

The following document is the minutes of the Council and Committee meeting held on 10 October 2013. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 24 October 2013 and therefore subject to change. Please refer to minutes of 24 October 2013 for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
10 OCTOBER 2013

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

10 OCTOBER 2013

Present: Councillors R Degens (Deputy Mayor), J Arkan, N Cowling, G Innes, B Palmer, K Rhoades, M Sultana and S Townley

Staff: General Manager, Director City Infrastructure Services, Director City Planning, Director Community Development (Acting), Director Corporate Business (Acting) and Executive Assistant

The meeting commenced at 5.00 pm with the Deputy Mayor, Cr R Degens in the chair.

We respectfully acknowledge the Gumba yngirr Country and the Gumba yngirr Aboriginal peoples who are traditional custodians of the land on which we meet and their Elders both past and present.

The Deputy Mayor reminded the Chamber that the meeting was to be recorded, and that no other recordings of the meeting would be permitted.

The Deputy Mayor congratulated Cr Rhoades on being elected as the President of Local Government NSW.

DISCLOSURES OF INTEREST

No disclosures of interests tabled.

APOLOGY

246 RESOLVED (Rhoades/Innes) that leave of absence as requested from Councillor Knight be approved.

PUBLIC ADDRESS

Time	Speaker	Item
5.00pm	Barry Lee	CB13/64 Business Opportunity

CONFIRMATION AND ADOPTION OF MINUTES

- 247** **RESOLVED** (Arkan/Innes) that the minutes of the Ordinary meeting held on 26 September 2013 be confirmed as a true and correct record of proceedings.

NOTICES OF MOTION

NOM13/12 RENAMING OF HIGH STREET SPORTING FIELDS

- 248** **RESOLVED** (Cowling/Rhoades) that the sporting fields at Woolgoolga known as the High St Sporting fields be renamed "Clive Joass Memorial Sports Park" and that at an appropriate time a ceremony be held to mark this, with Mr Joass's family being invited.

The Motion on being put to the meeting was carried unanimously.

NOM13/13 INCORPORATED ENTITY RELATING TO WASTE MANAGEMENT

- 249** **RESOLVED** (Townley/Innes) that:
1. Council seek to form an incorporated entity for the purpose of developing and supporting future projects relating to waste management, in particular reuse and recycling.
 2. The charter and composition of this group be ratified by Council prior to its formalisation.
- 250** **MOVED** (Rhoades/Innes) that item CB13/64 Business Opportunity be referred to confidential session at the end of the meeting.

GENERAL MANAGER'S REPORT

GM13/31 NOTICE OF DRAFT POLICY TO BE PLACED ON PUBLIC EXHIBITION - COUNCILLOR EXPENSES AND FACILITIES POLICY

To advise Council and the community of the public exhibition of the draft Councillor Expenses and Facilities policy.

In accordance with Section 252 of the Local Government Act 1993, (the Act) Council is required within five (5) months after the end of each financial year to adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor and Councillors in relation to discharging the functions of civic office.

In accordance with Section 253(5) of the Act if there are anything other than minor changes, the policy is to be advertised allowing for at least 28 days for public submissions.

RESOLVED (Palmer/Townley) that:

1. In accordance with Section 253(5) of the Local Government Act 1993, Council gives public notice of its intention to adopt the Councillor Expenses and Facilities Policy as attached and allow at least 28 days for the making of public submissions.
2. Following the exhibition period, Council considers a further report including a summary of any submissions received.

AMENDMENT

251 MOVED (Arkan/Cowling) that

1. In accordance with Section 253(5) of the Local Government Act 1993, Council gives public notice of its intention to adopt the Councillor Expenses and Facilities Policy as attached and allow at least 28 days for the making of public submissions.
2. Following the exhibition period, Council considers a further report including a summary of any submissions received.
3. Reference 21 page 13 be reinstated in the draft policy.

The **AMENDMENT** on being put to the meeting was declared **CARRIED**. It then became the **MOTION** and on being put to the meeting was declared **CARRIED**.

CITY PLANNING DEPARTMENT REPORTS

CP13/34 MAJOR PROJECT APPLICATION MP05_0083 - CONCEPT PLAN APPROVAL - SANDY BEACH NORTH - LOT 22 DP 1070182, LOTS 497 AND 498 DP 227298, PACIFIC HIGHWAY AND PINE CRESCENT, SANDY BEACH

To inform Council who is responsible for determining the development application(s) associated with this Concept Plan Approval and of the assessment considerations associated with the process.

- 252 RESOLVED** (Palmer/Sultana) that the report on the development application process associated with MP05_0083 - Concept Plan Approval - Sandy Beach North - Lot 22 DP 1070182, Lots 497 and 498 DP 227298, Pacific Highway And Pine Crescent, Sandy Beach be noted.

FOR

Cr Arkan
Cr Cowling
Cr Degens
Cr Innes
Cr Palmer
Cr Rhoades
Cr Sultana
Cr Townley

AGAINST

Nil

CP13/35 COFFS HARBOUR SWIMMING POOL INSPECTION PROGRAM

The purpose of this report is to seek Council's endorsement of the implementation of the Swimming Pool Inspection Program to meet the requirements of the Swimming Pools Act 1992.

- 253 RESOLVED** (Innes/Palmer) that Council endorses the Swimming Pool Inspection Program (Attachment 1).

CORPORATE BUSINESS DEPARTMENT REPORTS

CB13/59 COUNCIL MEETING DATES 2014

To seek Councillors' confirmation to set Council's meeting dates for the period January 2014 to December 2014.

254 RESOLVED (Arkan/Innes) that:

1. No Council meetings be scheduled for January 2014.
 2. The first meeting in 2014 be scheduled for 13 February 2014.
 3. Meetings from February to November 2014 be scheduled on the second and fourth Thursday of each month with the exception of April, where only one meeting will be held on 10 April 2014, and September where only one meeting will be held on 25 September 2014.
 4. The last Council meeting for 2014 be held on 18 December 2014.
-

CB13/60 DRAFT PLAN OF MANAGEMENT FOR WOOLGOOLGA BEACH RESERVE

To submit a Draft Plan of Management for Part of Reserve 63076 for Public Recreation and Resting Place and reserve for Public Recreation (Southern section of Woolgoolga Beach Reserve), recommending that the Draft Plan be referred to Trade & Investment, Crown Lands requesting approval to place the Draft Plan on Public Exhibition.

255 RESOLVED (Palmer/Sultana) that Council, as Corporate Manager of the Woolgoolga Beach Reserve Trust, refer the Draft Plan of Management for Part of Reserve 63076 for Public Recreation and Resting Place and reserve for Public Recreation (Southern section of Woolgoolga Beach Reserve) to Trade & Investment Crown Lands, requesting approval to place the Draft Plan of Management on Public Exhibition.

AMENDMENT

MOVED (Innes/) that:

1. Council, as Corporate Manager of the Woolgoolga Beach Reserve Trust, refer the Draft Plan of Management for Part of Reserve 63076 for Public Recreation and Resting Place and reserve for Public Recreation (Southern section of Woolgoolga Beach Reserve) to Trade & Investment Crown Lands, requesting approval to place the Draft Plan of Management on Public Exhibition.
2. That the Woolgoolga Reserve Plan also include recreational vehicle opportunity.

The Motion lapsed in the absence of a seconder.

Cont'd

**CB13/60 Draft Plan of Management for Woolgoolga Beach Reserve
...(Cont'd)**

DIVISION

A division was duly called, and those members voting for and against the motion were recorded:

FOR	AGAINST
Cr Arkan	Nil
Cr Cowling	
Cr Degens	
Cr Innes	
Cr Palmer	
Cr Rhoades	
Cr Sultana	
Cr Townley	

CB13/61 DEVELOPER CONTRIBUTION PLANS REVIEW

To present to Council the draft amended Developer Contributions Plans and Development Servicing Plans.

256 RESOLVED (Palmer/Arkan) that the following Draft Section 94 Developer Contributions Plans and Draft Section 64 Development Servicing Plans be placed on public exhibition for a period of 30 days and submissions be invited

1. Regional, District and Neighbourhood Facilities & Services 2013
2. Coffs Harbour Road Network 2013
3. City Centre Car Parking 2013
4. Hearnese Lake/Sandy Beach Release Area 2013
5. Jetty Area Car Parking
6. Korora Rural Residential Release Area 2013
7. Mines and Extractive Industries 2013
8. Moonee Release Area 2013
9. North Coffs Release Area 2013
10. North Boambee Valley (East) Release Area 2013
11. North Bonville 2013
12. Park Beach Area 2013
13. South Coffs 2013
14. West Coffs Harbour 2013
15. West Woolgoolga 2013
16. Water Supply Development Servicing Plan 2013
17. Wastewater Development Servicing Plan 2013.

CB13/62 ENVIRONMENTAL LEVY WORKING GROUP - COMMUNITY NOMINATIONS

To report to Council on the applications received for membership on the Environmental Levy Working Group. As members cannot attend all meetings this report recommends that all five applicants be appointed community members to the Environmental Levy Working Group.

- 257 RESOLVED** (Palmer/Townley) that all five applicants, Mr Garry Dew, Mr Rod McKelvey, Ms Jane Ireland, Ms Robyn Thomson and Ms Justine Maunsell are appointed to the Environmental Levy Working Group.

CB13/63 TEEN PLAYGROUND AT PARK BEACH HOLIDAY PARK

To recommend a supplier for the construction of a teen oriented playground area within Park Beach Holiday Park.

- 258 RESOLVED** (Innes/Arkan) that

Coffs Harbour City Council, as Corporate Manager of the Coffs Coast State Park Trust, under LGP Contract Number: "LGP308-2 Playground, Open Space and Recreational Infrastructure":

1. Appoint Moduplay Pty Ltd as the preferred supplier for the "Teen Playground" facility at Park Beach Holiday Park and
2. Accepts Stage 1 and Stage 2 (with integrated shade sail) of Moduplay's quote (Design No's: MMC 1303-22DR2) for the sum of \$308,847.00 including GST:

on the basis that the quote best meets the brief for the project by providing activities with a strong mix of passive and active recreation, incorporating modern technology, and is within the Trusts budget and the supplier has provided superior client services during the quotation stage of the project.

REQUESTS FOR LEAVE OF ABSENCE

- 259 RESOLVED** (Palmer/Innes) that Cr Sultana be granted leave of absence from Council from 24 October 2013.

MATTERS OF AN URGENT NATURE

No matters of an urgent nature.

QUESTIONS ON NOTICE

QON13/5 COSTS ASSOCIATED WITH BUSKERS' FESTIVAL

The report was noted.

CLOSED MEETING – SECTION 10(A)

The Deputy Mayor requested a motion to close the meeting to consider a confidential report as outlined in the meeting agenda, the time was 6.30 pm.

260 MOVED (Palmer/Innes) that the meeting be closed to the press and public during consideration of the following items for the reasons as stated:

CB13/64 - Business Opportunity

This report was confidential for the reason of Section 10A(2) of the Local Government Act, 1993:

- (d) Contained commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret.

The motion on being put to the meeting was carried.

The press and public vacated the chamber.

CB13/64 BUSINESS OPPORTUNITY

Cr Cowling left the meeting, the time being 7.26 pm.

Cr Cowling returned to the meeting, the time being 7.32pm.

To obtain Council consent to acquire a business enterprise.

261 RECOMMENDED (Rhoades/Innes) that Council adopt and authorise the proposed actions as detailed in the summary section of the confidential attachment.

DIVISION

A division was duly called, and those members voting for and against the motion were recorded:

FOR

Cr Arkan
Cr Degens
Cr Innes
Cr Palmer
Cr Rhoades
Cr Sultana
Cr Townley

AGAINST

Cr Cowling

OPEN MEETING

The Deputy Mayor requested an appropriate motion to enable the meeting to resolve into Open Meeting.

262 RECOMMENDED (Arkan/Palmer) that the Council now move into Open Meeting.

The General Manager read to the meeting the resolution of the Closed Meeting.

263 RESOLVED (Innes/Arkan) to adopt the report of the Closed Meeting.

This concluded the business and the meeting closed at 7.39 pm.

Confirmed: 24 October 2013

.....
Rodney Degens
Deputy Mayor