

The following document is the minutes of the Council Meeting held on Thursday, 8 December 2016. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 9 February 2017 and therefore subject to change. Please refer to the minutes of the meeting of 9 February 2017 for confirmation.



## MINUTES

### COFFS HARBOUR CITY COUNCIL ORDINARY COUNCIL MEETING COUNCIL ADMINISTRATION BUILDING

CNR COFF AND CASTLE STREETS, COFFS HARBOUR  
ON THURSDAY, 8 DECEMBER 2016 AT 5.00PM

**PRESENT:** Cr Michael Adendorff, Cr Paul Amos, Cr George Cecato, Cr Keith Rhoades, Cr Jan Strom, Cr Tegan Swan, Cr Sally Townley

**STAFF:** General Manager, Director Sustainable Infrastructure, Director Sustainable Communities, Director Business Services and Executive Assistant

**REQUESTS FOR LEAVE OF ABSENCE** Cr Denise Knight

## OPENING OF ORDINARY MEETING

The meeting commenced at 5.00pm with the Deputy Mayor, Cr George Cecato in the chair.

## ACKNOWLEDGEMENT OF COUNTRY

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.

## STATEMENT IN RELATION TO RECORDING OF MEETINGS

The Mayor reminded the Chamber that the meeting was to be recorded, and that no other recordings of the meeting would be permitted.

**DISCLOSURE OF INTEREST**

<b>Councillor</b>	<b>Items</b>	<b>Type of Interest</b>
Cr Sally Townley	SC16/64	Non-Pecuniary - Less Than Significant Conflict as previously co-tenants at PCYC and knows the applicant.

**APOLOGIES****2016/252 RESOLVED (Cr Jan Strom / Cr Tegan Swan)**

That an apology received from Councillor Arkan for unavoidable absence be received and accepted.

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

**CARRIED****2016/253 RESOLVED (Cr Michael Adendorff / Cr Sally Townley)**

That leave of absence as requested from Councillor Knight be approved.

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

**CARRIED****PUBLIC ADDRESSES**

<b>Time</b>	<b>Speaker</b>	<b>Item</b>
5.00 pm	Maurisz Werstak SDA NSW Branch	GM16/23 – Coffs Harbour Part Day Race Day Public Holiday
5.05 pm	Russ Atkinson Coffs Harbour Racing Club	GM16/23 – Coffs Harbour Part Day Race Day Public Holiday
5.10 pm	David Bourke Director Community Oosh Services	SC16/64 – Planning Proposal to Permit a Child Care Centre on Lot 3 DP 735083 Craft Close, Toormina

**PUBLIC FORUM**

No public forums.

**MAYORAL ACTIONS UNDER DELEGATED AUTHORITY**

No Mayoral actions under delegated authority.

**CONFIRMATION OF MINUTES****2016/254 RESOLVED (Cr Jan Strom / Cr Paul Amos)**

That the minutes of the Ordinary Meeting held on 24 November 2016 be confirmed with a minor change to Resolution Number 2016/241 Council Meeting Dates – 2017, to state the meeting in December be held on 7 December 2017.

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

**CARRIED**

**GENERAL MANAGER'S REPORTS****GM16/23 COFFS HARBOUR PART DAY RACE DAY PUBLIC HOLIDAY****EXECUTIVE SUMMARY**

For over 40 years, Coffs Harbour City Council has been granted a half day public holiday for the Coffs Harbour Gold Cup. In 2010, the Public Holiday Act was introduced, changing the requirements for granting public holidays. Under the Public Holidays Act 2010 local Councils are able to apply for either a 'local public holiday' or a 'local event day.'

On 11 August 2016, Coffs Harbour City Council resolved:

*"that Council undertake public consultation, including but not limited to direct targeted contact with all schools and bus companies who run school services, in order to assess the impact of a gazetted public half day holiday for the Coffs Cup on the community."*

In response, Coffs Harbour City Council wrote to a number of stakeholders seeking their feedback regarding the impact of the gazetted public half day holiday for the Coffs Harbour Gold Cup. Council received 94 submissions with the majority supporting the retention of the part day public holiday.

**MOTION (Cr Keith Rhoades / Cr Michael Adendorff)**

That Council applies for a part day public holiday (12 noon to 5.30pm) on the first Thursday in August for the Coffs Harbour Gold Cup on an ongoing basis.

**AMENDMENT****(Cr Sally Townley / Cr Jan Strom)**

That Council applies for a Local Event Day on the first Thursday in August for the Coffs Harbour Gold Cup on an ongoing basis.

Cr Jan Strom gave notice of a Foreshadowed Amendment.

**For:** Crs Strom and Townley

**Against:** Crs Adendorff, Amos, Cecato, Rhoades and Swan

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

Cr Jan Strom's Foreshadowed Amendment was brought forward as follows:

#### **AMENDMENT**

**(Cr Jan Strom / Cr Sally Townley)**

That Council applies for a full day public holiday on the first Thursday in August for the Coffs Harbour Gold Cup on an ongoing basis.

**For:** Cr Strom

**Against:** Crs Adendorff, Amos, Cecato, Rhoades, Swan and Townley

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

The original MOTION was then put to the vote.

#### **MOTION**

**2016/255 RESOLVED (Cr Keith Rhoades / Cr Michael Adendorff)**

That Council applies for a part day public holiday (12 noon to 5.30pm) on the first Thursday in August for the Coffs Harbour Gold Cup on an ongoing basis.

**For:** Crs Adendorff, Amos, Cecato, Rhoades and Swan

**Against:** Crs Strom and Townley

**CARRIED**

**SC16/64 PLANNING PROPOSAL TO PERMIT A CHILD CARE CENTRE ON LOT 3 DP 735083 CRAFT CLOSE TOORMINA**

#### **EXECUTIVE SUMMARY**

The purpose of this report is to present a Planning Proposal (PP) to Council to modify *Coffs Harbour Local Environmental Plan (LEP) 2013* so that a development application can be lodged for the use of Lot 3 DP 735083, Craft Close Toormina for a child care centre. Child care centres are currently a prohibited use in the IN1 General Industrial zone under Coffs Harbour LEP 2013.

A child care centre has been operating without development consent on the subject land since 2010. The site is used as an out-of-school hours care facility, which services six local schools and is licensed to care for up to 150 children per day. The operator of that centre has agreed to lodge a development application should the PP be supported to permit the use.

It is recommended that Council proceeds with a PP that amends Schedule 1 of LEP 2013 to permit a child care centre on the subject land. This involves seeking a Gateway determination from the NSW Department of Planning and Environment to allow Council to place the PP (Attachment 1) on public exhibition. It is also recommended that Council considers the outcome of the exhibition in a future Council report.

**2016/256 RESOLVED (Cr Jan Strom / Cr Michael Adendorff)**

That Council:

1. Endorse and forward a Planning Proposal (Attachment 1) to permit a child care centre with Council consent on Lot 3 DP 735083 Craft Close Toormina, to NSW Planning and Environment seeking a "Gateway determination".
2. Request that the Secretary of the NSW Department of Planning and Environment issue a written authorisation to Council to exercise delegation of the plan making functions under section 59 of the *Environmental Planning and Assessment Act 1979* in respect of the Planning Proposal.
3. Request the proponent provide a land contamination assessment (consistent with Council's Contaminated Land Policy) post-Gateway determination and prior to public exhibition.
4. Resolve to publicly exhibit the Planning Proposal and undertake government agency consultation based on the Gateway determination issued by NSW Planning and Environment.
5. Note that a further report will be brought back to Council for consideration following the public exhibition of the Planning Proposal.

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

**CARRIED**

**GM16/22 COUNCILLOR EXPENSES AND FACILITIES POLICY**

**EXECUTIVE SUMMARY**

This report seeks to adopt the Councillor Expenses and Facilities policy presented to Council on the 13 October 2016, following the period of public exhibition. During the exhibition period, nil submissions were received.

**2016/257 RESOLVED (Cr Sally Townley / Cr Keith Rhoades)**

That Council adopts the attached Councillor Expenses and Facilities Policy.

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

**CARRIED**

**GM16/24      AUDIT & RISK COMMITTEE - ANNUAL REPORT TO COUNCIL AND APPOINTMENT OF COUNCILLOR AND INDEPENDENT EXTERNAL REPRESENTATIVES.****EXECUTIVE SUMMARY**

The Audit and Risk Committee is an advisory committee that provides independent assurance and assistance to Council.

The 2015/16 Audit and Risk Committee voting members were made up of a Councillor representative and three external members. Under the committee's charter it is required to report annually to Council on its achievements and activities. The report of the committee for this period is attached.

This report also seeks to nominate Councillor and independent community representation to the committee for the ensuing four years.

**2016/258      RESOLVED (Cr Sally Townley / Cr Paul Amos)**

That Council:

1. Note the report from the external representatives of the Governance and Audit Committee.
2. Confirm the appointment of Barry Ford, Paul Tipper and Chris Jones as the independent external community representatives.
3. Nominate two Councillors to the Audit and Risk Committee.

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

**CARRIED**

**SUPPLEMENTARY MOTION****2016/259      RESOLVED (Cr Keith Rhoades / Cr Sally Townley)**

That Council appoints Councillors Michael Adendorff and Jan Strom to the Audit and Risk Committee.

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

**CARRIED**

**GM16/25      COUNCIL COMMITTEES - MEMBERSHIP APPLICATIONS****EXECUTIVE SUMMARY**

The purpose of this report is to recommend the appointment of nominated community members to a number of different s355 council committees.

**2016/260 RESOLVED (Cr Jan Strom / Cr Sally Townley)**

That Council appoints:

1. Wendy Partridge to the Woolgoolga Community Village Hall Venue Management Committee.
2. Christine Langley to the Toormina Community Centre Venue Management Committee.
3. Stephen Hayes to the Nana Glen Sport, Recreation & Equestrian Centre Venue Management Committee.

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

**CARRIED**

**GM16/26 SUBMISSIONS POLICY****EXECUTIVE SUMMARY**

Council is required by various statutes to place certain matters or proposals on public exhibition and take into consideration any public submission made during an exhibition period.

In addition, Council welcomes submissions from members of the community and industry stakeholders on non statutory matters or proposals as this feedback is critical in Council's achievement of informed and transparent decision making.

The purpose of this report is to seek the adoption of a Submissions Policy to assist those in making a submission and to ensure that Council's consideration of submissions is fair and consistent across the organisation.

**2016/261 RESOLVED (Cr Michael Adendorff / Cr Paul Amos)**

That Council adopt in principle the attached Submissions Policy and place on exhibition for a period of 28 days seeking feedback to enable Council's final determination on this matter.

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

**CARRIED**

**NOTICES OF MOTION – BUSINESS SERVICES****NOM16/27 ABORIGINAL EMPLOYMENT POLICY****2016/262 RESOLVED (Cr Sally Townley / Cr Jan Strom)**

1. "That Council includes an Aboriginal Employment Policy as part of its Workforce Resourcing Strategy. The Policy should include actions and goals for intake and retention of Aboriginal employees at all career levels, training opportunities, support programs and any other mechanisms considered appropriate.

2. That Strategy 4 in the Equal Employment Opportunity Management Plan (August 2013) be revised to reflect a stronger intake and retention of Aboriginal employees.”

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

**CARRIED**

**NOM16/28 REVIEW OF INVESTMENT POLICY - ETHICAL AND ENVIRONMENTAL CONSIDERATIONS**

**MOTION (Cr Sally Townley / Cr Tegan Swan)**

"That Council investigate amending its Investment Policy to include environmental and ethical objectives. Additions to the policy for investigation could include;

- a. giving preference to financial institutions which embody sustainable objectives
- b. consider divestment from institutions which finance fossil fuel projects.

Provided that,

- i. The investment is compliant with legislation and investment policy objectives and parameters; and
- ii. The rate of return is favourable relative to comparable investments on offer to Council at the time of investment.”

**For:** Crs Strom, Swan and Townley

**Against:** Crs Adendorff, Amos, Cecato and Rhoades

**LOST**

**DIRECTORATE REPORTS - BUSINESS SERVICES**

**BS16/40 QUARTERLY BUDGET REVIEW STATEMENT FOR SEPTEMBER 2016**

**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 to submit quarterly budget review statements to the governing body of Council. These minimum statements are contained within the attachments to this report.

The responsible accounting officer advises that the Quarterly Budget Review Statement indicates the financial position of the Council is satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

This report summarises the proposed budget adjustments for the quarter and the impact upon the projected budget position for the current financial year.



**2016/263 RESOLVED (Cr Jan Strom / Cr Michael Adendorff)**

That Council:

1. Note the Quarterly Budget Review Statements and the following estimated budget position as at 30 September 2016;

	<b>2016/17 Original Budget</b>	<b>2016/17 Revised Budget</b>	<b>2016/17 Projected Budget</b>	<b>2016/17 Sep YTD Actuals</b>
	<b>'000s</b>	<b>'000s</b>	<b>'000s</b>	<b>'000s</b>
<b>Recurrent Revenue</b>				
Rates & Annual Charges	\$86,781	\$86,781	\$86,785	\$88,737
User Charges & Fees	\$33,104	\$33,105	\$28,249	\$7,024
Interest & Investment Revenue	\$5,700	\$5,730	\$5,828	\$1,175
Other Revenues	\$8,152	\$8,253	\$13,091	\$3,014
Grants & Contributions provided for Operating Purposes	\$20,924	\$21,090	\$21,474	\$2,861
<b>RECURRENT REVENUE</b>	<b>\$154,661</b>	<b>\$154,959</b>	<b>\$155,427</b>	<b>\$102,811</b>
	<b>2016/17 Original Budget</b>	<b>2016/17 Revised Budget</b>	<b>2016/17 Projected Budget</b>	<b>2016/17 Sep YTD Actuals</b>
	<b>'000s</b>	<b>'000s</b>	<b>'000s</b>	<b>'000s</b>
<b>Recurrent Expenditure</b>				
Employee Benefits & Oncosts	\$37,814	\$37,849	\$37,651	\$9,477
Borrowing Costs	\$11,498	\$11,498	\$11,498	\$1,396
Materials & Contracts	\$54,123	\$56,984	\$57,709	\$8,958
Depreciation & Amortisation	\$44,767	\$44,767	\$44,767	\$11,192
Other Expenses	\$12,236	\$12,236	\$12,284	\$2,926
<b>RECURRENT EXPENDITURE</b>	<b>\$160,438</b>	<b>\$163,334</b>	<b>\$163,909</b>	<b>\$33,949</b>
<b>NET OPERATING (DEFICIT)</b>	<b>(\$5,777)</b>	<b>(8,375)</b>	<b>(\$8,482)</b>	<b>\$68,862</b>
<b>Capital Revenue</b>				
Capital Grants, Subsidies, Contributions and Donations	\$24,317	\$31,684	\$31,317	\$2,742
<b>CAPITAL REVENUE</b>	<b>\$24,317</b>	<b>\$31,684</b>	<b>\$31,317</b>	<b>\$2,742</b>
<b>NET SURPLUS</b>	<b>\$18,540</b>	<b>\$23,309</b>	<b>\$22,835</b>	<b>\$71,604</b>

2. Approve the budget adjustments included in this Report with a net value of \$141,928.

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

**CARRIED**

**BS16/41 REVIEW OF PROPERTIES RATED AS FARMLAND****EXECUTIVE SUMMARY**

The purpose of this report is seek Council's approval to undertake a review of all properties currently rated under the Farmland rating category using the attached proposed application form and criteria guidelines.

This review is deemed necessary due to the State Government's proposed implementation of a new Emergency Services Property Levy (ESPL). Also, the majority of properties currently categorised as Farmland have not been holistically assessed for over 17 years and therefore may not be categorised correctly.

It should be noted that rating categories are purely for rating purposes under the Local Government Act 1993 and do not necessarily relate to any Council strategy, zoning, location or development entitlement.

**2016/264 RESOLVED (Cr Tegan Swan / Cr Michael Adendorff)**

That Council approves the proposed review of 713 properties currently within the Coffs Harbour City Local Government Area rated under the Farmland category using the attached application form and criteria guidelines.

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

**CARRIED**

**NOTICES OF MOTION – SUSTAINABLE COMMUNITIES****NOM16/29 QUARTERLY REPORTING FROM THE CBD MASTERPLAN COMMITTEE****2016/265 RESOLVED (Cr Sally Townley / Cr Paul Amos)**

"That Council receives formal quarterly reports from the CBD Masterplan Committee."

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

**CARRIED**

**DIRECTORATE REPORTS - SUSTAINABLE COMMUNITIES****SC16/62 BONVILLE LARGE LOT RESIDENTIAL INVESTIGATION AREA - POST EXHIBITION****EXECUTIVE SUMMARY**

This report provides Council with the outcome of the exhibition and consultation process associated with a Planning Proposal (PP) (Attachment 1) and draft Developer Contributions Plan (CP) (Attachment 2), applying to the Bonville Large Lot Residential Investigation Area

(PP\_2015\_COFFS\_005\_00). The report discusses issues raised in Government, agency and community submissions as required by the NSW Department of Planning and Environment's (P&E) Gateway Determination. These submissions have been both summarised and are provided in full within Attachments 3 to 6.

Parts of the PP (as exhibited) have been amended following assessment and consideration of submissions received by Council during the consultation process. The rationale for these amendments has been discussed in the 'Issues' section of this report and in more detail in Attachments 3 and 5.

The only issue raised during the consultation process which has not yet been fully resolved is a request by the Coffs Harbour Local Aboriginal Land Council (LALC) that additional cultural heritage investigations be undertaken. This work has been completed as requested and Council is awaiting signoff of the report by the LALC. Whilst it is not expected that any change to the PP will be required following this consultation, any unforeseen issues that arise will be able to be negotiated in conjunction with NSW P&E. Council will forward LALC's response (once received) to NSW P&E for inclusion in the finalisation of the PP.

The report recommends that Council adopt the revised PP (as an amendment to *Coffs Harbour Local Environmental Plan 2013*) and CP and proceed to request the Minister of Planning to make the plan. It also recommends that submission writers are notified.

**2016/266 RESOLVED (Cr Keith Rhoades / Cr Michael Adendorff)**

That Council:

1. Adopt Planning Proposal PP\_2015\_COFFS\_005\_00 for the Bonville Large Lot Residential Investigation Area: Version 3 – Post Exhibition (Attachment 1).
2. Request that NSW Planning and Environment 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.
3. Acknowledge that the final response of the Coffs Harbour Local Aboriginal Land Council (once received) will be forwarded to NSW Planning and Environment for inclusion in the finalisation of this Planning Proposal.
4. Adopt Bonville Large Lot Residential Developer Contributions Plan (Attachment 2), which will come into force upon the amendment of Coffs Harbour Local Environmental Plan 2013 consistent with Planning Proposal PP\_2015\_COFFS\_005\_00.
5. Inform landowners in the Bonville Large Lot Residential Investigation Area who made submissions to PP\_2015\_COFFS\_005\_00 of Council's resolutions.

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

**CARRIED**

**SC16/63 PERFORMANCE REVIEW OF COFFS HARBOUR LOCAL ENVIRONMENTAL PLAN 2013**

**EXECUTIVE SUMMARY**

*Coffs Harbour Local Environmental Plan (LEP) 2013* came into force in September 2013. As with any comprehensive LEP, regular "housekeeping" performance reviews are undertaken in order to ensure the written LEP and associated maps are accurate and relevant.

The purpose of this report is to outline the results of a performance review undertaken in 2016 on Coffs Harbour LEP 2013. This will be the second review of this kind undertaken on Coffs Harbour

LEP 2013 since it came into force. Specifically, the report:

- identifies a number of minor matters contained within Coffs Harbour LEP 2013 which can only be resolved through an amendment to the LEP;
- presents proposed solutions to these matters as refinements to Coffs Harbour LEP 2013; and
- presents a Planning Proposal (PP) for Council's consideration that outlines the proposed amendments to Coffs Harbour LEP 2013.

This report recommends that Council endorse a PP (Attachment 1) for the purposes of seeking a "gateway determination" by the NSW Department of Planning and Environment (P&E); and publically exhibit the Planning Proposal following the gateway determination. It also recommends that Council seek delegations to exercise its plan making functions in respect of the PP.

**2016/267 RESOLVED (Cr Michael Adendorff / Cr Jan Strom)**

That Council:

1. Endorse and forward a Planning Proposal (Attachment 1) that includes minor amendments to Coffs Harbour Local Environmental Plan 2013 to NSW Planning and Environment seeking a "Gateway Determination".
2. Request that the Secretary of the NSW Department of Planning and Environment issue 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 Planning Proposal.
3. Resolve to publicly exhibit the Planning Proposal following the Gateway Determination by NSW Planning and Environment.
4. Note that a further report will be brought back to Council for consideration following the public exhibition of the Planning Proposal.

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

**CARRIED**

**SC16/65 SUBMISSION ON THE DRAFT COASTAL MANAGEMENT STATE ENVIRONMENTAL PLANNING POLICY AND PROGRESSION OF THE COFFS HARBOUR COASTAL ZONE MANAGEMENT PLANS**

**EXECUTIVE SUMMARY**

The objective of this report is to provide Council with:

- a submission, for lodgement with the State government, on the draft Coastal Management State Environmental Planning Policy (SEPP) currently on exhibition as part of the Coastal Management Reforms for NSW (Attachment 1);
- a brief overview of the Coastal Management Reforms which have recently been announced by the State government (Attachment 2); and
- a position to move forward with coastal hazard management having regard to the current landscape of the State Government's Coastal Management Reforms through Council's adopted Local Government Area (LGA) wide Coastal Zone Management Plan (CZMP) and various (estuary based) Coastal Zone Management Plans.

The Coastal Management Reforms for NSW announced in November 2015 include a proposed new framework for coastal management. This framework includes the introduction of a Coastal Management SEPP and a redesigned package of land-use planning instruments, which is currently on display for public consultation until 23 December 2016, including:

- the draft Coastal Management SEPP (Attachment 3);
- the draft Coastal Management SEPP mapping;
- the draft Coastal Reform s117 Direction (Attachment 4); and
- the draft Standard Instrument Amendment (Attachment 5).

A series of fact sheets outlining the intent of the draft SEPP and reforms framework are included as Attachment 6.

This report recommends lodgement of a submission on the proposed SEPP with the State government in response to the public consultation process (Attachment 1).

This report also recommends that Council write to the Minister for Planning requesting that the certification process of the LGA-wide Coffs Harbour CZMP under Section 55G of the Coastal Protection Act 1979 be resumed, and that the certification process commence for six (estuary based) adopted Coastal Zone Management Plans.

### 2016/268 RESOLVED (Cr Sally Townley / Cr Jan Strom)

That Council:

1. Endorse the submission (Attachment 1) to the NSW Government regarding the *draft Coastal Management State Environmental Planning Policy*.
2. Write to the Minister for Planning requesting that the certification process be resumed for the *Coffs Harbour Coastal Zone Management Plan 2013* under Section 55G of the Coastal Protection Act 1979.
3. Write to the Minister for Planning requesting that the certification process be commenced for the following Coastal Zone Management Plans under Section 55G of the Coastal Protection Act 1979:
  - *Pipe Clay Lake Estuary Coastal Zone Management Plan 2011*;
  - *Boambee / Newports Creek Estuary Coastal Zone Management Plan 2012*;
  - *Woolgoolga Lake Estuary Coastal Zone Management Plan 2013*;
  - *Willis Creek Estuary Coastal Zone Management Plan 2013*;
  - *Darkum Creek Estuary Coastal Zone Management Plan 2013*; and
  - *Coffs Creek Estuary Coastal Zone Management Plan 2015*.
4. Note that a further report will be brought back to Council following certification of the *Coffs Harbour Coastal Zone Management Plan 2013* by the Minister for Planning outlining future directions for Council's planning processes within the context of the final adopted Coastal Management Reforms.

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

**CARRIED**

### SC16/66 SUBMISSION ON THE REVIEW OF SEPP 44 - KOALA HABITAT PROTECTION

#### EXECUTIVE SUMMARY

The objective of this report is to provide Council with an overview of the changes as exhibited to *State Environmental Planning Policy 44 – Koala Habitat Protection* and provide a submission for

lodgement with the State Government (Attachment 1). The State government's Explanation of Intended Effect with regard to the proposed changes are provided for information (Attachment 2).

The Department of Planning and the Environment has provided a short exhibition period for the exhibited Explanation of Intended Effect and at this stage has no intention of exhibiting a draft State Environmental Planning Policy (SEPP) or guidelines. Local government has a key role in delivering any revised SEPP however many details remain unknown. The submission focuses on improving the consultation to allow for further input once the draft SEPP and guidelines are developed.

**2016/269 RESOLVED (Cr Sally Townley / Cr Paul Amos)**

That Council endorses the submission (Attachment 1) to the NSW Government regarding the review of *State Environmental Planning Policy No 44 – Koala Habitat Protection*.

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

**CARRIED**

**SC16/67 COFFS HARBOUR CITY COUNCIL STRATEGIC FLYING-FOX CAMP MANAGEMENT PLAN**

**EXECUTIVE SUMMARY**

The objective of this report is to inform Council on the development of a Local Government Area (LGA) wide draft Strategic Flying-fox Camp Management Plan to strategically manage the three permanent camps on Council managed land and provide direction for temporary camps that may develop.

The report also informs Council about the community consultation aspects that will commence in early 2017.

**2016/270 RESOLVED (Cr Sally Townley / Cr Tegan Swan)**

That Council:

1. Note the preparation of a Local Government Area wide draft Strategic Flying-fox Camp Management Plan.
2. Note that a community steering committee will be established consistent with the Office of Environment and Heritage Flying-fox Camp Management Plan Template 2016.
3. Note that a further report will be brought back to Council for consideration upon completion of the draft Strategic Flying-fox Camp Management Plan, prior to its public exhibition.

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

**CARRIED**

**SC16/68 JRPP ASSESSMENT REPORT FOR DEVELOPMENT APPLICATION  
0751/16DA****EXECUTIVE SUMMARY**

To advise that a development assessment report, prepared by Council, for Development Application 0751/16DA, has been lodged with the Joint Regional Planning Panel (Northern Region).

The proposed development is for a hotel (80 rooms including restaurant, pool/recreation area), offices, car parking, reconfiguration/reconstruction of approved shop areas at 63 Harbour Drive (Lot 1 DP 796866), 31 Vernon Street (Lot 1 DP 421199) and 35 – 61 Harbour Drive (Lot 6 DP 721353, Lot 1 DP 43845, Lot 6 Section 7 DP 758258 and Lots 1 -3 & Part Lot 4 Section 8 DP 758258), Coffs Harbour. The estimated cost of construction is \$20,100,000. Under State Environmental Planning Policy (State and Regional Development) 2011, developments with a capital investment value of more than \$20 million, are required to be determined by the Joint Regional Planning Panel (Northern Region) and not Council.

A copy of the development assessment report that has been provided to the Panel is appended to this report. It is being recommended that the Joint Regional Planning Panel refuse the application on the basis of carparking and height issues which are discussed in detail within the report.

It is recommended that the content of this report be noted.

**2016/271 RESOLVED (Cr Keith Rhoades / Cr Jan Strom)**

That Council note the report.

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

**CARRIED**

**SC16/69 COFFS COAST TOURISM STRATEGIC PLAN 2020 - VISITOR INFORMATION  
SERVICES - IMPLEMENTATION UPDATE****EXECUTIVE SUMMARY**

The Coffs Coast Tourism Strategic Plan 2020 was adopted by Council on 26 May 2016, which included a new model for visitor information services.

However, through further consideration at meetings in July 2016 and August 2016, Council resolved to undertake a staged approach to the implementation of the new visitor services model, over a 6 month period.

This report provides a summary of the implementation to date. The eight key transitional actions within the new visitor services model are either now complete or in progress. With the implementation well under way, Council can now close the Coffs Harbour Visitor Information Centre at the conclusion of the six month rollout on 29 January 2017.

**2016/272 RESOLVED (Cr Tegan Swan / Cr Paul Amos)**

That Council:

1. Notes the implementation update of the visitor information services model.
2. Acknowledges the eight key transitional actions within the new visitor services model are either complete or in progress and accordingly, closes the Coffs Harbour Visitor Information Centre on 29 January 2017, consistent with the adopted Coffs Coast Tourism Strategic Plan 2020.

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

**CARRIED**

**SC16/70 DRAFT CREATIVE COFFS - CULTURAL STRATEGIC PLAN 2017-2022****EXECUTIVE SUMMARY**

Coffs Harbour City Council has demonstrated a long-standing commitment to the vitality of the cultural life of the Local Government Area (LGA).

This report recommends the public exhibition of a draft *Cultural Policy* and a draft *Creative Coffs - Cultural Strategic Plan 2017- 2022* as Stage 1 of a two stage cultural strategic planning process.

The draft Policy and Plan have been endorsed by the Cultural Reference Group and will provide a framework to guide the strategic direction, investment and outcomes of cultural and creative development in the LGA. This investment includes the provision of cultural facilities, services and programs, financial support including grant-making, capacity building, facilitation, and partnership-building.

Both documents are underpinned by comprehensive situational analysis and extensive community and stakeholder engagement.

A report to consider Stage 2 of the cultural strategic planning process is planned to be tabled early 2017. This report will consider issues and options relating to a Performance Arts Centre (performance and conference events) Feasibility and Cost Benefit assessment.

**2016/273 RESOLVED (Cr Keith Rhoades / Cr Jan Strom)**

That Council

1. Endorse the public exhibition of the *Draft Cultural Policy* and the *Draft Creative Coffs - Cultural Strategic Plan 2017-2022* until the end of January 2017.
2. Consider a further report at the conclusion of the public exhibition period.
3. Subject to the final adoption of the Cultural Policy and Creative Coffs - Cultural Strategic Plan 2017-2022, considers a report on the Performance Arts Centre (performance and conference events) Feasibility and Cost Benefit Assessment (Stage 2).

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

**CARRIED**



**DIRECTORATE REPORTS - SUSTAINABLE INFRASTRUCTURE****SI16/44 ACQUISITION OF LAND FOR PUBLIC RESERVE PURPOSES - LOT 11 DP 1193991 MIMIWALI DRIVE, NORTH BONVILLE****EXECUTIVE SUMMARY**

DA 83/04 which relates to a large multi-lot residential subdivision at North Bonville proposed that certain land was to be dedicated as public reserve as part of the development. This subdivision, which has now been completed, failed to dedicate one such land parcel known as Lot 11 DP 1193991 as reserve upon its finalisation. The developer now wishes to dispose of this land and the only way this can be done is via a transfer process followed by a gazettal notification dedicating the received land as a public reserve.

**2016/274 RESOLVED (Cr Paul Amos / Cr Michael Adendorff)**

That Council

1. Accept the transfer of Lot 11 DP 1193990.
2. Note that all costs associated with the transfer, including legal expenses, mortgagee consent fees and registration expenses are the responsibility of the Transferor.
3. Execute all documents necessary to facilitate the matter under the common seal of Council.
4. Upon receipt of the land, classify it as Community Land in accordance with s31 of the NSW Local Government Act (1993).
5. Following classification of the land, dedicate it as Public Reserve.

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

**CARRIED**

**SI16/45 PROGRESS REPORT ON JETTY4SHORES STAGES 2-4****EXECUTIVE SUMMARY**

Stage 1 (the Walkway) of the Jetty4Shores project is complete. Detail design of Stages 2-4, (Kiosk Area, Market Area and Boardwalk) has been completed. The objective of this report is to update Council on the progress of the project in accordance with Council's resolutions made at the meeting of 24 October 2013.

**2016/275 RESOLVED (Cr Jan Strom / Cr Tegan Swan)**

That Council note the report.

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

**CARRIED**

**TRUST REPORTS****T16/13 TRUST REPORT - COFFS COAST STATE PARK TRUST SPECIAL PURPOSE FINANCIAL REPORT AND AUDIT 2016****EXECUTIVE SUMMARY**

The purpose of this report is to provide Council, as Corporate Manager of the Coffs Coast State Park Trust (CCSPT), with final audited Special Purpose Financial Statements for year ended 30 June 2016. The report also contains the final audited Special Purpose Financial Statements for the Woolgoolga Beach Reserve Trust (WBRT) until 11 March 2016 when the Trust was dissolved and the reserves incorporated into the CCSPT. The CCSPT statements reflect the financial position of the consolidated Trusts. Full copies of the two Trust audited Special Purpose Financial Reports are attached.

**2016/276 RESOLVED (Cr Keith Rhoades / Cr Jan Strom)**

That Council, as Corporate Manager of the Coffs Coast State Park Trust, receive and adopt the audited Special Purpose Financial Reports for 2015-16.

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

**CARRIED**

**T16/14 TRUST REPORT - HOLIDAY PARK TOURIST ACCOMMODATION TARIFFS 2017/18 AND 2018/19****EXECUTIVE SUMMARY**

Council, as Corporate Manager of the Coffs Coast State Park Trust (CCSPT), operates four holiday parks at Park Beach, Sawtell, Woolgoolga Beach and Woolgoolga Lakeside.

In line with various marketing strategies and business objectives, the Trust establishes tariffs for a wide cross section of tourist accommodation types ranging from unpowered sites through to 4.5 star villas. The tariffs vary between parks and are commensurate with the level of investment, and the products, services and facilities available.

The proposed tariffs represent a conservative approach to increases this year. They are aimed at meeting the predicted growth in operating costs without placing undue financial pressure upon our customer base who are showing signs of price sensitivity. The tariffs presented are also in keeping with industry competition providing similar products and services. A detailed assessment of competitor pricing was undertaken as part of the development of these proposed tariffs.

The proposed tariffs are shown as a range across the nominated periods. Previous tariff reports have provided a more specific breakdown of the tariff within each period. However, this approach has hampered managements ability to remain responsive to the market and undertake yield management activities. Furthermore, the Holiday Parks are now equipped with a new booking system that enables automated dynamic pricing. This system improves management and staff ability to establish pricing based upon supply and demand.

In addition to the 2017/18 tariffs, the report also contains tariffs for the 2018/19 period. Historically only one tariffs period has been approved but in response to feedback from customers seeking longer term clarity on tariffs, it is recommended that two tariffs periods be approved under the proviso that the second period be reviewed in 12 months to ensure they remain appropriate to the market.

**2016/277 RESOLVED (Cr Paul Amos / Cr Tegan Swan)**

That Council, as Corporate Manager of the Coffs Coast State Park Trust;

1. Approve the 2017/18 Tariffs within the report for the four holiday parks and note the intent to adjust tariffs throughout the year, where required, in line with proactive yield management practices.
2. Approve the 2018/19 Tariffs within the report and note the intent to resubmit the 2018/19 Tariffs for review by the Trust in 12 months.

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

**CARRIED**

**T16/15 TRUST REPORT - NORTH COAST REGIONAL BOTANIC GARDENS  
ADVISORY COMMITTEE**

**EXECUTIVE SUMMARY**

Council has prepared the draft North Coast Regional Botanic Gardens (NCRBC) draft Strategic Plan 2017-2020 which has yet to be adopted. On July 14 2016, during its most recent consideration of the matter Council resolved to:

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.*

This report provides an update on progress against the resolutions above and requests that Council, in its capacity as the Corporate Manager of the Coffs Coast State Park, now consider:

- endorsing the draft TORs; and,
- appointing members to the Committee; and,
- nominating one Councillor to sit on the Advisory Committee.

**2016/278 RESOLVED (Cr Sally Townley / Cr Jan Strom)**

That Council, in its capacity as the Corporate Manager of the Coffs Coast State Park:

1. Endorse the North Coast Regional Botanic Garden Advisory Committee Terms of Reference,
2. Appoint Friends of the NCRBG Inc Committee members Marg Murray, Bronwyn Fox, and Lindy Hills as the Friends of the NCRBG members of the Advisory Committee for a period of 12 months,
3. Appoint community members to the Advisory Committee as recommended in the confidential attachment to this report for a period of 12 months,
4. Nominate one Councillor to sit on the Advisory Committee for a period of 12 months,
5. Note that the Garlambirla Guuyu-girrwa Aboriginal Corporation's cultural representative to the Advisory Committee for a period of 12 months will be advised in a future report once the Corporation's nominee is known.
6. Receive a further report following the completion of the Advisory Committee's body of work to review and endorse the draft Strategic Plan and to develop a list of priorities for action.

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

**CARRIED**

**SUPPLEMENTARY MOTION****2016/279 RESOLVED (Cr Jan Strom / Cr Sally Townley)**

That Council appoints Councillor Townley to the North Coast Regional Botanic Garden Advisory Committee.

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

**CARRIED**

**REQUEST FOR LEAVE OF ABSENCE**

No requests for leave of absence.

**QUESTIONS ON NOTICE**

No Questions on notice.

**MATTERS OF AN URGENT NATURE**

**MOTION (Cr Sally Townley / Cr Jan Strom)**

That Council transact the business surrounding the Coffs Harbour Pre-School Association Incorporated lease as a matter of urgency.

**For:** Crs Cecato, Strom and Townley

**Against:** Crs Adendorff, Amos, Rhoades and Swan

**LOST**

**CLOSE OF MEETING**

The Meeting closed at 7.09pm.

Confirmed:

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Denise Knight  
Mayor