

The following document is the minutes of the Council and Committee meeting held on 8 March 2012. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 22 March 2012 and therefore subject to change. Please refer to minutes of 22 March 2012 for confirmation.



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**8 MARCH 2012**

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

**8 MARCH 2012**

Present: Councillors K Rhoades (Mayor), J Arkan, R Degens, M Graham, W Palmer and P Templeton.

Staff: General Manager, Director Corporate Business, Director City Services, Director Land Use, Health & Development and Executive Assistant.

Leave of Absence: Councillors Bonfield, Knight and Hines

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

The meeting commenced at 5.04 pm with the Mayor, Cr K D Rhoades in the chair.

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#### DISCLOSURES OF INTEREST

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There were no disclosures of interest tabled.

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#### CONFIRMATION AND ADOPTION OF MINUTES

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- 53** **RESOLVED** (Templeton/Degens) that the minutes of the Ordinary meeting held on 23 February 2012 be confirmed as a true and correct record of proceedings.

#### MOTION

- 54** **MOVED** (Rhoades/Palmer) that the late report CB12/19 be discussed and determined at this meeting under Section 5.7 - Dealing With Matters Without Notice.

## LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

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### L12/10 COFFS HARBOUR CITY CENTRE - DEVELOPMENT CONTROL PLAN REVIEW

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The purpose of this report is to present an administrative review of the Coffs Harbour City Centre Development Control Plan (DCP) as a result of feedback received from the development industry, statutory changes in the Environmental Planning and Assessment (EP&A) Act and to bring the DCP into a consistent alignment with the Coffs Harbour City Centre Local Environmental Plan (LEP) 2011.

**55 RESOLVED** (Arkan/Templeton) that:

1. Council adopt the amended Coffs Harbour City Centre Development Control Plan 2011 (as circulated separately to Councillors) for exhibition purposes.
2. The amended Development Control Plan be publicly exhibited for 28 days in accordance with the provisions of the Environmental Planning and Assessment Act Regulations 2000.
3. A further report be presented to Council outlining the feedback from the public consultation process.

**VOTED FOR**

Cr Templeton  
Cr Rhoades  
Cr Palmer  
Cr Arkan  
Cr Degens

**VOTED AGAINST**

Cr Graham

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### L12/11 COFFS AMBASSADORS TOURS PROGRAM

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The purpose of this report is to update Council on the overwhelming success of the Coffs Ambassadors Tours program, which is now in the beginning of its third year.

**56 RESOLVED** (Graham/Arkan) that:

1. Council notes the success and benefits of the Coffs Ambassadors Tours program, including that:
  - the program is clearly achieving its objectives of educating our community about how to protect their local environment; and
  - evaluation results demonstrate that because of the program our community are more environmentally active in protecting their local environment.
2. Council extend its appreciation to our Coffs Ambassadors.

## CORPORATE BUSINESS DEPARTMENT REPORTS

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### CB12/17 ENVIRONMENTAL LEVY PROJECTS REPORT 2011/12

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To provide Council with a status report on the projects funded under the Environmental Levy (EL) Program.

- 57 **RESOLVED** (Arkan/Degens) that Council notes the status of the Environmental Levy Projects as at 31 December 2011 and the expenditure as at 14 February 2012.
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### CB12/18 MONTHLY BUDGET REVIEW FOR JANUARY 2012

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To report on the estimated budget position as at 31 January 2012

- 58 **RESOLVED** (Palmer/Templeton) that:

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

Estimated Budget Position as at 31 January 2012:

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 23 June 2011	182,220 (D)	4,897,205 (D)	3,591,600 (D)
Approved Variations to 31 December 2011	(196,026) (S)	Nil	Nil
Recommended variations for January 2012	64,230 (D)	73,794 (D)	80,000 (D)
Estimated result as at 31 January 2012	<u>50,424 (D)</u>	<u>4,970,999 (D)</u>	<u>3,671,600 (D)</u>

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### CB12/19 PROPERTY ACQUISITION AT BENNETTS ROAD, COFFS HARBOUR

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To seek Council approval to acquire part of the freehold land of 36 Bennetts Road and also an easement over the land.

- 59 **RESOLVED** (Palmer/Templeton) that:

1. Council acquire the required land and easement over Lot 100 DP 1134647 as described in this report.
2. Council compensate the owners based on the terms contained within the confidential attachment to this report.
3. Any necessary documents for the acquisition of the property and the easements be executed under the Common Seal of Council.
4. The freehold section of the property being acquired be classified as Operational Land under the Local Government Act 1993 (as amended).

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

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## REQUESTS FOR LEAVE OF ABSENCE

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There were no requests for leave of absence.

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## MATTERS OF AN URGENT NATURE

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### **MUN12/2 Safety of Unmaintained Road at End of Shephards Lane**

Cr Degens raised the issue of the condition of a road at the end of Shephards Lane, the residents living along the road are concerned regarding future rain storm and flood events. The road is extremely steep and is a road which is unmaintained by Council. Cr Degens requested an inspection be undertaken by Council staff regarding safety of the road and requested a timeframe for response from staff.

*The matter was taken on notice and response for Councillors will be prepared 9 March 2012, staff have already prepared background information.*

C Arkan questioned whether staff were aware that a fatal accident had occurred on this road.

*The General Manager advised the matter will be taken on notice.*

Cr Graham questioned how many kilometres are there in a similar condition across the local government area, what type of liabilities does Council have?

*The General Manager advised the matter will be taken on notice.*

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## QUESTIONS ON NOTICE

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There were no Questions on Notice

This concluded the business and the meeting closed at 5.45 pm.

Confirmed: 22 March 2012

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Keith Rhoades AFSM  
Mayor