

The following document is the minutes of the Council Meeting held on Thursday, 14 July 2016. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 28 July 2016 and therefore subject to change.
Please refer to the minutes of the meeting of 28 July 2016 for confirmation.



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

**COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR**

14 JULY 2016

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

14 JULY 2016

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

Staff: Acting General Manager/Director Business Services, Director Sustainable Infrastructure, Director Sustainable Communities 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.

DISCLOSURES OF INTEREST

No disclosures of interest tabled.

APOLOGY

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

PUBLIC ADDRESS

No public addresses.

CONFIRMATION OF MINUTES

- 153** **RESOLVED** (Townley/Sultana) that the minutes of the Ordinary meeting held on 23 June 2016 be confirmed as a true and correct record of proceedings.

GENERAL MANAGER'S REPORTS

GM16/10 LOCAL GOVERNMENT REFORM - JOINT ORGANISATIONS UPDATE

Executive Summary

On 8 June the Minister for Local Government, the Hon. Paul Toole issued an Overview (attachment 1) and Background Paper (attachment 2) detailing the proposed operational arrangements for Joint Organisations, seeking feedback by 15 July 2016.

Also, Coffs Harbour City Council, in conjunction with the other member Councils of the proposed North Coast Joint Organisation (JO), Bellingen Shire, Nambucca Shire and Clarence Valley Councils, since late 2013 have been pursuing participation in the Pilot JO Program. Council last considered progress on the proposed North Coast JO at its meeting on 11 February 2016, at which time it endorsed the intent of an updated Expression of Interest for submission to the Minister for Local Government when the next opportunity arises.

This report provides an overview of the JOs discussion paper and proposes Council's support of the proposed JO model.

- 154** **RESOLVED** (Arkan/Townley) that Council:
1. Receives and notes the report; and
 2. Provides a brief submission supporting the proposed Joint Organisation model as outlined in the Background Paper

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

GM16/11 LOCAL GOVERNMENT ELECTIONS CARETAKER PERIOD POLICY

Executive Summary

The primary purpose of the Policy is to avoid the Council making major decisions prior to the election that would bind an incoming Council, prevent use of public resources in ways that are seen as advantageous to or promoting the current elected members who are seeking re-election and ensures that council officers act impartially in relation to all candidates.

Implementation of a Caretaker Election Period Policy would provide for better decision- making and greater transparency and accountability in Council as prescribed by s393B *Local Government (General) Regulations 2005*.

- 155 RESOLVED** (Arkan/Sultana) that Council adopts the Local Government Elections Caretaker Period Policy.

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

BUSINESS SERVICES NOTICE OF MOTION

NOM16/18 ENVIRONMENTAL LEVY REVIEW

- 156 RESOLVED** (Knight/Arkan) that council conduct a full review of the environmental levy program. That a report be brought back to a full council detailing a full review.

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

BUSINESS SERVICES DEPARTMENT REPORTS

BS16/26 CONTRACT NO RFT-755-TO SUPPLY OF ELECTRICAL PRODUCTS AND FITTINGS

Executive Summary

Council called tenders for the Supply and Delivery of Electrical Goods and Fittings Contract No-RFT-755-TO that closed on Tuesday 31 May 2016.

The tender was advertised for a three (3) year period commencing 18 July 2016 to 17 July 2019 with a further twelve (12) months option based on satisfactory supplier performance.

Prospective tenderers were advised that it was Council's preference to award the tender as a single source supplier or alternatively as a panel supplier contract, but Council simultaneously reserved the right to award sections of the contract to individual tenderers.

157 **RESOLVED** (Degens/Arkan):

1. That Council accepts the panel tender offers of CNW Pty Ltd and TLE Electrical for the Supply and Delivery of Electrical Goods & Fittings contract number- RFT-755-TO.

The recommendation is on the basis that:

- a) The tender offers are the most suitable and advantageous following the application of Council's Tender Value Selection System.
 - b) The two suppliers have each offered fixed pricing for a twelve (12) month period (with the exception of cable products which have a rise and fall of metals).
 - c) The two suppliers are current reliable suppliers to Coffs Harbour City Council for the supply and delivery of Electrical Goods & Fittings and both have allocated dedicated Account Managers to look after Council.
 - d) A panel contract arrangement will offer Council staff greater flexibility
 - e) By actively going out to tender Coffs Harbour City Council will not breach the Local Government (General) Regulation 2005- Section 7 Tendering, for annual expenditure over \$150,000.00.
2. That provision is allowed for a 12 month extension based on satisfactory supplier performance which may take this tender through to 18 July 2020.
 3. That the contract documents be executed under Council's Seal.

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

SUSTAINABLE COMMUNITIES NOTICE OF MOTION

NOM16/15 SEAWALL WOOLGOOLGA

- 158 **RESOLVED** (Arkan/Degens) that CHCC staff prepare a report outlining the costs and benefits associated with building a wall along the Woolgoolga beach reserve at the main beach, from the boat ramp to say Holfmier Close, detailing available technology and materials available to build such a wall.

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

SUSTAINABLE COMMUNITIES DEPARTMENT REPORTS

SC16/42 LOCAL GROWTH MANAGEMENT STRATEGY REVIEW - COFFS HARBOUR RURAL LANDS STRATEGY PHASE 1 - DRAFT ISSUES AND OPTIONS DISCUSSION PAPER

Executive Summary

The objective of this report is to seek Council's approval of a draft Issues and Options Discussion Paper (the Discussion Paper) (Attachment 1) for public exhibition. The Discussion Paper will form the basis of Phase 1 of the Coffs Harbour Rural Lands Strategy. Phase 1 involves intensive engagement with the wider community and key stakeholders to better understand the relevant issues for each group and to ensure all matters of interest have been captured.

- 159 **RESOLVED** (Townley/Degens) that Council:
1. Endorse the attached *Coffs Harbour Rural Lands Strategy Phase 1 – Draft Issues and Options Discussion Paper, Background Report and Community Workshop Outcomes* and place on public exhibition for a period of 28 days.
 2. Receive a report back on the *Coffs Harbour Rural Lands Strategy Phase 1 – Draft Issues and Options Discussion Paper*, following the exhibition period.

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

SC16/43 COMPLIANCE AND ENFORCEMENT POLICY

Executive Summary

At its meeting of 14 April 2016, Council considered a report in respect to the proposed adoption of a Compliance and Enforcement Policy and resolved as follows:

That Council:

- 1. Approve the public exhibition of the Draft Compliance and Enforcement Policy for a 42 day period.*
- 2. Receive a report back on the Draft Compliance and Enforcement Policy following public exhibition.*

The Compliance and Enforcement Policy was placed on public exhibition in accordance with the above resolution. No submissions were received.

The Compliance and Enforcement Policy provides information for all internal and external stakeholders and interested parties, about Council's position on compliance and enforcement matters in the local government area. The Policy which includes Council's adopted Compliance Response Framework, will provide structure for consistency and transparency in decision making, and facilitate a proportionate approach to compliance and enforcement. It is also intended to assist Council staff to act promptly, effectively and consistently in response to allegations of unlawful activity.

This report seeks Council's adoption of the Compliance and Enforcement Policy.

160 RESOLVED (Sultana/Townley) that Council adopt the attached Compliance and Enforcement Policy.

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

SC16/44 COMMUNITY CAPITAL INFRASTRUCTURE 2016-2017 GRANTS PROGRAM

Executive Summary

In the 2016/17 Operational Plan, an amount of \$300,000 was made available to fund community infrastructure projects. Council sought applications from not-for-profit organisations seeking to construct new public facilities or to refurbish existing infrastructure, in consultation with Council.

Seven applications, requesting \$153,535, were received for proposed projects to the value of \$466,394. Council considered all applications for capital funding in accordance with the assessment criteria and three applications are recommended for funding.

161 RESOLVED (Sultana/Arkan) that Council:

1. Approve the allocation of Community Capital Infrastructure Grants totaling \$85,500 as follows:

Organisation	Proposed project	Total cost of project	Council funding recommended
Westside Tennis Club Inc	Construction of New Hard Court for Wheelchair Participants & Upgrade of a Sand Court to Synthetic Grass	\$194,029	\$20,000
Coffs Harbour Netball Association Inc	Netball Lighting Upgrade to LED	\$70,500	\$33,000
Coffs City United Football Club	McLean Street Oval Lighting Upgrade (Stage 2)	\$65,795	\$32,500
Total:			\$85,500

2. Approve a second round of funding for the balance of the program's funds of \$214,500 for September 2016.

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

**SC16/45 COMMITTEE MEMBERSHIP APPLICATION MULTICULTURAL
REFERENCE GROUP ADVISORY COMMITTEE**

Executive Summary

To recommend to Council the appointment of a community member to the Multicultural Reference Group Advisory Committee.

- 162 RESOLVED** (Sultana/Townley) that Council appoint the following committee member nominee, Sahar Abdelrahman, to the Multicultural Reference Group Advisory Committee.

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

TRUST REPORT

**T16/7 NORTH COAST REGIONAL BOTANIC GARDEN STRATEGIC PLAN
2017-2020**

Executive Summary

The purpose of this report is to:

1. Detail the outcome of the community consultation in relation to the exhibition of the draft North Coast Regional Botanic Garden Strategic Plan 2017-2020,
2. Report to Council the development status of the draft North Coast Regional Botanic Garden Strategic Plan 2017-2020.
3. Seek approval from Council, in its capacity as the Corporate Manager, for authorisation to conduct an interim implementation of the North Coast Regional Botanic Garden Strategic Plan 2017-2020 for a 12 month period to enable further detailed consultation with the Friends of the North Coast Regional Botanic Garden Incorporated (the Friends) to take place. At the conclusion of this period a report will be returned to Council detailing the outcome of the trial and recommendations in relation to the full adoption of the Strategic Plan with the benefit of lessons learned during the trial.

The North Coast Regional Botanic Garden Strategic Plan was commissioned by Council in its role as Corporate Manager of the Coffs Coast State Park Trust with the aim of setting a renewed strategic direction for the Crown Reserve known as the North Coast Regional Botanic Garden (NCRBG).

T16/7 - North Coast Regional Botanic Garden Strategic Plan 2017-2020
(Cont'd)

The initial draft document was subsequently amended and a second draft prepared. The second draft of the Strategy was placed on exhibition for a period of 28 days. Sixteen submissions were received. A separate Workshop for interested stakeholders was held and further detailed input relating a proposed NCRBG Advisory Committee was compiled. All submissions and input from this process is detailed in the attachments to this report. Following incorporation of submissions a final draft has now been prepared.

Both Council and the Coffs Coast State Park Trust acknowledge the significant role played by the Friends of the NCRBG Inc in the development and management of the NCRBG to date, and the significant benefits of their continued involvement with the NCRBG into the future. During the development of the Strategic Plan, the Friends, who comprise the key stakeholder group of the NCRBG, have expressed concern in relation to the future management direction of the Gardens and the role of the Friends within any new management arrangement. At this point in time it would be correct to say that the Strategic Plan document has not gained the full support of the Friends and is interpreted by them as a potential detriment to their ongoing high level of engagement with the NCRBG and their continuing status as a valued and key stakeholder of the NCRBG.

The Friends have recently lodged a signed copy of a 12 month temporary license with Council. The offered license itself is a modified version of that which was offered by Council to the Friends some two years ago. In its present form the licence does not meet Council's standard minimum requirements and for that reason cannot be consented to. However, the offer by the Friends to enter into a tenure arrangement should be seen as a breakthrough and a sign that there is now a real potential to build a more extensive and mutually beneficial relationship between the Trust and the Friends.

It is proposed that the most appropriate mechanism to achieve this mutually beneficial outcome is to conduct a 12 month trial implementation of the Strategic Plan as an interim document by the Friends in partnership with Council before it is re-presented to Council for final adoption with a lessons learned analysis.

163 RESOLVED (Townley/Rhoades) that the Trust

1. Expedite the negotiation of a 12 month temporary license with the Friends of the North Coast Regional Botanic Garden Inc for their continued occupation and use of the North Coast Regional Botanic Garden for their commercial ventures including the kiosk, café, seed bank and their day to day activities within the Garden.
2. Receive a further report on the recommended membership and Terms of Reference of an Advisory Committee for the NCRBG.
3. Appoint members of Advisory Committee
4. The Advisory Committee, together with the Operations Manager and other Council staff as appropriate, review and endorse the Draft North Coast Regional Botanic Gardens Strategic Plan 2017–2020 and develop a list of priorities for action.
5. The Draft plan is then referred back to the Trust for its endorsement.

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

REQUESTS FOR LEAVE OF ABSENCE

164 **RESOLVED** (Arkan/Degens) that Cr Sultana be granted leave of absence from Council for 28 July 2016.

QUESTIONS ON NOTICE

No questions on notice.

MATTERS OF AN URGENT NATURE

No matters of an urgent nature.

This concluded the business and the meeting closed at 5.24 pm.

Confirmed: 28 July 2016.

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Denise Knight
Mayor