application is referred to Council for determination in accordance with Council staff delegations and due to the public interest. This report provides an assessment of the application, a summary of the matters raised in the submissions and a recommendation for Council's consideration.

OFFICER RECOMMENDATION

That Council:

1. accept the Section 4.55(2) modification application MOD2024/0004 to be substantially the same development as originally approved; and
2. approve Modification Application MOD2024/0004 subject to the draft amendments to the conditions of development consent issued under DA2022/0471 contained in Schedule 1.

MOTION

Toms/Whaites

That Council:

1. accept the Section 4.55(2) modification application MOD2024/0004 to be substantially the same development as originally approved; and
2. approve Modification Application MOD2024/0004 subject to the draft amendments to the conditions of development consent issued under DA2022/0471 contained in Schedule 1.

Voting recorded as follows

For: Toms, Whaites

Against: Clancy, Day, Johnstone, Novak, Pickering, Smith, Tiley

The Motion was put and declared LOST

COUNCIL RESOLUTION - 07.24.091

Tiley/Clancy

That council refuse the section 4.55(2) modification application MOD2024/0004 on the basis that it does not conform to the Clarence Valley Local Environment Plan 2011.

Voting recorded as follows

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

Against: Toms

CARRIED

ITEM 07.24.092 PLANNING PROPOSAL (REZ2023/0005) TO AMEND CLARENCE VALLEY LOCAL ENVIRONMENTAL PLAN 2011 TO PERMIT AN ADDITIONAL PERMITTED USE (HOTEL OR MOTEL ACCOMMODATION) ON PART LOT 11 DP 1269790, 75-79 SPENCER STREET, ILUKA

Meeting	Council	25 June 2024
Directorate	Environment & Planning	
Prepared by	Strategic Planner, Jasmine Oakes	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	A. Planning Proposal - REZ2023-0005 (Separate Cover) ↗	

SUMMARY

This report seeks Council endorsement (as the planning proposal authority) to submit planning proposal REZ2023/0005 (**Attachment A**) to the Department of Planning, Housing and Infrastructure (DPHI) seeking a Gateway determination. The purpose being to amend Schedule 1 Additional Permitted Uses (APU) of the *Clarence Valley Local Environmental 2011* (CVLEP) and APU map, to allow development for the purpose of “hotel or motel accommodation” to be permitted with consent on part Lot 11 DP 1269790, 75-79 Spencer Street, Iluka, consisting of the Iluka Bowling Club (Club Iluka).

Club Iluka management have been in consultation with Council planning staff and have commissioned a Market and Financial Assessment to identify options to strengthen the club’s financial viability into the future. The planning proposal for an APU allowing for “hotel or motel accommodation” to be developed and be managed independent of the club is considered the most viable option for the security of the club into the future.

OFFICER RECOMMENDATION

That Council:

1. endorse planning proposal REZ2023/0005 (**Attachment A**) to amend Schedule 1 of the *Clarence Valley Local Environmental Plan 2011* and Additional Permitted Use map to allow development for the purpose of “hotel or motel accommodation” to be permitted with consent on part Lot 11 DP 1269790;
2. delegate authority to the General Manager to:
 - a. submit the planning proposal to the Department of Planning, Housing and Infrastructure seeking a Gateway determination;
 - b. execute all documentation associated with the local plan making functions, in the event Council is delegated as the local plan-making authority;
 - c. edit and finalise the planning proposal as required.
3. in the event a Gateway determination is issued, publicly exhibit the planning proposal REZ2023/0005 in accordance with Gateway conditions, legislative requirements and Council’s Community Participation Plan;
4. finalise the planning proposal REZ2023/0005 subject to no submissions being received that require further consideration by Council; and
5. note that if any submissions are received that object to or raise concerns over the proposal, this matter will be reported to the next available Council meeting for further consideration after submissions close.

COUNCIL RESOLUTION - 07.24.092

Tiley/Clancy

That Council:

1. endorse planning proposal REZ2023/0005 (**Attachment A**) to amend Schedule 1 of the *Clarence Valley Local Environmental Plan 2011* and Additional Permitted Use map to allow development for the purpose of “hotel or motel accommodation” to be permitted with consent on part Lot 11 DP 1269790;
2. delegate authority to the General Manager to:
 - a. submit the planning proposal to the Department of Planning, Housing and Infrastructure seeking a Gateway determination;
 - b. execute all documentation associated with the local plan making functions, in the event Council is delegated as the local plan-making authority;

- c. edit and finalise the planning proposal as required.
3. in the event a Gateway determination is issued, publicly exhibit the planning proposal REZ2023/0005 in accordance with Gateway conditions, legislative requirements and Council's Community Participation Plan;
 4. finalise the planning proposal REZ2023/0005 subject to no submissions being received that require further consideration by Council; and
 5. note that if any submissions are received that object to or raise concerns over the proposal, this matter will be reported to the next available Council meeting for further consideration after submissions close.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.093 PROPOSED INTERIM FLOOD PLANNING LEVELS FOR THE LOWER CLARENCE RIVER FLOODPLAIN

Meeting	Council	25 June 2024
Directorate	Environment & Planning	
Prepared by	Senior Strategic Planner (Policy), Alex Wells; Manager Technical Services, Greg Mashiah; Manager Development & Land Use Planning, Murray Lane	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	A. Redacted Submissions - Interim Flood Planning Levels (Separate Cover) ⇒ B. Submission Analysis - Interim Flood Planning Levels (Separate Cover) ⇒ C. BMT Technical Note - 2090 CC1a 1 percent AEP RCP 4.5 ⇒	

SUMMARY

Following completion of a high-level review and validation of the Lower Clarence Flood Model Update 2022 (2022 Flood Model), and with the concurrence from the then Department of Planning & Environment (DPE), at its 23 October 2023 meeting, Council resolved (Resolution 07.23.190) to publicly exhibit proposed interim Flood Planning Levels (FPLs) and to commence the process of modifying Floodplain Management Controls in Council's Development Control Plans to align with the interim FPLs. The proposed interim FPLs as exhibited is 1% AEP Climate Change 1 (RCP 4.5; 2123 Planning Horizon) scenario as the Defined Flood Event + 500mm Freeboard.

The proposed interim FPLs were publicly exhibited between 3 November 2023 and 29 January 2024. Twenty-four submissions were received. Submissions varied from questioning the accuracy and conclusions of the 2022 Flood Model, that the interim FPLs are too high and will impact on property values and building costs, to those that suggest current residential zoned land that is flood prone should not be permitted to increase fill.

Following review of these submissions and the need to balance managing flood risk, climate change assumptions and socio-economic considerations, staff commissioned BMT (Council's Flood modelling consultant) to undertake a further modelling exercise using the same model parameters as the adopted 2022 Flood Model. However, instead of using the proposed 100-year planning horizon (to 2123), this additional exercise used 2090 as an alternative planning horizon to inform the 1% AEP Climate Change 1 (RCP 4.5) flood event. 2090 is a commonly adopted planning horizon used for climate change scenarios and better aligns with average residential building life.

In consideration of the existing issues with habitable floor levels in North Grafton, whereby new development is permitted to a level of 6.4 metres under the current Development Control Plans (DCPs), a measured approach is recommended to ensure unforeseen socio-economic impacts are minimised regarding access to new housing and the local economy.

At its meeting of 25 March 2024, the Floodplain Risk Management Committee (FRMC) considered and endorsed the officer's recommendation.

The commencement of these changes is recommended once Council's DCPs are updated. Revised DCPs incorporating the interim FPLs are being prepared and will be presented at the next Ordinary Council Meeting, subject to Council resolving per the Officer Recommendation below.

OFFICER RECOMMENDATION

That Council:

1. adopt the proposed interim Flood Planning Levels (derived from Lower Clarence Flood Model Update 2022), being 1% AEP 2090 Climate Change (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard.
2. modify Floodplain Management Controls in Council's Development Control Plans to align with the interim Flood Planning Levels, including:
 - a. controls that require all new development to have a primary habitable floor level above the 1% AEP 2090 Climate Change (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard;

- b. controls for North Grafton to enable consideration of lower primary habitable floor levels to be built to the 1% AEP as the Defined Flood Event + 500mm freeboard where it is not practical or feasible to build to the interim Flood Planning Level;
 - c. updated controls that any development below the Flood Planning Level must be constructed from Flood Compatible Building Components, inclusive of new development in North Grafton that may be permitted to be built to the 1% AEP Flood + 500mm freeboard;
 - d. updated Objectives and Controls that permit habitable floor levels below the Flood Planning Level in limited circumstances, such as being limited to alterations and additions to existing dwellings, and rebuilding/upgrading of an existing lawful use where risk to flooding is not increased or is substantially reduced; and
 - e. reporting the draft amendments to Council for endorsement before exhibition.
3. confirms that the previous Flood Planning Levels derived from the 2013 flood model will continue to apply to existing Development Applications and those under assessment.
4. defer the commencement of the proposed Interim Flood Planning Levels until the adoption of updated Development Control Plans to provide an opportunity for those who may have already commenced planning a building project to submit a Development Application using the current (2013 flood model) Flood Planning Levels – noting that in order to comply with its Duty of Care responsibilities under s733 of the *Local Government Act 1993*, any such applicant will be advised of the latest information and provided the opportunity to change a development application comply with the Interim Flood Planning Level.
5. prepare a public awareness campaign on the newly adopted Interim Flood Planning Levels including how it will apply to different localities within the Local Government Area, in conjunction with public exhibition of the draft updated Development Control Plans.

MOTION

Toms/Novak

That Council:

1. adopt the proposed interim Flood Planning Levels (derived from Lower Clarence Flood Model Update 2022), being 1% AEP 2090 Climate Change (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard.
 2. modify Floodplain Management Controls in Council's Development Control Plans to align with the interim Flood Planning Levels, including:
 - a. controls that require all new development to have a primary habitable floor level above the 1% AEP 2090 Climate Change (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard;
 - b. controls for North Grafton to enable consideration of lower primary habitable floor levels to be built to the 1% AEP as the Defined Flood Event + 500mm freeboard.
 - c. updated controls that any development below the Flood Planning Level must be constructed from Flood Compatible Building Components, inclusive of new development in North Grafton that may be permitted to be built to the 1% AEP Flood + 500mm freeboard;
 - d. updated Objectives and Controls that permit habitable floor levels below the Flood Planning Level in limited circumstances, such as being limited to alterations and additions to existing dwellings, and rebuilding/upgrading of an existing lawful use where risk to flooding is not increased or is substantially reduced; and
 - e. reporting the draft amendments to Council for endorsement before exhibition.
 3. confirms that upon commencement, the proposed interim Flood Planning Levels shall not be lower than the those derived from the 2013 flood model.
 4. confirms that the previous Flood Planning Levels derived from the 2013 flood model will continue to apply to existing Development Applications and those under assessment.
 5. defer the commencement of the proposed Interim Flood Planning Levels until the adoption of updated Development Control Plans to provide an opportunity for those who may have already commenced planning a building project to submit a Development Application using the current (2013 flood model) Flood Planning Levels – noting that in order to comply with its Duty of Care responsibilities under s733 of the *Local Government Act 1993*, any such applicant will be advised of the latest information and provided the opportunity to change a development application comply with the Interim Flood Planning Level.
 6. prepare a public awareness campaign on the newly adopted Interim Flood Planning Levels including how it will apply to different localities within the Local Government Area, in conjunction with public exhibition of the draft updated Development Control Plans.
-

AMENDMENT MOTION

Pickering/Whaites

That Council:

1. adopt the proposed interim Flood Planning Levels (derived from Lower Clarence Flood Model Update 2022), being 1% AEP 2090 Climate Change (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard.
2. modify Floodplain Management Controls in Council's Development Control Plans to align with the interim Flood Planning Levels, including:
 - a. controls that require all new development to have a primary habitable floor level above the 1% AEP 2090 Climate Change (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard;
 - b. controls for North Grafton to enable consideration of lower primary habitable floor levels to be built to the 1% AEP as the Defined Flood Event + 500mm freeboard where it is not practical or feasible to build to the interim Flood Planning Level;
 - c. updated controls that any development below the Flood Planning Level must be constructed from Flood Compatible Building Components, inclusive of new development in North Grafton that may be permitted to be built to the 1% AEP Flood + 500mm freeboard;
 - d. updated Objectives and Controls that permit habitable floor levels below the Flood Planning Level in limited circumstances, such as being limited to alterations and additions to existing dwellings, and rebuilding/upgrading of an existing lawful use where risk to flooding is not increased or is substantially reduced; and
 - e. reporting the draft amendments to Council for endorsement before exhibition.
3. confirms that upon commencement, the proposed interim Flood Planning Levels shall not be lower than those derived from the 2013 flood model.
4. confirms that the previous Flood Planning Levels derived from the 2013 flood model will continue to apply to existing Development Applications and those under assessment.
5. defer the commencement of the proposed Interim Flood Planning Levels until the adoption of updated Development Control Plans to provide an opportunity for those who may have already commenced planning a building project to submit a Development Application using the current (2013 flood model) Flood Planning Levels – noting that in order to comply with its Duty of Care responsibilities under s733 of the *Local Government Act 1993*, any such applicant will be advised of the latest information and provided the opportunity to change a development application comply with the Interim Flood Planning Level.
6. prepare a public awareness campaign on the newly adopted Interim Flood Planning Levels including how it will apply to different localities within the Local Government Area, in conjunction with public exhibition of the draft updated Development Control Plans.

Voting recorded as follows

For: Day, Johnstone, Novak, Pickering, Whaites

Against: Clancy, Smith, Tiley, Toms

CARRIED

The Amendment Motion became the Substantive Motion.

COUNCIL RESOLUTION - 07.24.093

Toms/Novak

That Council:

1. adopt the proposed interim Flood Planning Levels (derived from Lower Clarence Flood Model Update 2022), being 1% AEP 2090 Climate Change (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard.
2. modify Floodplain Management Controls in Council's Development Control Plans to align with the interim Flood Planning Levels, including:
 - a. controls that require all new development to have a primary habitable floor level above the 1% AEP 2090 Climate Change (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard;
 - b. controls for North Grafton to enable consideration of lower primary habitable floor levels to be built to the 1% AEP as the Defined Flood Event + 500mm freeboard where it is not practical or feasible to build to the interim Flood Planning Level;
 - c. updated controls that any development below the Flood Planning Level must be constructed from Flood Compatible Building Components, inclusive of new development in North Grafton that may be permitted to be built to the 1% AEP Flood + 500mm freeboard;
 - d. updated Objectives and Controls that permit habitable floor levels below the Flood Planning Level in limited circumstances, such as being limited to alterations and additions to existing dwellings, and rebuilding/upgrading of an existing lawful use where risk to flooding is not increased or is substantially reduced; and
 - e. reporting the draft amendments to Council for endorsement before exhibition.
7. confirms that upon commencement, the proposed interim Flood Planning Levels shall not be lower than those derived from the 2013 flood model.
8. confirms that the previous Flood Planning Levels derived from the 2013 flood model will continue to apply to existing Development Applications and those under assessment.
9. defer the commencement of the proposed Interim Flood Planning Levels until the adoption of updated Development Control Plans to provide an opportunity for those who may have already commenced planning a building project to submit a Development Application using the current (2013 flood model) Flood Planning Levels – noting that in order to comply with its Duty of Care responsibilities under s733 of the *Local Government Act 1993*, any such applicant will be advised of the latest information and provided the opportunity to change a development application comply with the Interim Flood Planning Level.
10. prepare a public awareness campaign on the newly adopted Interim Flood Planning Levels including how it will apply to different localities within the Local Government Area, in conjunction with public exhibition of the draft updated Development Control Plans.

Voting recorded as follows

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

Against: Clancy

CARRIED**FORSHADOWED MOTION**

Clancy

That Council not approve anymore developments below 1% AEP including the climate change from CC1A.

FORESHADOWED MOTION

Whaites

That Council does not adopt interim FPLs until the completion of the floodplain Risk Management Study and Plan for the Lower Clarence River in accordance with the NSW floodplain Risk Management Manual.

ITEM 07.24.094 PROPOSED EXTENSION OF ALCOHOL FREE ZONES

Meeting	Council	25 June 2024
Directorate	Environment & Planning	
Prepared by	Manager Environment & Regulatory Services, Scott Lenton	
Reviewed by	Director Environment & Planning, Adam Cameron	
Attachments	A. AFZ and APA Fact Sheet ⇨ B. Alcohol Free Zones in CVLGA ⇨	

SUMMARY

A network of alcohol free zones has been long established across the five major urban centres of the Clarence Valley. Alcohol free zones are one management option available to local Council's and NSW Police that aim to reduce the incidence of alcohol-related crime and anti-social behaviour in public streets and public car parks. The inability to complete a thorough review of these zones during 2023/2024 has resulted in the need to extend the validity of these zones for a further 12-months while a review is completed. Without Council's resolution to extend operation of the alcohol free zones they will not have any legal effect.

OFFICER RECOMMENDATION

That Council:

1. extend operation of Alcohol Free Zones for parts of Grafton (including the July Racing Carnival event-based AFZ in the vicinity of the Grafton Racecourse), South Grafton, Maclean, Yamba and Iluka, in accordance with the areas shown on maps provided in the Attachments to this report, until 30 June 2025; and
2. note that a review of the Alcohol Free Zones will be completed in the period prior to 30 June 2025 in accordance with the NSW Office of Local Government Guidelines in consultation with relevant stakeholders.

COUNCIL RESOLUTION - 07.24.094

Tiley/Clancy

That Council:

1. **extend operation of Alcohol Free Zones for parts of Grafton (including the July Racing Carnival event-based AFZ in the vicinity of the Grafton Racecourse), South Grafton, Maclean, Yamba and Iluka, in accordance with the areas shown on maps provided in the Attachments to this report, until 30 June 2025; and**
2. **note that a review of the Alcohol Free Zones will be completed in the period prior to 30 June 2025 in accordance with the NSW Office of Local Government Guidelines in consultation with relevant stakeholders.**

Voting recorded as follows

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

Against: Nil

CARRIED

CORPORATE & COMMUNITY**ITEM 07.24.095 POLICY REPORT**

Meeting	Council	25 June 2024
Directorate	Corporate & Community	
Prepared by	Governance Officer, Lohrairie Souza	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	A. Backflow Prevention and Cross Connection Control Policy V2.1 ↗	

SUMMARY

This report recommends action in relation to Council Policies.

OFFICER RECOMMENDATION

That Council:

1. place the Backflow Prevention and Cross Connection Control Policy V2.1 on exhibition and subject to there being no submissions that change the intent of the policy that it be adopted.
2. note the adoption of the following policies post exhibition as they received one submission each that did not change the intent of the policies.
 - a. Credit Card Use Policy V5
 - b. Sundry Debtors Recovery Policy V2
 - c. Stock on Road Policy V7.0
 - d. Voluntary Contribution for Dust Sealing of Unsealed (Gravel) Roads V2.0

COUNCIL RESOLUTION - 07.24.095

Tiley/Clancy

That Council:

1. place the Backflow Prevention and Cross Connection Control Policy V2.1 on exhibition and subject to there being no submissions that change the intent of the policy that it be adopted.
2. note the adoption of the following policies post exhibition as they received one submission each that did not change the intent of the policies.
 - a. Credit Card Use Policy V5
 - b. Sundry Debtors Recovery Policy V2
 - c. Stock on Road Policy V7.0
 - d. Voluntary Contribution for Dust Sealing of Unsealed (Gravel) Roads V2.0

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.096 ITEMS FOR INFORMATION

Meeting	Council	25 June 2024
Directorate	General Manager	
Attachments	A. Biodiversity Committee Minutes - February 2024 ⇨ B. Wooloweyah Parks and Reserve Management Committee Minutes - April 2024 ⇨ C. Biodiversity Committee Minutes - May 2024 ⇨ D. Wooloweyah Parks and Reserve Management Committee Minutes- May 2024 ⇨ E. Access Committee Minutes - May 2024 ⇨ F. Roads to Recovery Program - Funding 2024-2029 ⇨ G. LGNSW Response to Motion - Manufacturers to declare carbon emissions for building products ⇨	

SUMMARY

Correspondence and committee minutes are attached for noting.

OFFICER RECOMMENDATION

That the Items for Information as listed below be noted:

- Biodiversity Committee Minutes - February 2024
- Wooloweyah Parks and Reserve Management Committee Minutes - April 2024
- Biodiversity Committee Minutes - May 2024
- Wooloweyah Parks and Reserve Management Committee Minutes- May 2024
- Access Committee Minutes - May 2024
- Roads to Recovery Program - Funding 2024-2029
- LGNSW Response to Motion - Manufacturers to declare carbon emissions for building products.

COUNCIL RESOLUTION - 07.24.096

Tiley/Clancy

That the Items for Information as listed below be noted:

- **Biodiversity Committee Minutes - February 2024**
- **Wooloweyah Parks and Reserve Management Committee Minutes - April 2024**
- **Biodiversity Committee Minutes - May 2024**
- **Wooloweyah Parks and Reserve Management Committee Minutes- May 2024**
- **Access Committee Minutes - May 2024**
- **Roads to Recovery Program - Funding 2024-2029**
- **LGNSW Response to Motion - Manufacturers to declare carbon emissions for building products.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.097 COUNCIL MEETING CHECKLIST - UPDATE ON ACTIONS TAKEN

Meeting	Council	25 June 2024
Directorate	Corporate & Community	
Prepared by	Corporate Support Officer, Michelle West	
Reviewed by	General Manager, Laura Black	
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.

POINT OF ORDER

Toms/Clancy

Cr Toms directed to Cr Clancy 'That email that Cr Clancy sent to the General Manager on the 6th June has been answered and Councillors were given the submission including Cr Clancy and Cr Tiley who requested it yesterday. I probably should have jumped in and resent it to him because he's already received it.'

The Chair over ruled the point of order

COUNCIL RESOLUTION - 07.24.097

Clancy/Day

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 07.24.098 INTEGRATED PLANNING AND REPORTING FRAMEWORK 2024/2025

Meeting	Council	25 June 2024
Directorate	Corporate & Community	
Prepared by	Manager Finance & Systems, Kate Maginnity	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	A. Public Submission to 2024/2025 Operational Plan - J O'Donnell ⇒ B. Public Submission to 2024/2025 Operational Plan - T Hudson ⇒ C. Public Submission to 2024/2025 Operational Plan - A Dalrymble ⇒	

SUMMARY

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

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

OFFICER RECOMMENDATION

That Council:

1. note the public exhibition period submissions contained within the report in summary and attached to the report in full.
2. adopt the following:
 - a. the Operational Plan 2024/2025
 - b. the Resourcing Strategy incorporating:
 - i. the Long-Term Financial Plan (2024/2025 to 2033/2034)
 - ii. the Workforce Management Strategy (2024/2025-2027/2028)
 - iii. the Asset Management Strategy (2024/2025 – 2033/2034)
3. adopt the 2024/2025 Fees and Charges
4. delegate authority to the General Manager to make minor amendments to the Integrated Planning & Reporting suite of documents for publishing purposes.

COUNCIL RESOLUTION - 07.24.098

Toms/Whaites

That Council:

1. **note the public exhibition period submissions contained within the report in summary and attached to the report in full.**
2. **adopt the following, including the amendments detailed in the report:**
 - a. **the Operational Plan 2024/2025**
 - b. **the Resourcing Strategy incorporating:**
 - i. **the Long-Term Financial Plan (2024/2025 to 2033/2034)**
 - ii. **the Workforce Management Strategy (2024/2025-2027/2028)**
 - iii. **the Asset Management Strategy (2024/2025 – 2033/2034)**
3. **adopt the 2024/2025 Fees and Charges**
4. **delegate authority to the General Manager to make minor amendments to the Integrated Planning & Reporting suite of documents for publishing purposes.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.099 MONTHLY INVESTMENT REPORT - MAY 2024

Meeting	Council	25 June 2024
Directorate	Corporate & Community	
Prepared by	Financial Accountant, Nick Harvey	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	A. Movement of Funds Between Month - May 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 May 2024 be noted.

COUNCIL RESOLUTION - 07.24.099

Tiley/Clancy

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

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.100 MONTHLY FINANCE REPORT - MAY 2024

Meeting	Council	25 June 2024
Directorate	Corporate & Community	
Prepared by	Business Accountant, Terri Simmons	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	A. Detailed Income & Expenditure Statements by Service - May 2024 ⇒	
	B. Monthly Grant Application Summary - May 2024 ⇒	

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 result in a negative General Fund impact of \$4,000. The reserve fund variations identified in this report will decrease the balance of the Financial Reserves by \$1,907,151.

OFFICER RECOMMENDATION

That Council:

1. note the monthly financial information report for May 2024 attached to this report.
2. endorse the proposed General Fund variations as set out in this report totalling a negative impact of \$4,000, which will be included in the 2023/2024 General Purpose Financial Statements Refer to Audit report.
3. endorse the proposed variations, which increase the Financial Reserves by \$1,907,151, which will be included in the 2023/2024 General Purpose Financial Statements Refer to Audit report.
4. note and endorse the grant applications as identified in Attachment B.

COUNCIL RESOLUTION - 07.24.100

Johnstone/Toms

That Council:

1. note the monthly financial information report for May 2024 attached to this report.
2. endorse the proposed General Fund variations as set out in this report totalling a negative impact of \$4,000 which will be included in the 2023/2024 General Purpose Financial Statements Refer to Audit report.
3. endorse the proposed variations, which increase the Financial Reserves by \$1,907,151, which will be included in the 2023/2024 General Purpose Financial Statements Refer to Audit report.
4. note and endorse the grant applications as identified in Attachment B.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.101 2024/2025 RATES AND CHARGES

Meeting	Council	25 June 2024
Directorate	Corporate & Community	
Prepared by	Revenue Coordinator, Paula Krahe	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	Nil	

SUMMARY

This report contains recommendations regarding the making and levying of the Rates and Charges for 2024/2025.

OFFICER RECOMMENDATION

That Council in accordance with the provisions of Sections 493, 494, 496, 501, 502, 503, 542, 552 and 553 of the Local Government Act of 1993 (NSW) make and levy the following Rates and Charges for the year commencing 1 July 2024 and ending 30 June 2025.

1. Ordinary Rates (Section 494)

- (i) A Residential Rate of 0.3347 cents in the dollar on the Rateable Land Value of all rateable land categorised as Residential with a minimum rate of Seven Hundred and Thirty-Nine Dollars (\$739.00), in respect of any separate parcel of rateable land. Land that has been identified as "Residential-Flood Prone Land" the minimum rate/base amount will not apply. The Rate to be known as the "Residential Rate".
- (ii) A Residential Rate of 0.2052 cents in the dollar on the Rateable Land Value of all rateable land in the coastal villages of Angourie, Brooms Head, Diggers Camp, Iluka, Minnie Water, Sandon River, Wooli and Wooloweyah categorised as Residential, sub-category "A", with a minimum rate of Seven hundred and Thirty-Nine dollars (\$739.00). The rate to be known as the Residential Rate "A".
- (iii) A Residential Rate of 0.2232 cents in the dollar on the Rateable Land Value of all rateable land within the towns of Maclean and Townsend categorised as Residential, sub-category "B", with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 44.04% of the revenue from this rate. The rate to be known as the "Residential Rate B".
- (iv) A Residential Rate of 0.1673 cents in the dollar on the Rateable Land Value of all rateable land in the town of Yamba categorised as Residential, sub-category "C", with a Base Amount of Five Hundred and Sixty (\$560.00). The revenue from the base amount to be approximately 32.68% of the revenue from this rate. The rate to be known as the "Residential Rate C".
- (v) A Residential Rate of 0.6027 cents in the dollar on the Rateable Land Value of rateable land in the city of Grafton and village of Junction Hill categorised as Residential, sub-category "E" with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 36.25% of the revenue from this rate. The rate to be known as the "Residential Rate E".
- (vi) A Business Rate of 0.3918 cents in the dollar on the Rateable Land value of all rateable land with a Base Amount of Five Hundred and Sixty Dollars (\$560.00) for all land categorised as Business. The revenue from the base amount to be approximately 27.89% of the revenue from this rate. The rate to be known as the "Business Rate".
- (vii) A Business Rate of 0.4343 cents in the dollar on the Rateable Land Value of all rateable land in the Maclean CBD categorised as Business, subcategory "B" with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 18.61% of the revenue from this rate. The Rate to be known as the "Business B–Maclean CBD". A map showing this CBD boundary is found in Attachment A.
- (viii) A Business Rate of 0.4343 cents in the dollar on the Rateable Land Value of all rateable land in the Maclean/Townsend area other than the Maclean CBD area, categorised as Business, sub-category "B" with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 18.61% of the revenue from this rate. The Rate to be known as the "Business B – Maclean/Townsend Other Business". A map showing this CBD boundary is found in Attachment A.
- (ix) A Business Rate of 0.2952 cents in the dollar on the Rateable Land Value of all rateable land in the Iluka Industrial area categorised as Business, sub-category "C" with a Base Amount of Five

- Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 16.89% of the revenue from this rate. The rate to be known as the “Business Rate C – Iluka Industrial”. A map showing this CBD boundary is found in Attachment A.
- (x) A Business Rate of 0.2952 cents in the dollar on the Rateable Land Value of all rateable land in the town of Iluka other than the Iluka Industrial area, categorised as Business, sub-category “C” with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 16.89% of the revenue from this rate. The rate to be known as the “Business Rate C – Iluka Other Business”. A map showing this CBD boundary is found in Attachment A.
 - (xi) A Business Rate of 0.2915 cents in the dollar on the Rateable Land Value of all rateable land in the Yamba CBD (including the Treelands Drive business area) categorised as Business, sub-category “D” with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from this base amount to be approximately 16.72% of the revenue from this rate. This rate to be known as “Business Rate D – Yamba CBD”. A map showing this CBD boundary is found in Attachment A.
 - (xii) A Business Rate of 0.2915 cents in the dollar on the Rateable Land Value of all rateable land in the town of Yamba other than the Yamba CBD categorised as Business, sub-category “D” with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from this base amount to be approximately 16.72% of the revenue from this rate. This rate to be known as “Business Rate D – Yamba Other Business”. A map showing this CBD boundary is found in Attachment A.
 - (xiii) A Business Rate of 1.7959 in the dollar on the Rateable Land Value of all rateable land in the Grafton and South Grafton CBD, categorised as Business, sub-category “E” with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 8.44% of the revenue from this rate. The rate to be known as “Business Rate E – Grafton & South Grafton CBD”. A map showing this CBD boundary is found in Attachment A.
 - (xiv) A Business Rate of 0.7022 cents in the dollar on the Rateable Land Value of all rateable land in the areas of Junction Hill, Trenayr and Koolkhan and the city of Grafton other than the Grafton and South Grafton CBD, categorised as Business, sub-category “F” with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 18.34% of the revenue from this rate. The rate to be known as “Business Rate F – Grafton & South Grafton Other Business”. A map showing the Junction Hill, Trenayr and Koolkhan boundary found in Attachment A
 - (xv) A Business Rate of 1.622 cents in the dollar on the Rateable Land Value of all rateable land categorised as Business with a minimum rate of Sixty-Eight Dollars (\$68.00) where the parcel of rateable land is rated separately and determined as a jetty or pontoon. The rate is to be known as “Business-Jetties”.
 - (xvi) A Farmland Rate of 0.1951 cents in the dollar on the Rateable Land Value of all rateable land categorised as Farmland with a Base amount of Three Hundred and Sixty Three Dollars (\$363.00). The revenue from the base amount to be approximately 18.86% of the revenue from this rate. The rate to be known as “Farmland”.

2. Sewer Availability Charges (Section 501)

A Special Charge for all land categorised “Residential” and rateable to a sewerage system, the charge being One Thousand Three Hundred and Twenty-Seven Dollars (\$1,327.00) per land parcel excepting any parcel in respect of land not built upon and not connected to the Council sewerage system in which case the charge shall be Seven Hundred and Sixty Seven Dollars (\$767.00) to be known as the “Clarence Valley Council Sewerage Charge”.

- (i) A Special Charge to be known as the “Clarence Valley Council Sewerage Charge” for all land parcels categorised “Residential” which have additional connections to a premise which can be subject to separate and permanent occupation. The charge to be calculated by multiplying the occupied charge in Item 2(i) (\$1,327.00) by the number of separate occupations per property which can be occupied separately on a permanent basis.
- (ii) A Special Charge to be known as the “Clarence Valley Council Sewerage Charge” for all land categorised “Residential” and connected to a pressure sewerage system, the charge being One Thousand Three hundred and Two Dollars (\$1,302.00) per land parcel excepting any parcel in respect of land not built upon and not connected to the Council sewerage system in which case the charge shall be Seven Hundred and Thirty Sixty Dollars (\$767.00). If the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge of (\$1,302.00) by the number of separate occupations per property which can be occupied separately and on a permanent basis.

- (iii) A Special Sewer access charge based on water meter size for all land parcels categorised “Business” (i.e. Non-Residential) and connected to a sewerage system prior to 1 July 2021. The charges to be as follows:
- A charge of \$767.00 for a 20mm service.
 - A charge of \$1,198.00 for a 25mm service.
 - A charge of \$1,964.00 for a 32mm service.
 - A charge of \$3,068.00 for a 40mm service.
 - A charge of \$4,794.00 for a 50mm service.
 - A charge of \$12,272.00 for an 80mm service.
 - A charge of \$19,175.00 for a 100mm service.
 - A charge of \$43,144.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Sixty Seven Dollars (\$767.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (iv) A Special Sewer access charge based on water meter size for all land parcels categorised “Business” (i.e. Non-Residential) that are connected to a pressure sewerage system prior to 1 July 2021. The charges to be as follows;
- A charge of \$742.00 for a 20mm service.
 - A charge of \$1,173.00 for a 25mm service.
 - A charge of \$1,939.00 for a 32mm service.
 - A charge of \$3,043.00 for a 40mm service.
 - A charge of \$4,772.00 for a 50mm service.
 - A charge of \$12,247.00 for an 80mm service.
 - A charge of \$19,150.00 for a 100mm service.
 - A charge of \$43,119.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Forty Two Dollars (\$742.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (v) A Special Sewer Access charge for all Residential Properties exempt from Ordinary Rates in accordance with the Local Government Act, 1993 but within the Sewerage Access area and connected to the Council sewerage system, will be charged the “Clarence Valley Council Sewerage Charge”. If the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge (\$1,327.00) by the number of separate occupations per property which can be occupied separately and on a permanent basis. Otherwise, the charge is to be calculated at (\$1,327.00)
- (vi) A Special Sewer Access Charge for all Residential Properties exempt from Ordinary Rates in accordance with the Local Government Act, 1993 but within the Sewerage Access area and connected to a pressure sewerage system prior to 1 July 2021 will be charged \$25 less than the “Clarence Valley Council Sewerage Charge”. If the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge (\$1,302.00) by the number of separate occupations per property which can be occupied separately and on a permanent basis. Otherwise, the charge is to be calculated at (\$1,302.00)
- (vii) A Special Sewer access charge based on water meter size for all land parcels exempt from Ordinary Rates excluding residential properties, connected to a sewerage system prior to 1 July 2021. The charges to be as follows:
- A charge of \$767.00 for a 20mm service.
 - A charge of \$1,327.00 for a 25mm service.
 - A charge of \$1,964.00 for a 32mm service.
 - A charge of \$3,068.00 for a 40mm service.
 - A charge of \$4,794.00 for a 50mm service.
 - A charge of \$12,272.00 for an 80mm service.
 - A charge of \$19,175.00 for a 100mm service.
 - A charge of \$43,144.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Four Dollars (\$737.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (viii) A Special Sewer access charge based on water meter size for all land parcels categorised “Non Rateable” and excluding non-rateable residential properties that are connected to a pressure sewerage system prior to 1 July 2021. The charges to be as follows;
- A charge of \$742.00.00 for a 20mm service.
 - A charge of \$1,173.00 for a 25mm service.
 - A charge of \$1,939.00 for a 32mm service.

- d. A charge of \$3,043.00 for a 40mm service.
- e. A charge of \$4,772.00 for a 50mm service.
- f. A charge of \$12,247.00 for an 80mm service.
- g. A charge of \$19,150.00 for a 100mm service.
- h. A charge of \$43,119.00 for a 150mm service.

excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Thirty Seven Dollars (\$742.00y) to be known as the "Clarence Valley Council Sewerage Charge".

- (ix) A meter installed as a fire service to a property is exempt from availability charges.
- (x) Onsite Sewage Management Charge A Special Charge for all occupied land parcels not receiving a Sewerage service. The charge to be Forty- Eight Dollars (\$48.00) for each rateable parcel. The charge to be known as "Residential Onsite Wastewater Management Charge".
- (xi) Backflow Prevention Device Annual Charge An annual charge of \$69.00 for all properties that have containment backflow prevention devices that are required to be annually tested and certified in accordance with Council's Backflow prevention and cross connection control policy. The charge to be known as "Non Residential Backflow Prevention Device Charge"

3. Sewer Consumption Charges (Section 502)

- (i) A Consumption Charge of Four Dollars and Two Cents (\$4.02) per kilolitre will be charged on all Non-Residential and Non-Rateable properties. The charge for Non-Residential properties will be based on water consumption of the previous trimester and affected by a Sewerage Discharge Apportionment Factor. The non-residential sewer charge is the sum of the access charge and the generation charge, with a minimum charge of the residential charge (\$1,327.00 in 2024/25). This charge to be known as the "Sewerage Consumption Charge".
- (ii) The Non-Residential High Consumption Sewerage Generation Charge (for development approved after 1 July 2021) for sewerage generation above 0.74kl/day per billing period and connected to Clarenza, North Grafton and Coutts Crossing sewerage treatment plants be charged a rate of \$6.24/kl.
- (iii) The Non-Residential High Consumption Sewerage Generation (for development approved after 1 July 2021) for sewerage generation above 0.74kl/day per billing period and connected to Woodford Island, Yamba and Iluka sewerage treatment plants be charged a rate of \$7.98/kl

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

- (i) Domestic Waste Charge (Excluding Green Waste -2 Bin Service) An annual charge of Three Hundred and Thirty-seven Dollars (\$337.00) per service, for the collection, disposal, recycling and management of Domestic Waste generated on all residential properties including premises which can be subject to separate occupation, receiving or situated in a location where the collection service is available. This charge to be known as "Domestic Waste 2 Bin"
- (ii) Domestic Waste Charge (Including Green Waste - 3 Bin Service) An annual charge of Three Hundred and Ninety Dollars (\$390.00) per service, for the collection, disposal, recycling and management of waste generated on all residential properties, including premises which can be subject to separate occupation, receiving or situated in a location where the collection service is available. This charge to be known as "Domestic Waste 3 Bin".
- (iii) Non-Residential Waste Charge (Excluding Green Waste – 2Bin Service) An Annual Charge of Three hundred and Thirty-seven Dollars (\$337.00) per service, for the collection, disposal, recycling and management of waste generated on property categorised "Business" receiving a service similar to that provided in (4.i).
- (iv) Non-Residential Waste Charge (Including Green Waste – 3 Bin Service) An Annual Charge of Three Hundred and Ninety Dollars (\$390.00) per service, for the collection, disposal, recycling and management of waste generated on property categorised "Business" receiving a service similar to that provided in (4.ii).
- (v) Domestic Waste Charge (Additional Red Bin service) An annual charge of Two Hundred and Twenty-Five Dollars (\$225.00) per additional red bin supplied to a property receiving a 2 Bin or 3 Bin Service but requiring an additional red bin. This charge to be known as "Domestic Waste Additional Red Bin".
- (vi) Domestic Waste Charge (Additional Yellow Bin service) An annual charge of One hundred and Seventeen Dollars (\$117.00) per additional yellow bin supplied to a property receiving a 2 Bin or 3 Bin Service but requiring an additional yellow bin. This charge to be known as "Domestic Waste Additional Yellow Bin".
- (vii) Domestic Waste Charge (Additional Green Bin service) An annual charge of One Hundred and Thirty- Five Dollars (\$135.00) per additional green bin supplied to a property receiving a 3 Bin

- Service but requiring an additional green bin. This charge to be known as “Domestic Waste Additional Green Bin”.
- (viii) Domestic Waste Charge – Vacant An annual charge of Forty Dollars (\$40.00) for all parcels of rateable vacant property which would receive a collection service when becoming occupied or located where the service is available. This charge to be known as “Domestic Waste Vacant”.
 - (ix) Waste Management levy - An annual charge of Seventy-Two Dollars (\$72.00) for all rateable properties in the Clarence Valley Council area. This charge to be known as “Waste Management Levy”.

5. Water Availability Charges (Section 501)

- (i) An annual charge of \$196.00 for all unconnected land which is situated within 225 metres of a Council water main and can be connected to the water main.
- (ii) An annual charge of \$145.00 for all land which has a 20mm connection to the water main.
- (iii) An annual charge of \$227.00 for all land which has a 25mm connection to the water main.
- (iv) An annual charge of \$371.00 for all land which has a 32mm connection to the water main.
- (v) An annual charge of \$580.00 for all land which has a 40mm connection to the water main.
- (vi) An annual charge of \$906.00 for all land which has a 50mm connection to the water main.
- (vii) An annual charge of \$2,320.00 for all land which has an 80mm connection to the water main.
- (viii) An annual charge of \$3,625.00 for all land which has a 100mm connection to the water main.
- (ix) An annual charge of \$8,100.00 for all land which has a 150mm connection to the water main.
- (x) An annual charge of \$72.50 for all land provided with untreated (Raw) water with a 20mm connection to the water main.
- (xi) An annual charge of \$113.50 for all land provided with untreated (Raw) water with a 25mm connection to the water main.

6. Water Consumption Charges (Section 502)

A Water Consumption charge of Two Dollars and Ninety-Five Cents (\$2.95) per kilolitre for all residential properties, applying to the daily average water consumption below 1.233kL/day per billing period.

A Water Consumption charge of Four Dollars and Forty-two Cents (\$4.42) for all residential properties with a water consumption category of residential applying to any daily average water consumption exceeding 1.233 kl per day, per billing period.

A Water Consumption charge of Two Dollars and Ninety-Five Cents (\$2.95) per kilolitre for all non-residential properties. This charge to be known as the “Water Usage Non-Residential”.

A Water Consumption charge of Eleven Dollars and Forty-Seven Cents (\$11.47) per kilolitre for all water usage registered on a meter installed as a fire service to the property where the consumption has been for purposes other than for fire service purposes as a disincentive for using the service for incorrect purposes. This charge to be known as the “Water Usage Fire Service”.

A Water Consumption charge of One Dollar and Forty-Seven Cents (\$1.47) per kilolitre for all properties connected to Untreated (Raw) Water. This charge to be known as the “Water Usage Untreated (Raw) Water”.

A Non-Residential High Consumption charge (for Development approved after 1 July 2021) for average daily water consumption above 1.233kl/day per billing period of Eight Dollars and Thirty Cents (\$8.30) per kilolitre. This charge to be known as the “Non Residential High Consumption”.

7. Interest on overdue rates

That the interest rate on overdue amounts applicable to outstanding rates and charges for 2024/2025 be the maximum rate of 10.5% for the period 1 July 2024 – 30 June 2025 as set by the Independent Pricing and Regulatory Tribunal (IPART) accruing on a daily basis.

8. Small Balance Rates & Charges write off

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

COUNCIL RESOLUTION - 07.24.101**Toms/Novak**

That Council in accordance with the provisions of Sections 493, 494, 496, 501, 502, 503, 542, 552 and 553 of the Local Government Act of 1993 (NSW) make and levy the following Rates and Charges for the year commencing 1 July 2024 and ending 30 June 2025.

1. Ordinary Rates (Section 494)

- (i) A Residential Rate of 0.3347 cents in the dollar on the Rateable Land Value of all rateable land categorised as Residential with a minimum rate of Seven Hundred and Thirty-Nine Dollars (\$739.00), in respect of any separate parcel of rateable land. Land that has been identified as "Residential-Flood Prone Land" the minimum rate/base amount will not apply. The Rate to be known as the "Residential Rate".
- (ii) A Residential Rate of 0.2052 cents in the dollar on the Rateable Land Value of all rateable land in the coastal villages of Angourie, Brooms Head, Diggers Camp, Iluka, Minnie Water, Sandon River, Wooli and Wooloweyah categorised as Residential, sub-category "A", with a minimum rate of Seven hundred and Thirty-Nine dollars (\$739.00). The rate to be known as the Residential Rate "A".
- (iii) A Residential Rate of 0.2232 cents in the dollar on the Rateable Land Value of all rateable land within the towns of Maclean and Townsend categorised as Residential, sub-category "B", with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 44.04% of the revenue from this rate. The rate to be known as the "Residential Rate B".
- (iv) A Residential Rate of 0.1673 cents in the dollar on the Rateable Land Value of all rateable land in the town of Yamba categorised as Residential, sub-category "C", with a Base Amount of Five Hundred and Sixty (\$560.00). The revenue from the base amount to be approximately 32.68% of the revenue from this rate. The rate to be known as the "Residential Rate C".
- (v) A Residential Rate of 0.6027 cents in the dollar on the Rateable Land Value of rateable land in the city of Grafton and village of Junction Hill categorised as Residential, sub-category "E" with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 36.25% of the revenue from this rate. The rate to be known as the "Residential Rate E".
- (vi) A Business Rate of 0.3918 cents in the dollar on the Rateable Land value of all rateable land with a Base Amount of Five Hundred and Sixty Dollars (\$560.00) for all land categorised as Business. The revenue from the base amount to be approximately 27.89% of the revenue from this rate. The rate to be known as the "Business Rate".
- (vii) A Business Rate of 0.4343 cents in the dollar on the Rateable Land Value of all rateable land in the Maclean CBD categorised as Business, subcategory "B" with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 18.61% of the revenue from this rate. The Rate to be known as the "Business B-Maclean CBD". A map showing this CBD boundary is found in Attachment A.
- (viii) A Business Rate of 0.4343 cents in the dollar on the Rateable Land Value of all rateable land in the Maclean/Townsend area other than the Maclean CBD area, categorised as Business, sub-category "B" with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 18.61% of the revenue from this rate. The Rate to be known as the "Business B – Maclean/Townsend Other Business". A map showing this CBD boundary is found in Attachment A.
- (ix) A Business Rate of 0.2952 cents in the dollar on the Rateable Land Value of all rateable land in the Iluka Industrial area categorised as Business, sub-category "C" with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 16.89% of the revenue from this rate. The rate to be known as the "Business Rate C – Iluka Industrial". A map showing this CBD boundary is found in Attachment A.
- (x) A Business Rate of 0.2952 cents in the dollar on the Rateable Land Value of all rateable land in the town of Iluka other than the Iluka Industrial area, categorised as Business, sub-category "C" with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 16.89% of the revenue from this rate. The rate to be known as the "Business Rate C – Iluka Other Business". A map showing this CBD boundary is found in Attachment A.
- (xi) A Business Rate of 0.2915 cents in the dollar on the Rateable Land Value of all rateable land in the Yamba CBD (including the Treelands Drive business area) categorised as Business, sub-category "D" with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The

- revenue from this base amount to be approximately 16.72% of the revenue from this rate. This rate to be known as “Business Rate D – Yamba CBD”. A map showing this CBD boundary is found in Attachment A.
- (xii) A Business Rate of 0.2915 cents in the dollar on the Rateable Land Value of all rateable land in the town of Yamba other than the Yamba CBD categorised as Business, sub-category “D” with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from this base amount to be approximately 16.72% of the revenue from this rate. This rate to be known as “Business Rate D – Yamba Other Business”. A map showing this CBD boundary is found in Attachment A.
- (xiii) A Business Rate of 1.7959 in the dollar on the Rateable Land Value of all rateable land in the Grafton and South Grafton CBD, categorised as Business, sub-category “E” with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 8.44% of the revenue from this rate. The rate to be known as “Business Rate E – Grafton & South Grafton CBD”. A map showing this CBD boundary is found in Attachment A.
- (xiv) A Business Rate of 0.7022 cents in the dollar on the Rateable Land Value of all rateable land in the areas of Junction Hill, Trenayr and Koolkhan and the city of Grafton other than the Grafton and South Grafton CBD, categorised as Business, sub-category “F” with a Base Amount of Five Hundred and Sixty Dollars (\$560.00). The revenue from the base amount to be approximately 18.34% of the revenue from this rate. The rate to be known as “Business Rate F – Grafton & South Grafton Other Business”. A map showing the Junction Hill, Trenayr and Koolkhan boundary found in Attachment A
- (xv) A Business Rate of 1.622 cents in the dollar on the Rateable Land Value of all rateable land categorised as Business with a minimum rate of Sixty-Eight Dollars (\$68.00) where the parcel of rateable land is rated separately and determined as a jetty or pontoon. The rate is to be known as “Business-Jetties”.
- (xvi) A Farmland Rate of 0.1951 cents in the dollar on the Rateable Land Value of all rateable land categorised as Farmland with a Base amount of Three Hundred and Sixty Three Dollars (\$363.00). The revenue from the base amount to be approximately 18.86% of the revenue from this rate. The rate to be known as “Farmland”.

2. Sewer Availability Charges (Section 501)

A Special Charge for all land categorised “Residential” and rateable to a sewerage system, the charge being One Thousand Three Hundred and Twenty-Seven Dollars (\$1,327.00) per land parcel excepting any parcel in respect of land not built upon and not connected to the Council sewerage system in which case the charge shall be Seven Hundred and Sixty Seven Dollars (\$767.00) to be known as the “Clarence Valley Council Sewerage Charge”.

- (i) A Special Charge to be known as the “Clarence Valley Council Sewerage Charge” for all land parcels categorised “Residential” which have additional connections to a premise which can be subject to separate and permanent occupation. The charge to be calculated by multiplying the occupied charge in Item 2(i) (\$1,327.00) by the number of separate occupations per property which can be occupied separately on a permanent basis.
- (ii) A Special Charge to be known as the “Clarence Valley Council Sewerage Charge” for all land categorised “Residential” and connected to a pressure sewerage system, the charge being One Thousand Three hundred and Two Dollars (\$1,302.00) per land parcel excepting any parcel in respect of land not built upon and not connected to the Council sewerage system in which case the charge shall be Seven Hundred and Thirty Sixty Dollars (\$767.00). If the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge of (\$1,302.00) by the number of separate occupations per property which can be occupied separately and on a permanent basis.
- (iii) A Special Sewer access charge based on water meter size for all land parcels categorised “Business” (i.e. Non-Residential) and connected to a sewerage system prior to 1 July 2021. The charges to be as follows:
- a. A charge of \$767.00 for a 20mm service.
 - b. A charge of \$1,198.00 for a 25mm service.
 - c. A charge of \$1,964.00 for a 32mm service.
 - d. A charge of \$3,068.00 for a 40mm service.
 - e. A charge of \$4,794.00 for a 50mm service.
 - f. A charge of \$12,272.00 for an 80mm service.
 - g. A charge of \$19,175.00 for a 100mm service.
 - h. A charge of \$43,144.00 for a 150mm service.

- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Sixty Seven Dollars (\$767.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (iv) A Special Sewer access charge based on water meter size for all land parcels categorised “Business” (i.e. Non-Residential) that are connected to a pressure sewerage system prior to 1 July 2021. The charges to be as follows;
- a. A charge of \$742.00 for a 20mm service.
 - b. A charge of \$1,173.00 for a 25mm service.
 - c. A charge of \$1,939.00 for a 32mm service.
 - d. A charge of \$3,043.00 for a 40mm service.
 - e. A charge of \$4,772.00 for a 50mm service.
 - f. A charge of \$12,247.00 for an 80mm service.
 - g. A charge of \$19,150.00 for a 100mm service.
 - h. A charge of \$43,119.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Forty Two Dollars (\$742.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (v) A Special Sewer Access charge for all Residential Properties exempt from Ordinary Rates in accordance with the Local Government Act, 1993 but within the Sewerage Access area and connected to the Council sewerage system, will be charged the “Clarence Valley Council Sewerage Charge”. If the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge (\$1,327.00) by the number of separate occupations per property which can be occupied separately and on a permanent basis. Otherwise, the charge is to be calculated at (\$1,327.00)
- (vi) A Special Sewer Access Charge for all Residential Properties exempt from Ordinary Rates in accordance with the Local Government Act, 1993 but within the Sewerage Access area and connected to a pressure sewerage system prior to 1 July 2021 will be charged \$25 less than the “Clarence Valley Council Sewerage Charge”. If the properties are subject to separate and permanent occupation, the charge to be calculated by multiplying the occupied charge (\$1,302.00) by the number of separate occupations per property which can be occupied separately and on a permanent basis. Otherwise, the charge is to be calculated at (\$1,302.00)
- (vii) A Special Sewer access charge based on water meter size for all land parcels exempt from Ordinary Rates excluding residential properties, connected to a sewerage system prior to 1 July 2021. The charges to be as follows:
- a. A charge of \$767.00 for a 20mm service.
 - b. A charge of \$1,327.00 for a 25mm service.
 - c. A charge of \$1,964.00 for a 32mm service.
 - d. A charge of \$3,068.00 for a 40mm service.
 - e. A charge of \$4,794.00 for a 50mm service.
 - f. A charge of \$12,272.00 for an 80mm service.
 - g. A charge of \$19,175.00 for a 100mm service.
 - h. A charge of \$43,144.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Four Dollars (\$737.00) to be known as the “Clarence Valley Council Sewerage Charge”.
- (viii) A Special Sewer access charge based on water meter size for all land parcels categorised “Non Rateable” and excluding non-rateable residential properties that are connected to a pressure sewerage system prior to 1 July 2021. The charges to be as follows;
- a. A charge of \$742.00.00 for a 20mm service.
 - b. A charge of \$1,173.00 for a 25mm service.
 - c. A charge of \$1,939.00 for a 32mm service.
 - d. A charge of \$3,043.00 for a 40mm service.
 - e. A charge of \$4,772.00 for a 50mm service.
 - f. A charge of \$12,247.00 for an 80mm service.
 - g. A charge of \$19,150.00 for a 100mm service.
 - h. A charge of \$43,119.00 for a 150mm service.
- excepting any parcel in respect of land not built upon and not connected to the Council sewerage system prior to 1 July 2021 in which case the charge shall be Seven Hundred and Thirty Seven Dollars (\$742.00y) to be known as the “Clarence Valley Council Sewerage Charge”.
- (ix) A meter installed as a fire service to a property is exempt from availability charges.
- (x) Onsite Sewage Management Charge A Special Charge for all occupied land parcels not receiving a Sewerage service. The charge to be Forty- Eight Dollars (\$48.00) for each rateable parcel. The charge to be known as “Residential Onsite Wastewater Management Charge”.

- (xi) **Backflow Prevention Device Annual Charge** An annual charge of \$69.00 for all properties that have containment backflow prevention devices that are required to be annually tested and certified in accordance with Council's Backflow prevention and cross connection control policy. The charge to be known as "Non Residential Backflow Prevention Device Charge"

3. Sewer Consumption Charges (Section 502)

- (i) **A Consumption Charge of Four Dollars and Two Cents (\$4.02) per kilolitre** will be charged on all Non-Residential and Non-Rateable properties. The charge for Non-Residential properties will be based on water consumption of the previous trimester and affected by a Sewerage Discharge Apportionment Factor. The non-residential sewer charge is the sum of the access charge and the generation charge, with a minimum charge of the residential charge (\$1,327.00 in 2024/25). This charge to be known as the "Sewerage Consumption Charge".
- (ii) **The Non-Residential High Consumption Sewerage Generation Charge** (for development approved after 1 July 2021) for sewerage generation above 0.74kl/day per billing period and connected to Clarenza, North Grafton and Coutts Crossing sewerage treatment plants be charged a rate of \$6.24/kl.
- (iii) **The Non-Residential High Consumption Sewerage Generation** (for development approved after 1 July 2021) for sewerage generation above 0.74kl/day per billing period and connected to Woodford Island, Yamba and Iluka sewerage treatment plants be charged a rate of \$7.98/kl

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

- (i) **Domestic Waste Charge (Excluding Green Waste -2 Bin Service)** An annual charge of Three Hundred and Thirty-seven Dollars (\$337.00) per service, for the collection, disposal, recycling and management of Domestic Waste generated on all residential properties including premises which can be subject to separate occupation, receiving or situated in a location where the collection service is available. This charge to be known as "Domestic Waste 2 Bin"
- (ii) **Domestic Waste Charge (Including Green Waste - 3 Bin Service)** An annual charge of Three Hundred and Ninety Dollars (\$390.00) per service, for the collection, disposal, recycling and management of waste generated on all residential properties, including premises which can be subject to separate occupation, receiving or situated in a location where the collection service is available. This charge to be known as "Domestic Waste 3 Bin".
- (iii) **Non-Residential Waste Charge (Excluding Green Waste – 2Bin Service)** An Annual Charge of Three hundred and Thirty-seven Dollars (\$337.00) per service, for the collection, disposal, recycling and management of waste generated on property categorised "Business" receiving a service similar to that provided in (4.i).
- (iv) **Non-Residential Waste Charge (Including Green Waste – 3 Bin Service)** An Annual Charge of Three Hundred and Ninety Dollars (\$390.00) per service, for the collection, disposal, recycling and management of waste generated on property categorised "Business" receiving a service similar to that provided in (4.ii).
- (v) **Domestic Waste Charge (Additional Red Bin service)** An annual charge of Two Hundred and Twenty-Five Dollars (\$225.00) per additional red bin supplied to a property receiving a 2 Bin or 3 Bin Service but requiring an additional red bin. This charge to be known as "Domestic Waste Additional Red Bin".
- (vi) **Domestic Waste Charge (Additional Yellow Bin service)** An annual charge of One hundred and Seventeen Dollars (\$117.00) per additional yellow bin supplied to a property receiving a 2 Bin or 3 Bin Service but requiring an additional yellow bin. This charge to be known as "Domestic Waste Additional Yellow Bin".
- (vii) **Domestic Waste Charge (Additional Green Bin service)** An annual charge of One Hundred and Thirty- Five Dollars (\$135.00) per additional green bin supplied to a property receiving a 3 Bin Service but requiring an additional green bin. This charge to be known as "Domestic Waste Additional Green Bin".
- (viii) **Domestic Waste Charge – Vacant** An annual charge of Forty Dollars (\$40.00) for all parcels of rateable vacant property which would receive a collection service when becoming occupied or located were the service is available. This charge to be known as "Domestic Waste Vacant".
- (ix) **Waste Management levy** - An annual charge of Seventy-Two Dollars (\$72.00) for all rateable properties in the Clarence Valley Council area. This charge to be known as "Waste Management Levy".

5. Water Availability Charges (Section 501)

- (i) **An annual charge of \$196.00** for all unconnected land which is situated within 225 metres of a Council water main and can be connected to the water main.
- (ii) **An annual charge of \$145.00** for all land which has a 20mm connection to the water main.

- (iii) An annual charge of \$227.00 for all land which has a 25mm connection to the water main.
- (iv) An annual charge of \$371.00 for all land which has a 32mm connection to the water main.
- (v) An annual charge of \$580.00 for all land which has a 40mm connection to the water main.
- (vi) An annual charge of \$906.00 for all land which has a 50mm connection to the water main.
- (vii) An annual charge of \$2,320.00 for all land which has an 80mm connection to the water main.
- (viii) An annual charge of \$3,625.00 for all land which has a 100mm connection to the water main.
- (ix) An annual charge of \$8,100.00 for all land which has a 150mm connection to the water main.
- (x) An annual charge of \$72.50 for all land provided with untreated (Raw) water with a 20mm connection to the water main.
- (xi) An annual charge of \$113.50 for all land provided with untreated (Raw) water with a 25mm connection to the water main.

6. Water Consumption Charges (Section 502)

A Water Consumption charge of Two Dollars and Ninety-Five Cents (\$2.95) per kilolitre for all residential properties, applying to the daily average water consumption below 1.233kL/day per billing period.

A Water Consumption charge of Four Dollars and Forty-two Cents (\$4.42) for all residential properties with a water consumption category of residential applying to any daily average water consumption exceeding 1.233 kl per day, per billing period.

A Water Consumption charge of Two Dollars and Ninety-Five Cents (\$2.95) per kilolitre for all non-residential properties. This charge to be known as the "Water Usage Non-Residential".

A Water Consumption charge of Eleven Dollars and Forty-Seven Cents (\$11.47) per kilolitre for all water usage registered on a meter installed as a fire service to the property where the consumption has been for purposes other than for fire service purposes as a disincentive for using the service for incorrect purposes. This charge to be known as the "Water Usage Fire Service".

A Water Consumption charge of One Dollar and Forty-Seven Cents (\$1.47) per kilolitre for all properties connected to Untreated (Raw) Water. This charge to be known as the "Water Usage Untreated (Raw) Water".

A Non-Residential High Consumption charge (for Development approved after 1 July 2021) for average daily water consumption above 1.233kl/day per billing period of Eight Dollars and Thirty Cents (\$8.30) per kilolitre. This charge to be known as the "Non Residential High Consumption".

7. Interest on overdue rates

That the interest rate on overdue amounts applicable to outstanding rates and charges for 2024/2025 be the maximum rate of 10.5% for the period 1 July 2024 – 30 June 2025 as set by the Independent Pricing and Regulatory Tribunal (IPART) accruing on a daily basis.

8. Small Balance Rates & Charges write off

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

Voting recorded as follows

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

Against: Clancy, Day, Smith

CARRIED

Cr Toms left the meeting at 4:57 pm.

ITEM 07.24.102 2024/2025 COMMUNITY INITIATIVES PROGRAM - ROUND 1

Meeting	Council	25 June 2024
Directorate	Corporate & Community	
Prepared by	Project Officer, Lainie Edwards	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	A. Community Initiatives Program 2024-2025 Round 1 - Schedule of Recommendations ↗	

SUMMARY

This report summarises the assessment of applications received from community organisations for a donation from Council through the 2024/2025 Community Initiatives Program - Round 1

OFFICER RECOMMENDATION

That Council approve donations under the 2024/2025 Community Initiatives Program – Round 1 to the value of \$59,772.75 in accordance with the recommendations set out in the attached schedule.

COUNCIL RESOLUTION - 07.24.102**Johnstone/Tiley**

That Council approve donations under the 2024/2025 Community Initiatives Program – Round 1 to the value of \$59,772.75 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 returned to the meeting at 4:57 pm.

ITEM 07.24.103 CULTURAL AND SPORTS TRUST FUND 2024

Meeting	Council	25 June 2024
Directorate	Corporate & Community	
Prepared by	Project Officer, Lainie Edwards	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	Nil	

SUMMARY

A request for assistance from the Clarence Valley Cultural and Sports Trust Fund has been received on behalf of Maia Adamson, who has been selected to compete at Hockey NSW U18's National Championship being held on the Gold Coast from the 3rd to 11th July 2024

OFFICER RECOMMENDATION

That Council approve a donation from the Clarence Valley Cultural and Sports Trust Fund of \$300 to Maia Adamson who has been selected to compete at the Hockey NSW Australian U18's National Championship being held on the Gold Coast from the 3rd to 11th July 2024.

COUNCIL RESOLUTION - 07.24.103**Pickering/Novak**

That Council approve a donation from the Clarence Valley Cultural and Sports Trust Fund of \$300 to Maia Adamson who has been selected to compete at the Hockey NSW Australian U18's National Championship being held on the Gold Coast from the 3rd to 11th July 2024.

Voting recorded as follows

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

Against: Nil

CARRIED**COUNCIL RESOLUTION****Novak/Tiley**

That Council adjourn for a 5 minute break at 5.00pm. Resume at 5.05pm.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.104 REQUEST FOR RATES DONATION - PELICAN PLAYHOUSE

Meeting	Council	25 June 2024
Directorate	Corporate & Community	
Prepared by	Project Officer, Lainie Edwards	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	Nil	

SUMMARY

A request has been received from the Pelican Playhouse asking Council to consider donating the remaining balance of rates and annual charges for the 2024/2025 financial year, assuming a successful application to the Community Initiatives Program 2024/2025 - Round 1 for General rates. This amounts to an additional \$1,013.50 above the panel recommendation of \$2,375.43 (General Rates) from the Community Initiatives Program - 2024/25 - Round 1.

OFFICER RECOMMENDATION

That Council does not approval payment of the balance of rates and annual charges for the Pelican Playhouse as this does not align with the Donations Policy.

COUNCIL RESOLUTION - 07.24.104

Smith/Whaites

That Council approves the funding of the balance of the 2024/2025 rates and charges levied against the Property No 129440, Pelican Playhouse being \$1013.50 due to the hardship faced by the theatre company recovering from the 2022 significant flood damage to their theatre

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.105 SPECIAL EVENT SPONSORSHIP 2024/2025 ROUND 1

Meeting	Council	25 June 2024
Directorate	Corporate & Community	
Prepared by	Event Development Officer, Deb Merritt	
Reviewed by	Director Corporate & Community, Alex Moar	
Attachments	A. Special Event Sponsorship 202425 Round 1 Officer Recommendations ⇨	

SUMMARY

This report presents a summary of sponsorship applications received under Round One of the Special Events Sponsorship 2024/2025 program, the criteria applied in the assessment of the applications and recommendations for the allocation of funding.

OFFICER RECOMMENDATION

That Council adopt the recommendations for the provision of funding to applicants as listed in the attached schedule to the value of \$60,500 and authorise the processing of these sponsorships in accordance with the adopted Event Sponsorship Policy.

COUNCIL RESOLUTION - 07.24.105

Tiley/Clancy

That Council adopt the recommendations for the provision of funding to applicants as listed in the attached schedule to the value of \$60,500 and authorise 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

WORKS & CIVIL**ITEM 07.24.106 CLARENCE VALLEY CULTURAL AND COMMUNITY PRECINCT (MACLEAN) PROJECT UPDATE AND LRCIP FUNDING CHANGE**

Meeting	Council	25 June 2024
Directorate	Works & Civil	
Prepared by	Manager Strategic Infrastructure, Adele McGeary	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	Nil	

SUMMARY

The detailed design is currently being reviewed and finalised for the Clarence Valley Cultural and Community Precinct (Maclean) Phase 1, which comprises the construction of a 270-seat auditorium, function space and multipurpose rooms.

Staff sought to reallocate the Local Roads and Community Infrastructure Program (LRCIP) Phase 3 funding allocation of \$3,000,000, which must be spent by 30 June 2024, from the Clarence Valley Cultural and Community Precinct (Maclean) Phase 1 to the Regional Aquatic Centre to align with Council's 2023/24 and 2024/25 Operational Plans.

OFFICER RECOMMENDATION

That Council receive and note the project status and change to the LRCIP Phase 3 funding allocation of \$3,000,000 from the Clarence Valley Cultural and Community Precinct (Maclean) Phase 1 (PJ 530130) to the Regional Aquatic Centre (PJ 996766).

COUNCIL RESOLUTION - 07.24.106

Novak/Toms

That Council receive and note the project status and change to the LRCIP Phase 3 funding allocation of \$3,000,000 from the Clarence Valley Cultural and Community Precinct (Maclean) Phase 1 (PJ 530130) to the Regional Aquatic Centre (PJ 996766).

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.107 TOWNSEND COLLECTIVE MASTERPLAN

Meeting	Council	25 June 2024
Directorate	Works & Civil	
Prepared by	Team Leader Open Spaces, Andrew Auglys	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. Townsend Community Precinct Masterplan (Separate Cover) ⇒ B. Townsend Collective OPC (Opinion of Probable Costs) ⇒ C. Townsend Precinct Master Planning Public Feedback Report ⇒	

SUMMARY

A Masterplan to inform future management and development of The Townsend Community Precinct has been prepared and is recommended for endorsement.

OFFICER RECOMMENDATION

That Council:

1. endorse the Townsend Collective Masterplan
2. note the preliminary preconstruction works for the project are included in 2024/2025 Capital Works Program.
3. establish relevant partnerships and seek external funding to progress the masterplan.

COUNCIL RESOLUTION - 07.24.107

Tiley/Day

That Council:

1. endorse the Townsend Collective Masterplan
2. note the preliminary preconstruction works for the project are included in 2024/2025 Capital Works Program.
3. establish relevant partnerships and seek external funding to progress the masterplan.
4. endeavour to provide suitable accommodation for the operations of Mudyala Aboriginal Corporation, Yaegl Men's group, Maclean Seniors Computer Club and Maclean Lions Return & Earn facility.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.108 URBAN TREE STRATEGY REVIEW

Meeting	Council	25 June 2024
Directorate	Works & Civil	
Prepared by	Team Leader Open Spaces, Andrew Auglys	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. Urban Tree Strategy Review DRAFT (Separate Cover) ↗	

SUMMARY

A draft review of Council's Urban Tree Strategy has been completed as identified in the 2023/2024 Operational Plan. It is an update to the 2011 tree management strategy developed by Council. It is recommended to be placed on public exhibition.

OFFICER RECOMMENDATION

That Council:

1. place the Draft Urban Tree Strategy on public exhibition for a period of 30 days.
2. consider feedback received following the public exhibition period at a future Council meeting.

COUNCIL RESOLUTION - 07.24.108

Tiley/Clancy

That Council:

1. **place the Draft Urban Tree Strategy on public exhibition for a period of 30 days.**
2. **consider feedback received following the public exhibition period at a future Council meeting.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.109 LOCAL TRAFFIC COMMITTEE

Meeting	Council	25 June 2024
Directorate	Works & Civil	
Prepared by	Road Safety Officer, Alana Brooks	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. Local Traffic Committee Minutes (Separate Cover) ⇒	

SUMMARY

That Council adopts the recommendations of the Local Traffic Committee determined on 5 June 2024.

OFFICER RECOMMENDATION

That the recommendations of the Local Traffic Committee determined on 5 June 2024 be adopted by Council.

COUNCIL RESOLUTION - 07.24.109

Tiley/Clancy

That the recommendations of the Local Traffic Committee determined on 5 June 2024 be adopted by Council.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.110 OPEN COAST COASTAL MANAGEMENT PROGRAM - STAGE 4

Meeting	Council	25 June 2024
Directorate	Works & Civil	
Prepared by	Senior Coast & Estuary Officer, Uriah Makings	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. Draft Open Coast CMP (Separate Cover) ⇒ B. Coastal Management Program - Summary ⇒ C. Summary of Stage 3 Community Consultation (Separate Cover) ⇒ D. Summary of Yaegl CMP Consultation (Separate Cover) ⇒	

SUMMARY

Council currently manages its coastline via numerous management plans which are of varying relevance and legal status. Under the Coastal Management Act 2016, existing certified Coastal Zone Management Plans 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.

When certified, CMPs will be valid for ten (10) years. Council has engaged consultants Hydrosphere Consulting to prepare Stages 2 to 4 of the Open Coast CMP. It is recommended that Council notes the draft Open Coast Coastal Management Program Stage 4 report and publicly exhibits the report for 28 days. The draft Open Coast CMP report was considered by the Coast and Estuary Management Committee (CEMC) at its meeting on 24 June 2024.

OFFICER RECOMMENDATION

That Council places the draft Open Coast Coastal Management Program Stage 4 Report on public exhibition for 28 days.

COUNCIL RESOLUTION - 07.24.110

Clancy/Pickering

That Council places the draft Open Coast Coastal Management Program Stage 4 Report on public exhibition for 28 days.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.111 EOI 22/81 LEASE TO OPERATE THE CANTEEN LOCATED WITHIN THE GRAFTON REGIONAL LIVESTOCK SELLING CENTRE (SALEYARDS)

Meeting	Council	25 June 2024
Directorate	Works & Civil	
Prepared by	Coordinator Property, Eloise Casson	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. EOI 22/81 Lease to Operate Grafton Saleyards Canteen - Tender Recommendation (Confidential)	

SUMMARY

This report seeks the approval of the Council to award a twelve (12) month lease, with the option of a two (2) year extension, of the saleyard canteen to Brett and Endessa Schrader after completion of an open Expression of Interest process (EOI).

OFFICER RECOMMENDATION

That Council accept the tender from Brett and Endessa Schrader for EOI 81/22 for a twelve (12) month lease, with an option of a two (2) year extension, for the Grafton Saleyard Canteen at an initial lease fee of \$2,181.60 + GST per annum with income from the lease to accrue to Saleyard Operations PJ 996800.

COUNCIL RESOLUTION - 07.24.111

Tiley/Clancy

That Council accept the tender from Brett and Endessa Schrader for EOI 81/22 for a twelve (12) month lease, with an option of a two (2) year extension, for the Grafton Saleyard Canteen at an initial lease fee of \$2,181.60 + GST per annum with income from the lease to accrue to Saleyard Operations PJ 996800.

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.112 NORTH GRAFTON SEWAGE TREATMENT PLANT - TENDER SHORTLIST

Meeting	Council	25 June 2024
Directorate	Works & Civil	
Prepared by	Manager Technical Services, Greg Mashiah	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. North Grafton STP Quantity Surveyor P50 & P90 Estimate - Executive Summary (Confidential)	
	B. North Grafton STP - EoI Evaluation Report (Confidential)	

SUMMARY

On behalf of Council, project manager NSW Public Works called Expressions of Interest (EoI) which opened on 18 April 2024 and closed on 16 May 2024 to shortlist prospective tenderers for construction of the new North Grafton Sewage Treatment Plant (STP). The evaluation panel recommends that four (4) prospective tenderers be shortlisted to proceed to an Early Tendering Involvement (ETI) process.

OFFICER RECOMMENDATION

That Council notes the four (4) shortlisted prospective tenderers for the North Grafton Sewage Treatment Plant construction tender include:

- Eire Constructions Pty Ltd
- Haslin Constructions Pty Ltd
- Leed Engineering & Construction Pty Ltd and
- Pensar Construction Group Pty Ltd

COUNCIL RESOLUTION - 07.24.112**Tiley/Clancy**

That Council notes the four (4) shortlisted prospective tenderers for the North Grafton Sewage Treatment Plant construction tender include:

- Eire Constructions Pty Ltd
- Haslin Constructions Pty Ltd
- Leed Engineering & Construction Pty Ltd and
- Pensar Construction Group Pty Ltd

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.113 RFT 22/86 DISASTER RECOVERY FUNDING ARRANGEMENTS (DRFA) - TALLAWUDJAH CREEK TRAINING WORKS TENDER

Meeting	Council	25 June 2024
Directorate	Works & Civil	
Prepared by	Manager Civil Services, Devin Simpson	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. Tender Evaluation Report - RFT22/86 - Tallawudja Creek Realignment (Confidential)	

SUMMARY

Council called open tenders on the 16 May 2024 for the construction works and associated realignment of Tallawudjah Creek (RFT22/86) with tenders closing on 6 June 2023. This report presents the outcome of the tender process and seeks endorsement to accept the most advantageous tender for Council.

OFFICER RECOMMENDATION

That Council:

1. subject to receipt of the agreed funding schedule from Transport for NSW (TfNSW), accept the tender from SEE Civil Pty Ltd for RFT22/86 Tallawudjah Creek Realignment at a cost of \$3,886,806.31 (including GST) to be funded from Natural Disaster Essential Public Asset Restoration funding.
2. delegate authority to the General Manager to approve appropriately deemed variations to the Contract and those variations be reported to Council within the Quarterly Budget Review Statement (QBRs) once the Contract is finalised.

COUNCIL RESOLUTION - 07.24.113

Tiley/Clancy

That Council:

1. **subject to receipt of the agreed funding schedule from Transport for NSW (TfNSW), accept the tender from SEE Civil Pty Ltd for RFT22/86 Tallawudjah Creek Realignment at a cost of \$3,886,806.31 (including GST) to be funded from Natural Disaster Essential Public Asset Restoration funding.**
2. **delegate authority to the General Manager to approve appropriately deemed variations to the Contract and those variations be reported to Council within the Quarterly Budget Review Statement (QBRs) once the Contract is finalised.**

Voting recorded as follows

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

Against: Nil

CARRIED

ITEM 07.24.114 RFT 22/80 SUPPLY AND DELIVERY OF BITUMEN SEALING WORKS 2024/2025

Meeting	Council	25 June 2024
Directorate	Works & Civil	
Prepared by	Senior Maintenance Engineer, Ross McCann	
Reviewed by	Director Works & Civil, Jamie Fleeting	
Attachments	A. Tender Evaluation Report - RFT 22/80 Supply and Delivery of Bitumen Sealing Works (Confidential)	

SUMMARY

In April 2024 tenders were called from suitably qualified and experienced contractors to conduct sprayed bitumen surfacing works on council's local and regional roads. This report recommends the engagement of RPQ Spray Seal Pty Ltd for the 2024/2025 financial year.

OFFICER RECOMMENDATION

That:

1. Council accepts the tendered rates from RPQ Spray Seal Pty Ltd for tender number RFT 22/80 for the supply and delivery of bitumen surfacing works within the Clarence Valley Council area for the period of 01 July 2024 to 30 June 2025.
2. subject to satisfactory contractor performance the General Manager may approve contract extensions (2 x 1 year) in accordance with the contract.

COUNCIL RESOLUTION - 07.24.114

Tiley/Clancy

That:

1. Council accepts the tendered rates from RPQ Spray Seal Pty Ltd for tender number RFT 22/80 for the supply and delivery of bitumen surfacing works within the Clarence Valley Council area for the period of 01 July 2024 to 30 June 2025.
2. subject to satisfactory contractor performance the General Manager may approve contract extensions (2 x 1 year) in accordance with the contract.

Voting recorded as follows

For: Clancy, Day, Johnstone, Novak, Pickering, Smith, Tiley, 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 5.43pm



CERTIFICATION OF MINUTES

I certify that the preceding 41 pages are the Minutes of the Ordinary Council Meeting of Clarence Valley Council held on 25 June 2024.

Signed by:

First name surname
Mayor / Chairperson