

The following document is the minutes of the Council meeting held on 8 October 2015. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 22 October 2015 and therefore subject to change. Please refer to minutes of 22 October 2015 for confirmation.



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**8 OCTOBER 2015**

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

**8 OCTOBER 2015**

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 Sustainable Infrastructure, Director Sustainable Communities, Director Business Services 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.

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#### DISCLOSURES OF INTEREST

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No disclosures of interests tabled.

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#### APOLOGY

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No apologies.

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#### CONFIRMATION AND ADOPTION OF MINUTES

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**229** **RESOLVED** (Arkan/Degens) that the minutes of the Ordinary meeting held on 24 September 2015 be confirmed as a true and correct record of proceedings.

## RESCISSION MOTION

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### RM15/4 ADOPTION OF CODE OF MEETING PRACTICE - RESCISSION MOTION

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**MOVED** (Arkan/Cowling) that:

The following Resolution number 213 of the Ordinary Meeting of 24 September 2015 be rescinded.

*That Council adopts the attached Code of Meeting Practice.*

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

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## DIVISION

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

### VOTED FOR

Cr Cowling  
Cr Arkan  
Cr Townley  
Cr Sultana

### VOTED AGAINST

Cr Degens  
Cr Palmer  
Cr Knight  
Cr Innes  
Cr Rhoades

## NOTICE OF MOTION

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### NOM15/17 ASSISTANCE FOR COFFS COAST REGIONAL DISABILITY ASSOCIATION

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**230** **RESOLVED** (Townley/Cowling) that:

1. Council continue to provide the meeting space for the Coffs Coast Regional Disability Association, according to room availability.
  2. Council commit to providing secretarial support, including assistance with finalising Fair Trading returns, up until, the end of 2015.
  3. Council staff officer meet with the group to discuss the application process for accessing Council funds to pay the current fees outstanding to Fair Trading.
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## GENERAL MANAGER'S REPORT

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### GM15/21 2015 DISCLOSURE OF INTEREST BY COUNCILLORS AND DESIGNATED PERSONS

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#### Executive Summary:

Section 449(3) of the Local Government Act 1993 requires councillors (and designated persons) who hold that position on 30 June in each year to lodge a "Disclosures by Councillors and Designated Persons Return". All current Councillors who held office at 30 June and have been re-elected, and designated officers, should have lodged such a return with their General Managers by 30 September 2015. These returns are to be tabled at the first meeting following the last day for lodgement.

This report is to advise of the tabling of these returns.

- 231 **RESOLVED** (Innes/Palmer) that the Register of Disclosures by Councillors and designated persons for the period July 2014 – June 2015, as tabled, be noted.

## SUSTAINABLE COMMUNITIES DEPARTMENT REPORTS

Cr Innes left the meeting, the time being 5.19pm.

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### SC15/43 PLANNING PROPOSAL PP\_2015\_COFFS\_003\_00 - REVIEW OF COFFS HARBOUR LOCAL ENVIRONMENTAL PLAN 2013

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#### Executive Summary:

The objective of this report is to provide Council with a review of submissions received during the exhibition period for Planning Proposal (PP) PP\_2015\_Coffs\_003\_00, being the first of a planned series of regular performance reviews of Coffs Harbour Local Environmental Plan (LEP) 2013.

The review of Coffs Harbour LEP 2013 is considered necessary to ensure that it provides the most up to date and accurate information as it applies to development in the Coffs Harbour local government area (LGA).

Council has received seven submissions (including five objections) during the consultation period of this PP. While the initial PP proposed 25 minor amendments to Coffs Harbour LEP 2013, the revised PP presented in this report proposes 24 minor amendments to Coffs Harbour LEP 2013.

Cont'd

As a result, in order to progress the PP Council needs to write to the NSW Department of Planning and Environment (P&E) and request the issue of an amended Gateway Determination.

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

1. Council endorse and forward a revised Planning Proposal PP\_2015\_Coffs\_003\_00 - Review of Coffs Harbour Local Environmental Plan 2013 to NSW Planning and Environment, seeking an amended "Gateway Determination" for the correction of minor provisions in Coffs Harbour Local Environmental Plan 2013 (Attachment 1).
2. Council request that the Secretary of the NSW Department of Planning and Environment endorse the continuation of a "Written Authorisation to Council to Exercise Delegation" of the plan making functions under section 59 of the Environmental Planning and Assessment Act in respect of the revised Planning Proposal.
3. The NSW Department of Planning and Environment be advised that due to the minor nature of the objections received during the consultation period, Council does not consider it necessary to publicly re-exhibit the revised Planning Proposal.
4. Should the NSW Department of Planning and Environment issue an amended Gateway Determination with a written authorisation to exercise delegation, that Council delegates to the General Manager the authority issued by the NSW Department of Planning and Environment to exercise the functions of the Minister under Section 59 of the Environmental Planning and Assessment Act 1979 for the purposes of finalising this Planning Proposal.
5. Council continues to consult with the NSW Department of Planning and Environment on the terms of the amendment to Coffs Harbour Local Environmental Plan 2013, to ensure its consistency with the objectives, outcomes and provisions of the Planning Proposal.
6. The landowners and where relevant, their consultant/s, be informed of Council's decision.
7. Revised Land zoning map 1800\_COM\_LZN\_006C\_020\_20150130 and revised Lot Size map 1800\_COM\_LSZ\_006C\_020\_20150522 be included within the Planning Proposal prior to forwarding it to NSW Planning and Environment.

**VOTED FOR**

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

**VOTED AGAINST**

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**SC15/44 VIDEO SURVEILLANCE ON PUBLIC AND OTHER LANDS POLICY**

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**Executive Summary:**

At its meeting of 28 May 2015, Council considered a report in respect to the draft Video Surveillance on Public and Other Lands Policy and resolved the following:

- 1. That Council endorses the release of the draft Video Surveillance on Public and Other Lands Policy for public exhibition and invite submissions for a period of 42 days.*
- 2. That a report be brought back to Council on the draft Video Surveillance on Public and Other Lands Policy following completion of the exhibition and submission period.*

The draft Policy was placed on public exhibition for the period from 10 June 2015 through to the 22 July 2015 in accordance with the above resolution. One submission was received.

The Video Surveillance on Public and Other Lands Policy aims to provide a consistent and transparent approach to the use of covert and overt video surveillance equipment; which may be used from time to time within public places and other lands for the protection of Council's assets, prevention of crime and other law enforcement purposes within the Coffs Harbour Local Government Area (LGA).

The Policy aims to provide clear guidelines for the appropriate and lawful use of video surveillance equipment within public and other lands.

- 233 RESOLVED** (Arkan/Palmer) that the report be deferred and a further report be brought back to Council for consideration incorporating the submission which was inadvertently not included at the time the report was prepared.

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**BUSINESS SERVICES DEPARTMENT REPORTS**

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**BS15/43 BANK AND INVESTMENT BALANCES FOR JULY 2015**

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**Executive Summary:**

The purpose is to report on Council's Bank Balances and Investments as at 31 July 2015. Council receives independent advice and invests surplus funds in accordance with Councils Investment Policy to maximise investment income and preserve capital to assist with funding requirements for projects listed under the Coffs Harbour 2030 Community Strategic Plan.

- 234 RESOLVED** (Palmer/Sultana) 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) \$148,315,288 as at 31 July be noted.
  2. The general fund unrestricted cash and investments totaling \$123,772 as at 31 July 2015 be noted.

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**BS15/44 BANK AND INVESTMENT BALANCES FOR AUGUST 2015**

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**Executive Summary:**

The purpose is to report on Council's Bank Balances and Investments as at 31 August 2015. Council receives independent advice and invests surplus funds in accordance with Councils Investment Policy to maximise investment income and preserve capital to assist with funding requirements for projects listed under the Coffs Harbour 2030 Community Strategic Plan.

**235 RESOLVED** (Palmer/Sultana) 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) \$161,030,902 as at 31 August be noted.
2. The general fund unrestricted cash and investments totaling \$123,772 as at 31 August 2015 be noted.

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**BS15/45 CERTIFICATION OF ANNUAL FINANCIAL STATEMENTS 2014-2015**

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**Executive Summary:**

Draft financial statements to be certified to meet legislative requirements in relation to the completion and audit of the Annual Financial Statements for 2014/2015.

**236 RESOLVED** (Palmer/Sultana) that the General Purpose Financial Statements – Statement by Councillors and Management and Special Purpose Financial Statements – Statement by Councillors and Management forms for 2014/2015 be approved for completion by the designated signatories.

**Cr Innes returned to the meeting, the time being 5.26pm.**



**Executive Summary:**

Council has eight Section 355 facility management committees who are currently responsible for maintaining their financial records.

Council has completed a review of the financial records of Council's Section 355 facility management committees for the year ended 30 June 2015. The primary aim of these reviews is to ensure that the financial statements and financial records reflect fairly the position of the committees for the 2014/2015 financial year.

All except one of the committees were found to be maintaining their financial records such that an opinion could be given that their financial statements present fairly their activities for the 2014/2015 financial year. It was however necessary to qualify the audit report of the Eastern Dorrigo Showground and Community Hall Management Committee for poor financial management practices.

Analysis of the Income Statements show that a number of the management committees reported small losses for the financial year, reflecting the difficulties faced in maintaining sufficient revenue in the face of increasing costs.

**237 RESOLVED** (Sultana/Palmer) that the report be noted.

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**BS15/47 MANAGEMENT OPTIONS FOR CROWN RESERVES**

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**Executive Summary:**

In March 2015 a report was provided to Council in its capacity as Reserve Trust managers for various Crown Reserves, including the Coffs Coast State Park Trust (CCSPT), Coffs Coast Reserve Trust and Woolgoolga Beach Reserve Trust (WBRT), recommending that the respective Trusts consider consolidation of reserves into the Coffs Coast State Park Trust.

Whilst the report in March Council was intended to be considered by Council as Corporate Manager of the Trusts, ultimately the resolution was passed by Council itself. Council resolved that:

- 1. Council staff prepare a report detailing cost savings from the proposed recommendation.*
- 2. The report also provide 'compare and contrast' scenarios for other management models, including a Regional Park.*

This report is submitted to provide Council with an overview of the various land management frameworks available for Crown Land under its care, control and management and indicative cost savings associated with consolidation of certain reserves.

**238 RESOLVED** (Innes/Degens) that Council notes the report.

## TRUST REPORTS

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### T15/6      **TRANSFER OF R704 16 (WOOLGOOLGA LAKE) FROM THE COFFS COAST RESERVE TRUST TO THE COFFS COAST STATE PARK TRUST**

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#### **Executive Summary:**

Council is the Reserve Trust Manager for the Coffs Coast Reserve Trust (CCRT)

Council is the Reserve Trust Manager for the Coffs Coast State Park (CCSPT) which incorporates Park Beach Holiday Park & Sawtell Beach Holiday Park.

Council is the Reserve Trust Manager for the Woolgoolga Beach Reserve Trust (WBRT) which incorporates Woolgoolga Beach Holiday Park & Lakeside Holiday Park.

Notwithstanding the common management structure of the business unit across all areas, the two separate Trusts, under the Crown Lands Act, require each Reserve to be managed independently. This gives rise to a duplication of administration and reporting efforts across the Trusts. Further it limits the capacity of Council to achieve operational efficiencies across all business operations on the subject Crown Reserves.

Lands have provided in principle support, through both the adoption of the WBRT (North) Plan of Management and recent correspondence (attached), for the incorporation of these Reserves into the CCSPT.

Subject to the Trusts endorsement, the Crown now requires a formal request for the removal of Reserve R70416 from the Coffs Coast Reserve Trust to facilitate its inclusion into the Coffs Coast State Park Trust. This report is submitted to seek formal endorsement from Council in its capacity as the Reserve Trust Manager for the removal of the listed reserve from the CCRT and transfer it into the Coffs Coast State Park Trust.

- 239      RESOLVED** (Sultana/Palmer) that Coffs Harbour City Council as Reserve Trust Manager of the Coffs Coast Reserve Trust, make a formal request to NSW Trade & Investment, Crown Lands for the removal of Reserve 70416 (Woolgoolga Lake) from the Coffs Coast Reserve Trust to facilitate its consolidation into the Coffs Coast State Park Trust.

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**T15/7                    CONSOLIDATION OF RESERVES INTO COFFS COAST STATE  
                                  PARK**

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**Executive Summary:**

Council is the Reserve Trust Manager for the Coffs Coast Reserve Trust (CCRT).

Council is the Reserve Trust Manager for the Coffs Coast State Park (CCSPT) which incorporates Park Beach Holiday Park & Sawtell Beach Holiday Park.

Council is the Reserve Trust Manager for the Woolgoolga Beach Reserve Trust (WBRT) which incorporates Woolgoolga Beach Holiday Park & Lakeside Holiday Park.

Council operates the four holiday parks under the entity of Coffs Coast Holiday Parks (CCHP) along with other business operation on Crown reserves.

All of the holiday parks are located on Crown Reserves with Council acting as the Reserve Trust Manager for each of the Trust entities.

Notwithstanding the common management structure of the business unit across all areas, the two separate Trusts, under the Crown Lands Act, require each Reserve to be managed independently. This gives rise to a duplication of administration and reporting efforts across the Trusts. Further it limits the capacity of Council to achieve operational efficiencies across all business operations on the subject Crown Reserves.

Lands have provided in principle support, through both the adoption of the WBRT (North) Plan of Management and recent correspondence (attached), for the incorporation of these Reserves into the CCSPT.

Subject to the Trusts endorsement, the Crown now requires a formal request for the inclusion of Reserves R70416, R63706 and R72664 into the Coffs Coast State Park Trust. This report is submitted to seek formal endorsement from Council in its capacity as the Reserve Trust Manager for the inclusion of the listed reserves into the Coffs Coast State Park Trust.

- 240                    RESOLVED** (Palmer/Innes) that Coffs Harbour City Council as Corporate Manager for Coffs Coast State Park Trust, make a formal application to NSW Trade & Investment, Crown Lands for inclusion of the Woolgoolga Lake Reserve being Crown Reserve R70416, Woolgoolga Beach Reserve being Crown Reserve R72664 and Woolgoolga Beach Reserve being Crown Reserve 63076 into the Coffs Coast State Park Trust.

**Executive Summary:**

Council is the Reserve Trust Manager for the Coffs Coast Reserve Trust (CCRT)

Council is the Reserve Trust Manager for the Coffs Coast State Park (CCSPT) which incorporates Park Beach Holiday Park & Sawtell Beach Holiday Park.

Council is the Reserve Trust Manager for the Woolgoolga Beach Reserve Trust (WBRT) which incorporates Woolgoolga Beach Holiday Park & Lakeside Holiday Park.

Council operates the four holiday parks under the entity of Coffs Coast Holiday Parks (CCHP) along with other business operation on Crown reserves.

All of the holiday parks are located on Crown Reserves with Council acting as the Reserve Trust Manager for each of the Trust entities.

Notwithstanding the common management structure of the business unit across all areas, the two separate Trusts, under the Crown Lands Act, require each Reserve to be managed independently. This gives rise to a duplication of administration and reporting efforts across the Trusts. Further it limits the capacity of Council to achieve operational efficiencies across all business operations on the subject Crown Reserves.

Lands have provided in principle support, through both the adoption of the WBRT (North) Plan of Management and recent correspondence (attached), for the incorporation of these Reserves into the CCSPT.

For this to take effect and subject to the Trusts endorsement, the Crown now requires a formal resolution from Woolgoolga Beach Reserve Trust for the dissolution of the Woolgoolga Beach Reserve Trust and for the inclusion of Reserves R63706 and R72664 into the Coffs Coast State Park Trust. This report is submitted to seek formal endorsement from Council in its capacity as the Reserve Trust Manager for the dissolution of the Woolgoolga Beach Reserve Trust.

- 241                    RESOLVED** (Palmer/Innes) that Coffs Harbour City Council as Reserve Trust Manager for the Woolgoolga Beach Reserve Trust, make a formal request to NSW Trade & Investment, Crown Lands for the dissolution of the Woolgoolga Beach Reserve Trust to facilitate the consolidation of Reserves 63706 and 72664 into the Coffs Coast State Park Trust.

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**REQUESTS FOR LEAVE OF ABSENCE**

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No requests for leave of absence.

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**MATTERS OF AN URGENT NATURE**

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No matters of an urgent nature.

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**QUESTIONS ON NOTICE**

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No questions on notice.

This concluded the business and the meeting closed at 5.35 pm.

Confirmed: 22 October 2015

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Denise Knight  
Mayor