

The following document is the minutes of the Council Meeting held on Thursday, 12 November 2015.
These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 26 November 2015 and therefore subject to change.
Please refer to the minutes of the meeting of 26 November 2015 for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
12 NOVEMBER 2015

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

12 NOVEMBER 2015

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

Staff: General Manager, Director Sustainable Infrastructure, Acting Director Sustainable Communities, Director Business Services and Executive Assistant

Leave of Absence: Councillor Denise Knight (Mayor) and Councillor Keith Rhoades.

The meeting commenced at 5.00 pm with the Deputy Mayor, Cr G Innes 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 Acting 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
Palmer	NOM15/22 Outdoor Dining Charges	Non Pecuniary – Less Than Significant Conflict

APOLOGY

- 252 RESOLVED** (Arkan/Townley) that leave of absence as requested from Councillor Knight and Councillor Rhoades be approved.

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

PUBLIC ADDRESS

No Public Address

CONFIRMATION AND ADOPTION OF MINUTES

- 253 RESOLVED** (Palmer/Townley) that the minutes of the Ordinary meeting held on 22 October 2015 be confirmed as a true and correct record of proceedings.

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

NOTICES OF MOTION - GENERAL

NOM15/20 MEMBERSHIP - ASSOCIATION OF MINING RELATED COUNCILS INCORPORATED

MOVED (Arkan/Sultana) that a report be brought back to council highlighting the pros and cons of joining the Association of Mining Related Councils Inc.

During debate, Councillor Arkan requested the wording be changed, to include the following:

That a report be brought back to council highlighting the pros and cons of joining the Association of Mining Related Councils Inc. and In particular any potential for mining or any potential exploration licenses.

The Acting Mayor asked Councillors if they had any objection to the change to the original motion.

No objections were received.

NOM15/20 Membership - Association Of Mining Related Councils Incorporated... (Cont'd)

254 **RESOLVED** (Arkan/Sultana) that a report be brought back to council highlighting the pros and cons of joining the Association of Mining Related Councils Inc. and In particular any potential for mining or any potential exploration licenses.

VOTED FOR

Cr Arkan

Cr Degens

Cr Sultana

VOTED AGAINST

Cr Townley

Cr Innes

Cr Palmer

Cr Cowling

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

NOTICES OF MOTION – BUSINESS SERVICES

NOM15/21 COFFS HARBOUR REGIONAL LANDCARE FUNDING

255 **RESOLVED** (Arkan/Degens) that this Motion be deferred until a Council meeting in March 2016.

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

DIRECTORATE REPORTS – BUSINESS SERVICES

BS15/50 QUARTERLY BUDGET REVIEW STATEMENT FOR SEPTEMBER 2015

Executive Summary

The Office of Local Government has developed a minimum set of budget reports to assist Council in meeting their legislative requirements under Clause 203 of the Regulation. This regulation requires a council's Responsible Accounting Officer (RAO) to submit quarterly budget review statements to the governing body of Council. These minimum statements are contained within the attachments to this report.

This report summarises the proposed budget adjustments for the quarter and the impact upon the projected budget position for the current financial year. Reference is made to the above statement regarding Council's financial position.

256 RESOLVED (Degens/Sultana) that Council:

1. Note the Quarterly Budget Review Statements, including the estimated budget position as at 30 September 2015; and

Estimated budget position as at 30 September 2015:

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 11 June 2015	(1,884) (S)	1,810,139 (D)	1,913,132 (D)
Recommended variations for quarter ending 30 September 2015	5,593 (D)	Nil	Nil (D)
Estimated result 2015/16 as at 30 September 2015	<u>3,709 (D)</u>	<u>1,810,139</u> (D)	<u>1,913,132</u> (D)

2. Approve the budget adjustments excluding the RMS Red Rock Cycleway Project.

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

**BS15/51 ENVIRONMENTAL LEVY PROJECTS QUARTERLY REPORT TO 30
SEPTEMBER 2015**

Executive Summary

The purpose of this report is to provide Council with a quarterly status update to 30 September 2015 on the projects funded under the Environmental Levy (EL) Program. The Environmental Levy Program funds environmental projects that would not otherwise be undertaken with revenue funding.

- 257 RESOLVED** (Palmer/Arkan) that Council notes the status of the Environmental Levy projects as at 30 September 2015.

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

BS15/52 CORPORATE BRANDING POLICY

Executive Summary

The proposed Corporate Branding Policy and associated Corporate Image Manual have been developed to help staff ensure that Council's corporate logo and branding is consistently applied to products such as Council's official documents, presentations, signage, vehicle liveries, stationery, display materials, publications, online presences and other printed materials.

The history of the separate branding of Coffs Harbour Water and reasoning behind the recommendation for discontinuing this are also discussed in this report.

- 258 RESOLVED** (Palmer/Sultana) that Council:
1. Adopts the Corporate Branding Policy; and
 2. Approves the discontinuation of the separate branding of Coffs Harbour Water.

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

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 10 June 2015 to 22 July 2015 in accordance with the above resolution. Two submissions were received.

The proposed 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.

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

Whilst the concerns raised through the public consultation process are understood, it is considered the policy will assist with the provision of a clear framework around the governing principles to be applied in respect to the existing CCTV network and any future extension to same.

This report seeks the adoption by Council of the Video Surveillance on Public and Other Lands Policy.

259 RESOLVED (Palmer/Degens) that Council adopt the Video Surveillance on Public and Other Lands Policy (Attachment 1).

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

NOTICES OF MOTION – SUSTAINABLE INFRASTRUCTURE

NOM15/22 OUTDOOR DINING CHARGES

- 260** **RESOLVED** (Arkan/Degens) that Council consider removing outdoor dining charges from businesses that are located in high stress areas and a report giving greater detail be brought back to Council.

VOTED FOR

Cr Arkan

Cr Degens

Cr Townley

Cr Sultana

Cr Cowling

VOTED AGAINST

Cr Innes

Cr Palmer

NOM15/23 NAMING OF PARK BETWEEN PARK BEACH PLAZA AND NORTHSIDE SHOPPING CENTRE

MOVED (Cowling/Sultana) that the Park between Park Beach Plaza and Northside Shopping Centre be named “Brian Navin Park”.

During debate, Councillor Townley requested the wording be changed, to include the following:

That the Park between Park Beach Plaza and Northside Shopping Centre be named “Brian Navin Park”, pending approval from family members and verification of historical information.

The Acting Mayor asked Councillors if they had any objection to the change to the original motion.

No objections were received.

- 261** **RESOLVED** (Cowling/Sultana) that the Park between Park Beach Plaza and Northside Shopping Centre be named “Brian Navin Park”, pending approval from family members and verification of historical information.

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

DIRECTORATE REPORT - SUSTAINABLE INFRASTRUCTURE

SI15/51 LEASE - PART OF LOT 1, DP 1207898, HOWARD STREET, COFFS HARBOUR

Executive Summary

Council's property known as the "old Lab" in Howard Street, Coffs Harbour is currently vacant and application to lease the property has been received from Autism Spectra Australia (ASPECT) at current market rent for a period of 10 years with an option for a further 10 years to be used as a school for autistic children.

Council's authorisation is sought to proceed with lease as outlined subject to Development Consent.

262 RESOLVED (Sultana/Arkan) that Council:

1. Authorise, as the Land Owner for the property being part Lot 1 in DP 1207898 at Howard St Coffs Harbour, being Property No. 2254230 (previously known as the Laboratory), subject to relevant consents, a Lease to Autism Spectra Australia (ASPECT) ABN 12 000 637 267 for the occupation of the premises for the purposes of conducting a School for a term of ten years, with an option for a further ten years.
2. Execute the lease of part Lot 1 in DP 1207898 at Howard St Coffs Harbour, being Property No. 2254230 (previously known as the Laboratory) between Coffs Harbour City Council and Autism Spectra Australia (ASPECT) ABN 12 000 637 267 under the common seal of Council.

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

TRUST REPORT

T15/9 CONTRACT NO. RFT-722-TO - SAWTELL BEACH HOLIDAY PARK - RENOVATION OF THE BOTTOM AMENITY BLOCK - TENDER ASSESSMENT

Executive Summary

Council as Corporate Manager of the Coffs Coast State Park Trust called for tenders to undertake the Sawtell Beach Holiday Park – Renovation of the Bottom Amenity Block. The tender was advertised on 1 September 2015 and closed on 22 September 2015.

This report provides a preferred tender to Council, following assessment of all submissions under Council's tender evaluation process, and seeks Council's approval to accept a tender.

If the recommendations are adopted by Council, it is intended to enter into a contract with the recommended tenderer to undertake the required work.

The holiday parks are an important resource in meeting the recreational needs of the greater community as well as important tourist facilities drawing visitors to the region. Flow-on effect of visitation is deemed to have a generally positive impact upon the economic performance of the region.

Funds generated through the parks contribute to the development of social and recreational facilities within the reserve system.

263 RESOLVED (Palmer/Arkan):

1. That Council, as Corporate Manager of the Coffs Coast State Park Trust, accept the tender of 4D BUILD Pty Ltd for Contract No. RFT-722-TO, Sawtell Beach Holiday Park – Renovation of the Bottom Amenity Block, for the for the Lump Sum amount of \$317,039.35 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
 - d) The tenderer's construction program is acceptable

2. That the contract documents be executed under the Seal of Council.

Note:

All tenderers were contacted regarding the decision to delay the commencement of the works until 1 February 2016. Written confirmation was requested that the commencement date would not impact on their individual tenders. The three (3) tenderers all emailed responses confirming that the revised start date would not impact their tenders, and that the tenders remain valid.

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

REQUESTS FOR LEAVE OF ABSENCE

Councillor Arkan indicated that he would be seeking a Leave of Absence for the meeting of council scheduled for 26 November 2015 and that he would put such a request in writing.

MATTER OF AN URGENT NATURE

MUN15/12 Tidy Towns Awards

Councillor Cowling advised the meeting of two Tidy Towns awards.

Coffs Coast Waste Services won the Highly Commended Waste Less, Recycle More Award for Coffs Coast Trims Waste from the Hem Up, and Gyles Tennant - Winner of the Young Environmentalist Award.

This concluded the business and the meeting closed at 6.04 pm.

Confirmed: 26 November 2015

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Denise Knight
Mayor