

The following document is the minutes of the Council and Committee meeting held on 18 December 2014. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 12 February 2015 and therefore subject to change. Please refer to minutes of 12 February 2015 for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
18 DECEMBER 2014

Contents

ITEM	DESCRIPTION	PAGE
CITY PLANNING DEPARTMENT REPORT		
CP14/43	DEVELOPMENT APPLICATION NO. 0155/15 - DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A MEDICAL CENTRE - LOT 2 DP 270006 SP 39709, 9 MINORCA PLACE, TOORMINA	3
RESCISSION MOTION		
RM14/5	DA NO. 0961/14 - DEMOLISH EXISTING DWELLINGS AND CONSTRUCT SERVICE STATION, COMMERCIAL BUILDING AND ADVERTISING STRUCTURE - LOT 20 DP 1034831, LOT 3 DP 564731, LOT 16 DP 22513 - 208-212 PACIFIC HIGHWAY NORTH COFFS HARBOUR - RESCISSION MOTION	4
NOTICES OF MOTION		
NOM14/21	INCLUSION OF THE PORT OF COFFS HARBOUR INTO SHIPPING NETWORK	5
NOM14/22	REGIONAL CAPITALS AUSTRALIA MEMBERSHIP	5
NOM14/23	GRAFFITI REMOVAL AND STREET ART AWARENESS COMMITTEE	5

ITEM	DESCRIPTION	PAGE
GENERAL MANAGER'S REPORTS		
GM14/31	MODEL CODE OF CONDUCT COMPLAINTS STATISTICS	6
GM14/32	SURVEY OF COMMUNITY WELLBEING IN COFFS HARBOUR	6
COMMUNITY DEVELOPMENT DEPARTMENT REPORTS		
CD14/21	RESULTS OF ENGAGEMENT REGARDING CULTURAL FACILITIES	6
CD14/22	COMMUNITY SERVICES DIVISION - FACILITIES MANAGEMENT ADVISORY COMMITTEES AND COMMUNITY SERVICES INITIATIVES UPDATE FOR 2014	6
CD14/23	CONTRACT NO. RFT-679-TO DESIGN AND CONSTRUCT - RESURFACE WOOLGOOLGA NETBALL COURTS	7
CITY PLANNING DEPARTMENT REPORTS		
CP14/44	RELEASE OF RESTRICTION ON USE - LOT 5 DP 1093216 JARRAH COURT COFFS HARBOUR	7
CP14/45	NORTH BOAMBEE VALLEY (WEST) INVESTIGATION AREA - PLANNING PROPOSAL, DRAFT DEVELOPMENT CONTROL PLAN (COMPONENT E16) AND DRAFT DEVELOPER CONTRIBUTIONS PLAN	8
CP14/46	PLANNING PROPOSAL - PP_2014_COFFS_005_00 FOR ISLES INDUSTRIAL ESTATE, COFFS HARBOUR	9
CP14/47	COFFS COAST REGIONAL RESOURCE RECOVERY & WASTE MANAGEMENT STRATEGY CONSULTANT BRIEF	9
CP14/48	ILLEGAL WASTE DUMPING	10
CP14/49	COFFS HARBOUR EMISSIONS REDUCTION PLAN - STAGES 1 AND 2	10
CORPORATE BUSINESS DEPARTMENT REPORTS		
CB14/74	MONTHLY BUDGET REVIEW FOR NOVEMBER 2014	11
CB14/75	BANK BALANCES AND INVESTMENT FOR NOVEMBER 2014	11
CB14/76	DEBT WRITE-OFF DETERMINATION BY COUNCIL	12
CB14/77	PROCUREMENT POLICY	12
CB14/78	RALLY AUSTRALIA EVENTS 2015	12
CB14/79	TENDER: SUPPLY AND DELIVERY OF READY MIXED CONCRETE	13

ITEM	DESCRIPTION	PAGE
CITY INFRASTRUCTURE SERVICES DEPARTMENT REPORTS		
CIS14/64	DRAFT COFFS CREEK COASTAL ZONE MANAGEMENT PLAN	14
CIS14/65	CITY CENTRE MASTER PLAN COMMITTEE - CITY SQUARE DESIGN CONCEPT PLAN	14
CIS14/66	EXPANSION OF THE BRELSFORD PARK 24 HOUR ALCOHOL PROHIBITED AREA TO INCLUDE THE YOUTH SPACE	15
CIS14/67	COFFS HARBOUR SPORTSGROUND AND PARKLAND PLANS OF MANAGEMENT AMENDMENTS, NIGHTINGALE STREET, WOOLGOOLGA	15
CIS14/68	UPDATE ON BOAT RAMP AND DREDGING PROGRAM FUNDING	16
CIS14/69	TRAFFIC COMMITTEE NO. 4/2014	16
CIS14/70	FURTHER LEASE TO EXISTING TENANTS - KIOSKS IN CITY SQUARE	19
CIS14/71	"SANDY SHORES" PROPERTY, SANDY BEACH	20
CIS14/72	CONTRACT NO. RFT-680-TO: SUPPLY OF ONE (1) TRAILER TRI AXLE LOW LOADER	20
CIS14/73	TENDER RFT-674-TO: SUPPLY OF ONE TRUCK WITH MOBILE ELEVATING WORK PLATFORM	21
QUESTIONS ON NOTICE		
QON14/4	ATTRACTING AN A LEAGUE FOOTBALL MATCH TO C.EX STADIUM	21
QON14/5	CORAMBA DOG SHOW	21
MAYORAL MINUTE		
MM14/5	GENERAL MANAGER'S PERFORMANCE REVIEW 2014	22



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

18 DECEMBER 2014

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

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

The meeting commenced at 5.00 pm 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.

DISCLOSURES OF INTEREST

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

Councillor	Item	Type of Interest
Cr Rhoades	CP14/48 Illegal Waste Dumping	Non Pecuniary Less Than Significant Conflict as he holds a position on the NSW Environmental Trust Board
Cr Palmer	CIS14/65 City Centre Master Plan Committee - City Square Design Concept Plan	Non Pecuniary Less Than Significant as his wife operates a retail outlet in the CBD

Councillor	Item	Type of Interest
Cr Knight	CP14/43 Development Application No. 0155/15 - Demolition of Existing Building and Construction of a Medical Centre - lot 2 DP 270006 SP 39709, 9 Minorca Place, Toormina	Pecuniary Interest as she owns a property in the area that is being used as a medical facility
General Manager	CB14/78 Rally Australia Events 2015	Non Pecuniary Less Than Significant Conflict as he is a Board member of Rally Australia Ltd (non-remunerated)
General Manager	MM14/5 General Manager's Performance Review 2014	Pecuniary Interest as the matter deals with the process surrounding his performance review

APOLOGY

352 RESOLVED (Sultana/Palmer) that an apology received from Councillor Arkan for unavoidable absence be received and accepted.

353 RESOLVED (Degens/Townley) that leave of absence as requested from Councillor Innes be approved.

PUBLIC ADDRESS

Cr Knight declared a pecuniary interest in the following item, vacated the chamber and took no part in the discussion or voting, the time being 5.05pm, Cr Townley assumed Chairmanship of the meeting.

Time	Speaker	Item
5.00 pm	Peter Holst and Daniel Sutton	CP14/43 – DA 155/15 – Demolition of Existing Building and Construction of a Medical Centre – 9 Minorca Place, Toormina
5.05 pm	Greg Benson, De Groot Benson and Dr Peter McDonald	CP14/43 – DA 155/15 – Demolition of Existing Building and Construction of a Medical Centre – 9 Minorca Place, Toormina

CITY PLANNING DEPARTMENT REPORT

CP14/43 DEVELOPMENT APPLICATION NO. 0155/15 - DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A MEDICAL CENTRE - LOT 2 DP 270006 SP 39709, 9 MINORCA PLACE, TOORMINA

The purpose of this report is to present Development Application No. 155/15 for Council's determination, which is an application for the demolition of an existing commercial building and construction of a three (3) storey medical centre.

354 RESOLVED (Degens/Sultana) that:

1. The request made pursuant to Clause 4.6 of Coffs Harbour Local Environmental Plan 2013 for the variation to the maximum Floor Space Ratio under Clause 4.4 of Coffs Harbour Local Environmental Plan 2013, be supported in this particular case.
2. Development Application No. 0155/15 for demolition of existing building and construction of a Medical Centre at Lot 2 DP 270006 S/P 39709, 9 Minorca Place Toormina, be approved subject to the conditions on Attachment 3.
3. Those persons who made submissions be advised of Councils decision.

The **MOTION** on being put to the meeting was carried unanimously.

Cr Knight returned to the meeting, the time being 5.52pm. Cr Knight resumed Chairmanship of the meeting.

The General Manager declared a pecuniary interest in the following item, vacated the chamber and took no part in the discussion or voting, the time being 5.53pm.

MM14/5 GENERAL MANAGER'S PERFORMANCE REVIEW 2014

355 RESOLVED (Townley/Cowling) that item MM14/5 be referred to Closed Session.

The General Manager returned to the meeting, the time being 5.54pm.

CONFIRMATION AND ADOPTION OF MINUTES

356 RESOLVED (Sultana/Palmer) that the minutes of the Ordinary meeting held on 27 November 2014 be confirmed as a true and correct record of proceedings.

RESCISSION MOTION

RM14/5 DA NO. 0961/14 - DEMOLISH EXISTING DWELLINGS AND CONSTRUCT SERVICE STATION, COMMERCIAL BUILDING AND ADVERTISING STRUCTURE - LOT 20 DP 1034831, LOT 3 DP 564731, LOT 16 DP 22513 - 208-212 PACIFIC HIGHWAY NORTH COFFS HARBOUR - RESCISSION MOTION

357 RESOLVED (Degens/Sultana) that:

Resolution 343 of Ordinary meeting held 27 November 2014 regarding item CP14/37 Development Application No. 0961/14 Demolish Existing Dwellings and Construct Service Station, Commercial Building And Advertising Structure - Lot 20 DP 1034831, Lot 3 DP 564731, Lot 16 DP 22513 - 208-212 Pacific Highway North Coffs Harbour, and reading as follows, be rescinded:

RESOLVED (Palmer/Cowling) that development application No 0961/14 be deferred to allow for further assessment of;

1. the proposed control of storm water run-off using a 20,000 litre SPEL tank and its capacity to prevent over flow spillage directly into Fern Tree Creek at time of heavy, persistent rainfall.
2. alternative methods of disposing of the treated discharge other than releasing it into bio-retention gardens before being discharged into Fern Tree Creek such as discharge into Council's reticulated sewer system.
3. frequency of testing of water quality in Fern Tree Creek
4. conducting a Species Impact Study
5. that the Management of Solitary Marine Park be consulted on any possible impacts on the Marine Park.

VOTED FOR

Cr Degens

Cr Cowling

Cr Knight

Cr Sultana

Cr Palmer

Cr Rhoades

VOTED AGAINST

Cr Townley

358 RESOLVED (Sultana/Degens) that:

1. The objection made pursuant to Clause 4.6 of Coffs Harbour Local Environmental Plan 2013 for the variation to the maximum building height under Clause 4.3(2) of Coffs Harbour Local Environmental Plan 2013 be supported in this particular case.
2. Development Application No. 0961/14 to demolish existing dwellings and construct service station, commercial building and advertising structure at Lot 20 DP 1034831, Lot 3 DP 564731, Lot 16 DP 22513, 208-212 Pacific Highway, North Coffs Harbour be approved subject to the conditions on Attachment 3, with the amendment to the last paragraph of Condition 8 to read "The design details for the stormwater management system shall confirm that all discharge water from the SPEL tank is directed to a reticulated system and will not pollute any receiving waterways."
3. Persons who made a submission on Development Application No. 0961/14 be informed of Council's decision.

The **MOTION** on being put to the meeting was carried unanimously.

NOTICES OF MOTION

NOM14/21 INCLUSION OF THE PORT OF COFFS HARBOUR INTO SHIPPING NETWORK

359 **RESOLVED** (Degens/Sultana) that:

Council draft a letter to the CEO of RDA MNC (Regional Development Australia Mid North Coast), Ms Lorraine Gordon, for the purpose of:

1. Expressing our strong interest and support for the concept of inclusion of the 'Port of Coffs Harbour' into the shipping network of NSW and Australia as both a commercial and a tourist destination for cruise shipping.
 2. Obtaining any further information regarding this concept, especially in our terms of our capacity to welcome it.
-

NOM14/22 REGIONAL CAPITALS AUSTRALIA MEMBERSHIP

360 **RESOLVED** (Degens/Sultana) that:

Council contact Regional Capitals Australia to invite the RCA Secretariat and one of the board members to Coffs Harbour for the purpose of briefing Council on the alliance and how Coffs Harbour can benefit from membership.

DIVISION

MOVED (Cowling/Sultana) that a division be called, and those members voting for and against the motion were recorded:

VOTED FOR	VOTED AGAINST
Cr Degens	Cr Cowling
Cr Townley	Cr Palmer
Cr Knight	
Cr Sultana	
Cr Rhoades	

NOM14/23 GRAFFITI REMOVAL AND STREET ART AWARENESS COMMITTEE

361 **RESOLVED** (Sultana/Degens) that Council will engage members of the community by way of invitation to develop a policy on graffiti management and a strategy to undertake prevention, mitigation and education activities to minimise the impact of graffiti vandalism in the local government area.

GENERAL MANAGER'S REPORTS

GM14/31 MODEL CODE OF CONDUCT COMPLAINTS STATISTICS

To provide Council with the Model Code of Conduct complaints statistics report.

- 362** **RESOLVED** (Degens/Townley) that the Model Code of Conduct complaint statistics report be noted.
-

GM14/32 SURVEY OF COMMUNITY WELLBEING IN COFFS HARBOUR

To inform Council as to the outcomes of the 2014 Survey on Community Wellbeing in Coffs Harbour.

- 363** **RESOLVED** (Palmer/Sultana) that:
1. Council note the results of the 2014 Community Wellbeing Survey.
 2. The Final Report on the survey (provided by Jetty Research) be distributed to Council staff and posted on Council's website.
-

COMMUNITY DEVELOPMENT DEPARTMENT REPORTS

CD14/21 RESULTS OF ENGAGEMENT REGARDING CULTURAL FACILITIES

To inform Council of the outcomes of the recent community engagement regarding the provision of cultural facilities in Coffs Harbour.

- 364** **RESOLVED** (Palmer/Townley) that:
1. Council note the results of the survey regarding the support for the provision of cultural facilities at this time.
 2. Further action in relation to the provision of a new central library, a new regional gallery and a performance space be undertaken once Council's financial sustainability strategy for the ongoing renewal and maintenance of infrastructure assets is finalised.
 3. The further action referred to above would be the subject of a Council report, prior to any such action being taken.
-

CD14/22 COMMUNITY SERVICES DIVISION - FACILITIES MANAGEMENT ADVISORY COMMITTEES AND COMMUNITY SERVICES INITIATIVES UPDATE FOR 2014

To provide a report on the current operational status of the community facility management and advisory committees within the Community Services Division and associated community services initiatives.

- 365** **RESOLVED** (Degens/Palmer) that Council note the valuable assistance, advice and good management of Council's community facilities and advisory committees by volunteer members and a letter of appreciation be sent to the committees signed by the Mayor.
-

**CD14/23 CONTRACT NO. RFT-679-TO DESIGN AND CONSTRUCT -
RESURFACE WOOLGOOLGA NETBALL COURTS**

To advise Council of tenders received for the Resurface of Woolgoolga Netball Courts; and to gain Council approval to accept a tender.

366 RESOLVED (Sultana/Degens) that:

1. Council accept the tender of Court Craft (Aust) Pty Ltd, ABN 41 003 169 015 for Contract no. RFT-679-TO Design and Construct – Resurface Woolgoolga Netball Courts, for the lump sum of \$265,601 including GST on the basis that:
 - a) The tender is the most advantageous tender following the application of Council's Tender Value Selection System.
 - b) The tenderer has the necessary experience in similar works and his ability and performance are satisfactory.
 - c) The tenderer's financial capacity is acceptable.
2. The contract documents be executed under the seal of Council.
3. Council approve the additional funding as detailed in the confidential attachment, being \$35,000 from unallocated loan funds and a maximum of \$32,000 from the general fund surplus.
4. Council write to Woolgoolga District Netball Association confirming the requirement for them to commit \$3,000 per year for a 10 year period into a court maintenance sinking fund.

CITY PLANNING DEPARTMENT REPORTS

**CP14/44 RELEASE OF RESTRICTION ON USE - LOT 5 DP 1093216
JARRAH COURT COFFS HARBOUR**

The purpose of the report is to obtain Council approval to execute the necessary legal documents to release a restriction on use over Lot 5 in DP 1093216.

367 RESOLVED (Townley/Cowling) that:

1. Council execute under seal all necessary documents to release the existing restriction on the use of land, numbered 3 and noted as 'D' over Lot 5 in DP 1093216.
2. All costs associated with this matter be the responsibility of the owners of the relevant lot, requesting release of the restriction.

The **MOTION** on being put to the meeting was carried unanimously.

**CP14/45 NORTH BOAMBEE VALLEY (WEST) INVESTIGATION AREA -
PLANNING PROPOSAL, DRAFT DEVELOPMENT CONTROL PLAN
(COMPONENT E16) AND DRAFT DEVELOPER CONTRIBUTIONS
PLAN**

The purpose of this report is to present for Council's consideration a Planning Proposal (PP) (Attachment 1), draft Development Control Plan (DCP) (Attachment 2) and draft Developer Contributions Plan (CP) (Attachment 3) for the North Boambee Valley (NBV) (West) Investigation Area, with a view to rezoning parts of the Investigation Area in accordance with the findings of the supporting documents of the Planning Proposal.

To achieve this, Council should request a Gateway Determination from NSW Planning and Environment (P&E), to progress zoning amendments to Coffs Harbour Local Environmental Plan (LEP) 2013.

Council has undertaken Planning Studies to support the PP for the NBV (West) Investigation Area, while also preparing the draft Boambee-Newports Creek Flood Risk Management Plan (FRMP). The findings of the Planning Studies and the draft FRMP have been critical to the progress of the NBV (West) PP.

368 RESOLVED (Palmer/Rhoades) that:

1. Council endorse and forward the subject Planning Proposal to NSW Planning and Environment seeking a "Gateway Determination" for the rezoning of parts of the North Boambee Valley (West) Investigation Area as shown in Attachment 1 to this report.
2. Subject to the "Gateway Determination" from NSW Planning and Environment, Council place the Planning Proposal on public exhibition.
3. Subject to the "Gateway Determination" from NSW Planning and Environment, Council place the Draft Coffs Harbour Development Control Plan (Component E16) North Boambee Valley (West) (Attachment 2 to this report) on public exhibition.
4. Subject to the "Gateway Determination" from NSW Planning and Environment, Council place the Draft North Boambee Valley (West) Developer Contribution Plan (Attachment 3 to this report) on public exhibition.
5. A further report be considered by Council, concerning the outcome of the public exhibition.
6. Landowners in the North Boambee Valley (West) Investigation Area be informed of Council's decision.

The **MOTION** on being put to the meeting was carried unanimously.

CP14/46 PLANNING PROPOSAL - PP_2014_COFFS_005_00 FOR ISLES INDUSTRIAL ESTATE, COFFS HARBOUR

The purpose of this report is to present a Planning Proposal (PP) – PP_2014_COFFS_005_00 for Council’s consideration.

The report recommends that Council seek a Gateway Determination from NSW Planning and Environment (P&E) to place the PP on public exhibition. The report also recommends that a further report on this matter is considered by Council following exhibition of the PP. The PP is included as Attachment 1 to this report.

369 RESOLVED (Sultana/Palmer) that:

1. Council endorse the Review of B5 Zoning Isles Industrial Estate as contained in Attachment 2 to this report.
2. Council endorse and forward Planning Proposal PP_2014_COFFS_005_00 to NSW Planning and Environment seeking a “Gateway Determination” for the rezoning of lands within the Isles Industrial Estate, North Boambee Valley as shown in Attachment 1 of this report.
3. Subject to the "Gateway Determination" from NSW Planning and Environment, Council place the Planning Proposal on public exhibition.
4. A further report be considered by Council following the outcome of the public exhibition.
5. The affected landowners be informed of Council’s decision.

The **MOTION** on being put to the meeting was carried unanimously.

CP14/47 COFFS COAST REGIONAL RESOURCE RECOVERY & WASTE MANAGEMENT STRATEGY CONSULTANT BRIEF

The purpose of this report is to seek Council’s endorsement for the Request for Quotation - Consultant Brief to allow for the engagement of an appropriately qualified consultant to prepare a Coffs Coast Regional Resource Recovery and Waste Management Strategy.

370 RESOLVED (Degens/Palmer) that:

1. Coffs Harbour City Council endorse the Request for Quotation - Consultant Brief for the Preparation of Coffs Coast Regional Resource Recovery and Waste Management Strategy (Attachment 1).
2. Following the additional endorsement of the Brief by Bellingen Shire Council and Nambucca Shire Council, that Coffs Coast Waste Services engage an appropriately qualified and suitable consultant to prepare the Coffs Coast Regional Resource Recovery and Waste Management Strategy.

CP14/48 ILLEGAL WASTE DUMPING

This report considers measures that attempt to reduce the increasing incidence of illegal dumping.

371 RESOLVED (Degens/Palmer) that:

2. Council notes the contents of this report and that the Consultant Brief for the Coffs Coast Regional Resource Recovery and Waste Management Strategy addresses illegal dumping.
3. An illegal dumping committee be established and that this committee help inform the final Coffs Coast Regional Resource and Waste Management Strategy.
4. The illegal dumping committee be comprised of interested Councillors, a maximum of 6 community members and necessary Council officer support.
5. The committee report back to Council after 6 months.

CP14/49 COFFS HARBOUR EMISSIONS REDUCTION PLAN - STAGES 1 AND 2

The purpose of this report is to provide Council with an update in respect to the development of the Coffs Harbour Emissions Reduction Plan. The report provides Council with details on the organisation's emissions profile and recommends provisional emissions reduction and renewable energy targets for adoption.

372 RESOLVED (Townley/Degens) that:

1. Council notes the Coffs Harbour Emissions Reduction Plan (Stages 1 - 2) and adopts the following provisional targets:
 - 1.1 Coffs Harbour City Council will reduce its per annum corporate emissions (tonnes CO₂-e) from 2010 levels by 25% by 2020 and by 50% by 2025.
 - 1.2 Coffs Harbour City Council energy use to consist of 25% renewables by 2020, 50% renewables by 2025 and 100% renewables by 2030.
2. A further report be presented to Council in 2015 revisiting the provisional targets in the context of the Coffs Harbour Emissions Reduction Plan (Stage 3).

CORPORATE BUSINESS DEPARTMENT REPORTS

CB14/74 MONTHLY BUDGET REVIEW FOR NOVEMBER 2014

To report on the estimated budget position as at 30 November 2014.

373 RESOLVED (Rhoades/Palmer) that:

The budget adjustments be approved and the current budget position be noted.

Estimated Budget Position as at 30 November 2014:

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 22 May 2014	(1,557) (S)	3,237,535 (D)	2,536,225 (D)
Approved Variations to 31 October 2014	(51,359) (S)	(219,967) (S)	556,985 (D)
Recommended variations for November 2014	(59,059) (S)	Nil	Nil
Estimated result as at 30 November 2014	<u>(111,975) (S)</u>	<u>3,017,568 (D)</u>	<u>3,093,210 (D)</u>

CB14/75 BANK BALANCES AND INVESTMENT FOR NOVEMBER 2014

To list Council's Bank Balances and Investments as at 30 November 2014.

374 RESOLVED (Rhoades/Degens) that:

1. The bank balances and investments totaling (from loans, Section 94 and other avenues that form the restricted accounts and are committed for future works) one hundred and fifty six million, nine hundred and four thousand, and eleven dollars (\$156,904,011) as at 30 November 2014 be noted.
2. The general fund unrestricted cash and investments totaling one hundred and eighty nine thousand, five hundred and fifty seven dollars (\$240,916) as at 30 November 2014 be noted.

CB14/76 DEBT WRITE-OFF DETERMINATION BY COUNCIL

To fix the amount above which debts to Council may be written off only by resolution of Council.

375 RESOLVED (Palmer/Degens) that:

1. Council fixes \$20,000 as the amount above which debts to Council may be written off only by resolution of Council.
2. Debts to Council of amounts below \$20,000 may be written off either by resolution of Council or by a written order of the General Manager or his/her delegate.

CB14/77 PROCUREMENT POLICY

For Council to adopt the revised Procurement Policy.

376 RESOLVED (Sultana/Palmer) that Council adopts the Procurement Policy attached dated December 2014.

CB14/78 RALLY AUSTRALIA EVENTS 2015

To seek Council's approval for the proposed arrangements for sponsorship of the Rally Australia events for 2015.

377 RESOLVED (Degens/Rhoades) that:

1. The sponsorship arrangements contained in the confidential attachment be approved and funding allocated in the 2015/16 Operational Plan and Budget.
2. The General Manager be delegated authority to execute the sponsorship and hire agreement for 2015 between Coffs Harbour City Council and Rally Australia Pty Ltd.

The meeting adjourned for a short recess, the time being 7.12pm and reconvened at 7.17pm.

CB14/79 TENDER: SUPPLY AND DELIVERY OF READY MIXED CONCRETE

To report and gain Council approval on the tenders received by Regional Procurement Initiative (division of Hunter Council Incorporated) on behalf of the Mid North Coast Procurement Alliance Group of Councils for the supply and delivery of ready mixed concrete.

378 RESOLVED (Rhoades/Degens) that:

1. Council accepts the tender offers for all six (6) Tenderers for the period 1 January 2015 to 31 December 2016 from:
 - Boral Concrete
 - Coffs Harbour Mini-Mix
 - Hanson
 - High Quality Concrete
 - Holcim
 - Hurd Haulage trading as Hy-Tec Concrete

The recommendations are on the basis that:

- a) The tender offers are the most suitable and advantageous following the application of Regional Procurement's tender value selection system.
 - b) The six (6) tenderers form a panel of suppliers all available for use by Council staff. A six panel supplier arrangement allows Council's operation staff to be selective and cost effective in meeting project budget constraints, whilst simultaneously minimising work delays.
 - c) All six (6) suppliers are local to Coffs Harbour and the Mid North Coast, and have the necessary experience in similar works. Five of the suppliers are current contractors to Council for the supply and delivery of ready mixed concrete.
 - d) By actively participating in this Regional Procurement Tender T041415MNC on behalf of the Mid North Coast Procurement Alliance Group of Councils, Coffs Harbour City Council will not breach the Local Government (General) Regulation 2005 - Section 7 Tendering, for annual expenditure over \$150,000.
2. Provision is allowed for a twelve (12) month extension based on a satisfactory supplier performance which may take this tender through to 31 December 2017.

CITY INFRASTRUCTURE SERVICES DEPARTMENT REPORTS

CIS14/64 DRAFT COFFS CREEK COASTAL ZONE MANAGEMENT PLAN

The purpose of this report is to have the Draft Coffs Creek Coastal Zone Management Plan approved by Council for public exhibition.

379 RESOLVED (Palmer/Townley) that Council:

1. Approve the Draft Coffs Creek Coastal Zone Management Plan for public exhibition for a period of 28 days, from 28 January 2015.
2. Council note the minutes of the Coastal Estuary Management Advisory Committee held 29 July 2014.

CIS14/65 CITY CENTRE MASTER PLAN COMMITTEE - CITY SQUARE DESIGN CONCEPT PLAN

To report to Council on City Square Design Concept Plans developed through the City Centre Masterplan Committee.

380 RESOLVED (Cowling/Sultana) that Council note the City Square Revitalisation report and the City Square Design concept plans for Public Exhibition from 22 December 2014 to 27 February 2015.

AMENDMENT

MOVED (Rhoades/Degens) that:

Endorse City Square Revitalisation Report and the City Square Design Concept Plans for public exhibition over the period 22 December 2014 to 6 February 2015.

The **AMENDMENT** on being put to the meeting was **LOST**.

The **MOTION** on being put to the meeting was declared **CARRIED**.

CIS14/66 EXPANSION OF THE BRELSFORD PARK 24 HOUR ALCOHOL PROHIBITED AREA TO INCLUDE THE YOUTH SPACE

To recommend the expansion of the Brelsford Park alcohol prohibited area to include the recently constructed Coffs Harbour Youth Space, and the banning of glass containers and anti-social behavior within the Coffs Harbour Youth Space.

381 RESOLVED (Rhoades/Degens) that:

1. Council use the powers granted by Section 632A of the Local Government Act 1993 to prohibit the taking of and/or consumption of alcohol as follows:
 - Coffs Harbour Youth Space, Brelsford Park (Lot 100 DP 865320) - Alcohol Prohibition 24 hours, except for authorised events, as identified in Attachment 1 of this report.
2. Council use the powers granted by Section 632 (1)(e) of the Local Government Act 1993 to prohibit anti-social behavior and glass containers from the Coffs Harbour Youth Space (Lot100 DP 865320) as identified in Attachment 1 of this Report.
3. Notices, to effect all of the above, be displayed at appropriate locations.

CIS14/67 COFFS HARBOUR SPORTSGROUND AND PARKLAND PLANS OF MANAGEMENT AMENDMENTS, NIGHTINGALE STREET, WOOLGOOLGA

To advise Council of the outcome of public consultation in relation to the proposed Coffs Harbour Sportsground and Parkland Plans of Management amendments for Lot 102 DP 632009, Nightingale Street, Woolgoolga.

382 RESOLVED (Palmer/Cowling) that Council adopt the Sportground and Parkland Plans of Management land category amendments in relation to Lot 102 DP 632009, Nightingale Street, Woolgoolga.

CIS14/68 UPDATE ON BOAT RAMP AND DREDGING PROGRAM FUNDING

To inform Council of the current status of actions to upgrade the Coffs Harbour Boat Ramp and sand management issues for Coffs Harbour, and seek a funding allocation for a dredging program.

383 RESOLVED (Degens/Sultana) that Council:

1. Note progress with the boat ramp upgrade, and the intention to work with Crown Lands to develop a preferred sand management option for the harbour.
2. Acknowledge the continued support of the Coffs Harbour Deep Sea Fishing Club and its members with the upgrade.
3. Note further information regarding outcomes of the feasibility study into the option of a sand dredging / local sand placement program for the northern breakwater project.
4. Accept the offer from NSW Government up to \$250,000 as part of Rescuing Our Waterways Program.
5. Allocate \$250,000 in the 2014/15 Operational Plan (or a lesser amount if the \$150,000 application from Environmental Levy is successful) to enable the dredging program to be undertaken.

CIS14/69 TRAFFIC COMMITTEE NO. 4/2014

To confirm the Minutes of the Traffic Committee Meeting held on Friday, 28 November 2014.

384 RESOLVED (Palmer/Sultana) that:

T.38 – No Stopping - Bray Street between Joyce Street and Apollo Drive, south side, Coffs Harbour (R.503240[5371605])

That approval be given for the existing signposted no stopping zone on the western corner of Joyce Street and Bray Street Coffs Harbour be extended 21m west along Bray Street to a total distance of 38m from the kerb line in Joyce Street Coffs Harbour, as per plan T.38-2014.

T.39 - Parking Signage - North Street Coffs Harbour (R.505500[5392815])

That approval be given for a timed 15 minute Parking Zone 7.00am – 6.00pm, Mon – Fri to be installed on the eastern side of North Street for approximately 14m in front of No. 5 North Street, Coffs Harbour, as per plan T.39–2014.

T.40 - No Stopping Zone - Thompsons Road Coffs Harbour (R500530,[5314354])

That no action be taken.

Cont'd

T.41 - No Parking – Cnr Beryl Street & Gallipoli Road Coffs Harbour (R.503870,R.503880[5314870])

That no action to be taken and to monitor the situation

T.42 - Coffs Harbour City Transport Interchanges in Park Avenue and Vernon Street – Proposed Scope of Works (R.505670, R.504180[3618886])

That approval of the proposed scope of works be given for the upgrade of public transport interchange facilities in Park Avenue and Vernon Street Coffs Harbour. The works will require reconfiguration of the westbound exit from the Vernon Street/Gordon Street roundabout to one lane and the termination of the Park Avenue eastbound manoeuvring lane at the existing marked crossing. The Park Avenue works will result in one eastbound traffic lane across the marked pedestrian crossing and adjacent the car park bus zone. Proposed lane widths will allow passing room around vehicles turning right into Little Street and vehicles turning into the Park Avenue car park. Concept designs are as per plan T.42-2014

T.43 - Temporary Road Closure Glenreagh Street, Coffs Harbour Saltwater Freshwater Festival – 26 January 2015

That approval be given for the following:

- A 100m no parking zone in Coff Street adjacent Coffs Harbour cemetery for a drop off zone including shuttle buses and taxis.
- Limited access to the Botanic Garden car park for VIP, emergency parking and access for people with a disability
- A temporary no left turn from North Street into Curacoa Street Coffs Harbour for the duration of the festival
- The temporary road closure of Glenreagh Street, Coffs Harbour, on Monday 26 January 2015 from 5.00am to 5.30pm for the purpose of the Saltwater Freshwater Festival.

Approval is subject to:

- the organisers, Saltwater Freshwater Festival, verify that they have liaised with affected traders and residents including a letter drop to affected residents in surrounding streets.
- the organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers, in accordance with the submitted Traffic Management and Traffic Control Plans and police approval in writing.
- the organisers be responsible for all costs associated with the temporary closure and clean up, including advertising.
- VMS in Harbour Drive to advertise relevant messages advising the community of delays and parking arrangements.
- Road closure be advertised and providing no substantive objections are received.
- a debrief with Council Staff and Police after the event.

Cont'd

T.44 - Temporary Road Closure - Jordan Esplanade, Coffs Harbour 31 December 2014 [5359559]

That the temporary road closure of Jordan Esplanade, Coffs Harbour, between Marina Drive and car park entry to Jetty on Wednesday, 31 December 2014 from 6.00pm to 10.30pm for the purpose of New Year's Eve celebrations, be advertised and providing no substantive objections are received, the closure be approved subject to:

- a) the organisers, March's Amusements, verify that they have liaised with affected traders and residents and obtain their approval.
- b) the organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers, in accordance with the submitted Traffic Management and Traffic Control Plans and police approval in writing.
- c) traffic Control be in place at the intersections of Jordan Esplanade/Camperdown Street and Camperdown Street/Harbour Drive for exiting traffic at the end of the fireworks display.
- d) the organisers be responsible for all costs associated with the temporary closure and clean up, including advertising.
- e) organisers notifying the public that delays will occur in the vicinity of the Jetty Foreshores with times and advising alternative parking west of the railway line as part of their advertising and with VMS on Harbour Drive.

T.45 - Harbour Drive & Earl Street Coffs Harbour- road safety issue [5261143]

Council to further investigate warrants for a pedestrian crossing at Earl Street, Coffs Harbour to provide the traffic committee with more information.

That approval be given for trial single lane approaches to the roundabout at the intersection of Harbour Drive and Earl Street as per plan T.45-2014.

T.46 – Coral & Pacific Street Corindi Beach road safety issue [5403973]

Approval the installation of barrier (BB) lines (double white lines) on the curve of Coral and Pacific Street Corindi as per plan T.46-2014

CIS14/70 FURTHER LEASE TO EXISTING TENANTS - KIOSKS IN CITY SQUARE

Seeking consent to offer a further lease term to the incumbent tenants of each of the two Kiosks in the City Square.

385 RESOLVED (Degens/Palmer) that:

1. The Council, as registered proprietor of Lot 13 in DP 1031722 known as Kiosk A in City Square, authorise a new lease to Katherine Anne Power or assignee for a term of four years commencing from the day after the expiry of the current lease and on the proviso the lease includes, but is not limited to, terms and conditions as follows:
 - a) Commencing rent will be equivalent to at least market rent as assessed by an independent and registered Valuer.
 - b) The Lessee will indemnify Council from any claim for business interruption of loss arising from activities and construction directly or indirectly associated with the refurbishment of the City Square.
 - c) The Lessee will undertake at the reasonable direction of the Lessor, to refurbish the Kiosk to a standard in keeping with the guidelines for the refurbished City Square adopted by Council from time to time.
 - d) Such other additional clauses as recommended by council legal advisors.
2. That the lease of Lot 13 in DP 1031722 known as Kiosk A in the City Square, between Coffs Harbour City Council as Lessor and Katherine Anne Power (or assigns) as Lessee be executed under Common Seal of Council.
3. The Council, as registered proprietor of Lot 14 in DP 1031722 known as Kiosk B in City Square, authorise a new lease to Craig Ellis or assignee for a term of four years commencing from the day after the expiry of the current lease and on the proviso the lease includes, but is not limited to, terms and conditions as follows:
 - a) Commencing rent will be equivalent to at least market rent as assessed by an independent and registered Valuer.
 - b) The Lessee will indemnify Council from any claim for business interruption of loss arising from activities and construction directly or indirectly associated with the refurbishment of the City Centre Mall.
 - c) The Lessee will undertake at the reasonable direction of the Lessor, to refurbish the Kiosk to a standard in keeping with the guidelines for the refurbished City Square adopted by Council from time to time.
 - d) Such other additional clauses as recommended by council legal advisors.
4. That the lease of Lot 14 in DP 1031722 known as Kiosk B in City Square, between Coffs Harbour City Council as Lessor and Craig Ellis (or assigns) as Lessee be executed under Common Seal of Council.
5. That the cost associated with the negotiation and preparation of the leases of lots 13 and 14 in DP 1031722 be met by the incoming lessee insofar as is permissible under the Retail Leases Act 1993

Cont'd

**CIS14/70 Further Lease To Existing Tenants - Kiosks In City Square
...(Cont'd)**

6. That in the event council and the incumbent tenants of Lots 13 and 14 in DP 1031722 respectively cannot reach agreement on the terms and conditions of a new lease, each lease being independent of the other, the respective premises be advertised for Expression of Interest on the open market and the successful applicant being granted a lease on the proviso the lease includes, but is not limited to, terms and conditions as follows:
- a) Commencing rent will be equivalent to at least market rent as assessed by an independent and registered Valuer.
 - b) The Lessee will indemnify Council from any claim for business interruption of loss arising from activities and construction directly or indirectly associated with the refurbishment of the City Square.
 - c) The Lessee will undertake at the reasonable direction of the Lessor, to refurbish the Kiosk to a standard in keeping with the guidelines for the refurbished City Square adopted by Council from time to time.
 - d) Such other additional clauses as recommended by council legal advisors.
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CIS14/71 "SANDY SHORES" PROPERTY, SANDY BEACH

To provide advice to Council regarding the value of the "Sandy Shores" property and funding options available to Council for purchase of the property.

- 386 RESOLVED** (Sultana/Palmer) that the report be noted and Council take no further action in regard to this matter as a result of the letter received from Knight Frank dated 12 December 2014.
-

CIS14/72 CONTRACT NO. RFT-680-TO: SUPPLY OF ONE (1) TRAILER TRI AXLE LOW LOADER

Reporting to Council the result of going to tender for the supply of a replacement for Council's tri axle low loader and to gain Council approval to accept a tender.

- 387 RESOLVED** (Sultana/Palmer) that Council accepts the tender submitted by Drake Trailers Pty. Ltd ABN 91 009 761 031 to supply a new Drake Tri-axle Deck widener low loader for \$199,703.90 (GST Inclusive).
-

CIS14/73 TENDER RFT-674-TO: SUPPLY OF ONE TRUCK WITH MOBILE ELEVATING WORK PLATFORM

To report to Council the outcome of going to tender for the supply of a replacement Elevating Work Platform (EWP) and to gain Council approval to accept a tender.

- 388 RESOLVED** (Rhoades/Sultana) that Council accept the tender submitted by GMJ Equipment Pty Ltd ABN 66 005 749 431 to purchase Council's existing Elevating Work Platform and supply a new GMJ Model LL22.350 Elevating Work Platform mounted on a Isuzu FVZ 1400 Auto for \$333,744.00 (GST Inclusive).

REQUESTS FOR LEAVE OF ABSENCE

No requests for leave of absence.

MATTERS OF AN URGENT NATURE

No matters of an urgent nature.

QUESTIONS ON NOTICE

QON14/4 Attracting an a League Football Match to C.Ex Stadium

The report was noted.

QON14/5 Coramba Dog Show

The report was noted.

- 389 RESOLVED** (Rhoades/Sultana) that Council thank Jenni Eakins and Ben Lawson for their contribution and leadership while at Coffs Harbour City Council.

CLOSED SESSION – SECTION 10(A)

The Mayor requested a motion to close the meeting to consider a confidential report as outlined in the meeting agenda, the time was 7.46 pm.

- 390 RESOLVED** (Sultana/Degens) that the meeting be closed to the press and public during consideration of the following items for the reasons as stated:

MM14/5 - General Manager's Performance Review 2014

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 press and public vacated the chamber.

The General Manager declared a pecuniary interest in the following item, vacated the chamber and took no part in the discussion or voting, the time being 7.47pm.

MM14/5 GENERAL MANAGER'S PERFORMANCE REVIEW 2014

To advise Council of the outcome of the General Manager's Performance Review, which was conducted on 17 & 21 November and 8 December 2014.

- 391 RESOLVED** (Knight) that the outcome of the General Manager's Performance Review be noted.

DIVISION

MOVED (Cowling/Townley) that a division be called, and those members voting for and against the motion were recorded:

VOTED FOR	VOTED AGAINST
Cr Degens	Cr Cowling
Cr Innes *	Cr Townley
Cr Knight	Cr Sultana
Cr Palmer	
Cr Rhoades	

* As per minutes of 12 February 2015, Cr Innes was recorded as an apology for this meeting.

OPEN MEETING

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

392 RESOLVED (Palmer/Sultana) that the Closed Session now move into Open Meeting.

The General Manager returned to the meeting, the time being 8.30pm.

The Director City Planning read to the meeting the resolution of the Closed Session.

This concluded the business and the meeting closed at 8.32 pm.

Confirmed: 12 February 2015

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Denise Knight
Mayor