



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
25 SEPTEMBER 2014

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

25 SEPTEMBER 2014

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

Staff: General Manager, Director Corporate Business, Director of City Infrastructure Services, Director Planning, Director of Community Development, Manager Strategic Planning, Team Leader Precinct Planner and Executive Assistant.

The meeting commenced at 5.00pm with the Mayor, Cr D Knight in the chair.

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

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

Cr Sultana arrived at the meeting, the time being 5:01pm.

DISCLOSURE OF INTEREST

The General Manager read the following disclosures of interest to inform the meeting:

| Councillor | Item | Type of Interest |
|-------------------|--|---------------------------------------|
| Cr Palmer | CIS 14/50 Contract No. RFT-673-TO – Supply and Delivery Quarry Products 2014-2016 | Non pecuniary - Less Than Significant |
| Cr Palmer | CP14/29 Bonville Rural Residential Investigation Area – Planning Proposal and Draft Developer Contributions Plan | Non pecuniary - Less Than Significant |
| Cr Palmer | CIS14/48 Stage 2 Transfer of Coffs Harbour City Council Land to Coffs Coast Regional Park – Execution of Documents | Non pecuniary - Less Than Significant |

PUBLIC FORUM

| Time | Speaker | Item |
|---------|-----------------|--|
| 5.00 pm | Judy Quickenden | Seating in Reserve, Columbus Circuit, behind Park Beach Plaza and Mowing Etiquette at Council Parks and Reserves |

CONFIRMATION OF MINUTES

- 255 **RESOLVED** (Arkan/Innes) that the minutes of the Ordinary meeting held on 28 August 2014 be confirmed as a true and correct record of proceedings.

GENERAL MANAGER'S REPORTS

GM14/26 ELECTION OF DEPUTY MAYOR

To seek Council's decision on the election of a Deputy Mayor.

- 256 **RESOLUTION** (Arkan/Cowling) that Council resolve to elect a Deputy Mayor for the ensuing twelve (12) months.
- 257 **RESOLUTION** (Cowling/Arkan) that Nominations for the position of Deputy Mayor be called and the method of election be by open ballot (show of hands).

The General Manager advised that he had received two nominations for the position of Deputy Mayor and that those nominated were Cr Degens and Cr Townley. An open ballot was conducted and as a result Cr Townley was elected as Deputy Mayor for the ensuing twelve months.

CITY INFRASTRUCTURE SERVICES DEPARTMENT REPORTS

CIS14/48 STAGE 2 TRANSFER OF COFFS HARBOUR CITY COUNCIL LAND TO COFFS COAST REGIONAL PARK - EXECUTION OF DOCUMENTS

Report seeking Council approval to execute transfers and other required documents under seal to facilitate the disposal and transfer of Council lands to the Office of Environment & Heritage.

- 258 RESOLVED** (Arkan/Townley) that Council execute under seal the required documents to enable the transfer of lands described within this report to the Coffs Coast Regional Park in accordance with Council's resolution number 120 of 23 June 2011.

CIS14/49 RENEWAL OF LEASE OF 23 GORDON STREET, COFFS HARBOUR TO GEOLINK

Seeking Council's authority to execute a further one year lease term with an option of one year term of 23 Gordon Street, Coffs Harbour with the present Lessee, GeoLINK Consulting Pty Limited.

- 259 RESOLVED** (Innes/Arkan):
1. That Council, as the registered proprietor of 23 Gordon Street, Coffs Harbour being Lot 20 Section 6 DP 758258 authorise the lease of the premises to GeoLINK Consulting Pty Limited for a further term of one (1) year with an option of one year.
 2. That any necessary documents associated with the lease of 23 Gordon Street, Coffs Harbour being Lot 20 Section 6 DP 758258 to GeoLINK Consulting Pty Limited be executed under the Common Seal of Council.
 3. That the Lessee be responsible for, and pay, all of Council's reasonable legal costs arising from the preparation and registration of the lease over 23 Gordon Street, Coffs Harbour being Lot 20 Section 6 DP 758258.

CIS14/50 CONTRACT NO. RFT-673-TO - SUPPLY & DELIVERY QUARRY PRODUCTS 2014-2016

To report to Council on tenders received for Contract RFT-673-TO for the supply and delivery of Quarry Products 2014 - 2016 and seek approval to award a contract.

260 RESOLVED (Arkan/Sultana):

1. That for the Supply and Delivery of Quarry Product 2014-2016. RFT-673-TO the motion be moved on the basis that:
 - a. The following tenders received are the most advantageous to Council:
 1. Clarence Earthmoving, Elland ABN 67 419 008 476
 2. Coastal Homesites Pty Ltd, Woolgoolga ABN 38 000 925 744
 3. Espedan Pty Ltd, Bucca ABN 70 001 684 037
 4. Holcim Australia Pty Ltd, Coffs Harbour ABN 87 099 732 297
 5. Kerita Holdings Pty Ltd, t/as Tom Jung Quarries, Coffs Harbour ABN 76 119 123 707
 6. Sheridans Hard Rock Quarry Pty Ltd, Hernani ABN 58 151 721 989
 7. Sydney Quarry & Haulage Group Pty Ltd, Corindi Beach ABN 54 159 911 850
 - b. The tenderers have the necessary experience, ability and performance.
2. That the contract documents be executed under the Seal of Council.

CORPORATE BUSINESS DEPARTMENT REPORTS

CB14/52 ACTUAL FUNDS RESULT FOR YEAR ENDED 30 JUNE 2014

To report on the actual funds results for the year ended 30 June 2014 and the proposed revotes from 2013/2014 to 2014/2015.

261 RESOLVED (Palmer/Degens):

1. That the actual fund results for the financial year 2013/14 be noted as follows:

| | \$ | |
|--------------|-------------|---------|
| General Fund | 74,439 | surplus |
| Water Fund | (3,204,663) | deficit |
| Sewer Fund | (1,502,173) | deficit |

CB14/52 - Actual Funds Result For Year Ended 30 June 2014 (Cont)

2. That the various revotes from 2013/2014 to 2014/2015 as detailed in Attachment 4 as follows, be adopted.

| Summary | Revote \$ | Funding | | | |
|--------------|--------------|---------------|----------------|-----------------------------|----------------------------|
| | | Revenue \$ | External \$ | Environmental Levy \$ | Restricted Equity \$ |
| General Fund | 32,927,117 | 2,676,764 | 5,544,695 | 236,597 | 24,469,061 |
| Water Fund | 3,716,355 | 382,549 | | | 3,333,806 |
| Sewer Fund | 14,506,392 | 86,201 | 1,470,308 | | 12,949,883 |

3. Council endorses the revote of \$74,338 of surplus funds to offset the shortfall in Council's 2014/2015 Financial Assistance Grant allocation. This indicative figure is per the Local Government Grants Commission circular dated 13 August 2014 outlining their Minister approved recommendation.
4. Council endorses the revote of \$100,000 of surplus funds for future legal expenses contingency.
5. Council endorses the revote of \$200,000 of surplus funds for the potential replacement of a core software system.
6. Council endorses the revote of \$35,000 of surplus funds for the supply and installation of a shade sail over Emerald Beach Playground.

CB14/53 BANK BALANCES AND INVESTMENT FOR AUGUST 2014

To list Council's Bank Balances and Investments as at 31 August 2014.

262 RESOLVED (Innes/Sultana):

1. That the bank balances and investments totalling (from loans, Section 94 and other avenues that form the restricted accounts and are committed for future works) one hundred and fifty million, six hundred and ninety four thousand, six hundred and ninety five dollars (\$150,694,695) as at 31 August 2014 be noted.
2. That the general fund unrestricted cash and investments totalling one hundred and thirty four thousand, eight hundred and eighty dollars (\$134,880) as at 31 August 2014 be noted.

CB14/54 DONATIONS AND RATES SUBSIDY PROGRAMS 2014/2015

To recommend the Donations and Rates Subsidy Programs for 2014/2015 for adoption.

- 263 RESOLVED** (Degens/Palmer) that The Donations and Rate Subsidy Programs for 2014/2015 as set out in the report, totaling \$135,719 be adopted.

CB14/55 CONDUCT OF FINANCIAL REVIEW - SECTION 355 FACILITY MANAGEMENT COMMITTEES

To provide Council with details of the review of the financial records of Council's Section 355 facility management committees for the year ended 30 June 2014.

- 264 RESOLVED** (Degens/Sultana) that the report on the financial review of the Section 355 facility management committees be noted.

COMMUNITY DEVELOPMENT DEPARTMENT REPORTS

CD14/17 COUNCILLOR REPRESENTATIVE - NSW PUBLIC LIBRARIES ASSOCIATION

To appoint a Councillor Representative to the NSW Public Libraries Association (NSWPLA).

- 265 RESOLVED** (Cowling/Innes) that Coffs Harbour City Council appoints Councillor Cr Townley as its representative on the NSW Public Libraries Association.

CD14/18 COMMITTEE MEMBERSHIP - CORAMBA COMMUNITY HALL MANAGEMENT COMMITTEE AND WOOLGOOLGA COMMUNITY VILLAGE FACILITY MANAGEMENT COMMITTEE

To recommend to Council the appointment of community members to facility management committees.

- 266 RESOLVED** (Arkan/Sultana) that the following committee members nominations be appointed to the relevant committees:
- Coramba Community Hall Management Committee – Ms Beverley Ralls
 - Woolgoolga Community Village Facility Management Committee – Ms Renita King

CITY PLANNING DEPARTMENT REPORTS

CP14/27 TOWARDS A PLACE BASED PRECINCT PLANNING FRAMEWORK

To present Council with a report that outlines the purpose, functions and framework for a place based approach to precinct planning within the Local Government Area (LGA).

- 267** **RESOLVED** (Palmer/Townley) that Coffs Harbour City Council endorse the attached Precinct-Place Planning Strategy acknowledging that it will guide the organisations approach to stronger implementation of the Places for Living theme within Coffs Harbour 2030.

CP14/28 LANDSCAPE CORRIDORS OF THE COFFS HARBOUR LOCAL GOVERNMENT AREA - CONSULTATION DRAFT

To recommend that Council place on public exhibition the Landscape Corridors of the Coffs Harbour Local Government Area (LGA) report (Attachment 1) and spatial layer (Attachment 2).

- 268** **RESOLVED** (Townley/Arkan):
1. That Council endorse the Landscape Corridors of the Coffs Harbour Local Government Area Consultation Draft Report (Attachment 1) and Digital Layer (Attachment 2) for public exhibition and invite submissions for a period of 60 days:
 2. That a report be brought back to Council on the Landscape Corridors of the Coffs Harbour Local Government Area Consultation Draft Report and Digital Layer, following public exhibition.

**CP14/29 BONVILLE RURAL RESIDENTIAL INVESTIGATION AREA -
PLANNING PROPOSAL AND DRAFT DEVELOPER
CONTRIBUTIONS PLAN**

The purpose of this report is to present to Council a Planning Proposal and draft Developer Contributions Plan (CP) for the Bonville Rural Residential Investigation Area, with a view to rezoning parts of the land as an amendment to Coffs Harbour Local Environmental Plan (LEP) 2013.

269 RESOLVED (Arkan/Innes):

1. That Council endorse and forward the subject Planning Proposal to NSW Planning and Environment seeking a "Gateway Determination" for the rezoning of parts of the Bonville Rural Residential Investigation Area as shown in Attachment 1 to this report.
2. That subject to the "Gateway Determination" from NSW Planning and Environment, Council place the Planning Proposal on public exhibition.
3. That subject to the "Gateway Determination" from NSW Planning and Environment, Council place the Draft Bonville Rural Residential Developer Contribution Plan on public exhibition.
4. That a further report be considered by Council, concerning the outcome of the public exhibition.
5. That landowners in the Bonville Rural Residential Investigation Area be informed of Council's decision.

VOTED FOR

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

VOTED AGAINST

Cr Townley

**CP14/30 PLANNING PROPOSAL - PP_2013_COFFS_002_00 FOR LOT 13,
DP591220 COOK DRIVE, COFFS HARBOUR**

The purpose of this report is to present a Planning Proposal (PP) for Council's consideration.

270 RESOLVED (Arkan/Innes):

1. That Council endorse and forward the subject Planning Proposal to NSW Planning and Environment seeking a "Gateway Determination" for the rezoning of Lot 13, DP591220 Cook Drive, Coffs Harbour as shown in Attachment 1 of this report.
2. That Council note the inconsistency and seek endorsement from NSW Planning and Environment in regard to the Section 117 Direction relating to flooding.
3. That Council agree to enter into a Voluntary Planning Agreement with the proponent in accordance with the draft planning agreement contained in the offer from James Robert Auld and Margaret Dawn Auld as shown as Attachment 2 of this report.
4. That subject to the "Gateway Determination" from NSW Planning and Environment, Council place the Planning Proposal and Voluntary Planning Agreement on public exhibition.
5. That a further report be considered by Council following the outcome of the public exhibition.
6. That the landowner be informed of Council's decision.

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

REQUESTS FOR LEAVE OF ABSENCE

- 271 RESOLVED** (Sultana/Palmer) that Crs Arkan, Innes and Degens be granted leave of absence from Council on 9 October 2014.

MATTERS OF AN URGENT NATURE

No matters of an urgent nature.

QUESTIONS ON NOTICE

No questions on notice.

This concluded the business and the meeting closed at 5:54 pm.

Confirmed: 9 October 2014.

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Denise Knight
Mayor