



MINUTES

**COFFS HARBOUR CITY COUNCIL
COUNCIL MEETING
COUNCIL ADMINISTRATION BUILDING
CNR COFF AND CASTLE STREETS, COFFS HARBOUR
ON THURSDAY, 23 FEBRUARY 2017 AT 5.00PM**

PRESENT: Cr Denise Knight, Cr Michael Adendorff, Cr Paul Amos, Cr Keith Rhoades, Cr Jan Strom, Cr Tegan Swan, Cr Sally Townley

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

LEAVE OF ABSENCE Nil

OPENING OF ORDINARY MEETING

The meeting commenced at 5.00pm with the Mayor, Cr D Knight 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

Councillor	Items	Type of Interest
Cr Denise Knight	SC17/07 Planning Proposal to Permit a Vehicle Sales or Hire Premises on Lot 3 DP 1022408 & Lot 120 DP 1184992 6B & 10 North Boambee Road, North Boambee Valley	Non-Pecuniary - Significant Conflict as the applicants are friends and neighbours.

APOLOGIES

2017/16 RESOLVED (Cr Jan Strom / Cr Paul Amos)

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

LEAVE OF ABSENCE

2017/17 RESOLVED (Cr Michael Adendorff / Cr Jan Strom)

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

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

CARRIED

PUBLIC ADDRESSES

No public address.

PUBLIC FORUM

No public forum.

MAYORAL ACTIONS UNDER DELEGATED AUTHORITY

No actions under delegated authority.

CONFIRMATION OF MINUTES

2017/18 RESOLVED (Cr Tegan Swan / Cr Jan Strom)

That the minutes of the Ordinary Meeting held on 9 February 2017 be confirmed.

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

CARRIED

DIRECTORATE REPORTS - BUSINESS SERVICES**BS17/03 BANK AND INVESTMENT BALANCES FOR DECEMBER 2016****EXECUTIVE SUMMARY**

The purpose is to report on Council's Bank Balances and Investments as at 31 December 2016. 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.

2017/19 RESOLVED (Cr Sally Townley / Cr Keith Rhoades)

That Council note the bank balances and investments totalling \$180,296,203.51 (including from loans, Section 94 and other avenues that form the restricted accounts and are committed for future works) as at 31 December 2016.

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

CARRIED

BS17/04 BANK AND INVESTMENT BALANCES FOR JANUARY 2017**EXECUTIVE SUMMARY**

The purpose is to report on Council's Bank Balances and Investments as at 31 January 2017. 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.

2017/20 RESOLVED (Cr Paul Amos / Cr Jan Strom)

That Council note the bank balances and investments totalling \$176,712,664.16 (including from loans, Section 94 and other avenues that form the restricted accounts and are committed for future works) as at 31 January 2017.

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

CARRIED

BS17/05 QUARTERLY BUDGET REVIEW STATEMENT FOR DECEMBER 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.

2017/21 RESOLVED (Cr Michael Adendorff / Cr Tegan Swan)

That Council:

- Note the Quarterly Budget Review Statements and the following estimated budget position as at 31 December 2016;

	2016/17 Original Budget	2016/17 Revised Budget	2016/17 Projected Budget	2016/17 Dec YTD Actuals
	'000s	'000s	'000s	'000s
Recurrent Revenue				
Rates & Annual Charges	\$86,781	\$86,785	\$86,785	\$87,278
User Charges & Fees	\$33,104	\$28,449	\$28,457	\$13,485
Interest & Investment Revenue	\$5,700	\$5,828	\$5,828	\$1,639
Other Revenues	\$8,152	\$13,427	\$13,428	\$7,142
Grants & Contributions provided for Operating Purposes	\$20,924	\$21,944	\$21,915	\$7,768
RECURRENT REVENUE	\$154,661	\$156,433	\$156,413	\$117,229

	2016/17 Original Budget	2016/17 Revised Budget	2016/17 Projected Budget	2016/17 Dec YTD Actuals
	'000s	'000s	'000s	'000s
Recurrent Expenditure				
Employee Benefits & Oncosts	\$37,814	\$37,901	\$37,886	\$22,455
Borrowing Costs	\$11,498	\$11,498	\$11,498	\$4,254
Materials & Contracts	\$54,123	\$58,967	\$59,001	\$17,420
Depreciation & Amortisation	\$44,767	\$44,767	\$44,767	\$22,384
Other Expenses	\$12,236	\$12,385	\$12,385	\$3,984

RECURRENT EXPENDITURE	\$160,438	\$165,518	\$165,537	\$70,497
NET OPERATING (DEFICIT)	(\$5,777)	(\$9,085)	(\$9,124)	\$46,732
Capital Revenue				
Capital Grants, Subsidies, Contributions and Donations	\$24,317	\$24,317	\$31,924	\$8,869
CAPITAL REVENUE	\$24,317	\$24,317	\$31,924	\$8,869
NET SURPLUS	\$18,540	\$15,232	\$22,800	\$55,601

2. Approve the budget adjustments included in this Report with a net cash value of \$25,000.

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

CARRIED

BS17/06 ENVIRONMENTAL LEVY PROJECTS QUARTERLY REPORT TO 31 DECEMBER 2016

EXECUTIVE SUMMARY

This report provides Council with a quarterly status update to 31 December 2016 on the projects funded under the Environmental Levy (EL) Program for Council’s consideration and noting.

2017/22 RESOLVED (Cr Jan Strom / Cr Tegan Swan)

That Council notes the status of the Environmental Levy Program projects as at 31 December 2016 as outlined in the attachment.

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

CARRIED

BS17/07 ENVIRONMENTAL LEVY COMMITTEE TERMS OF REFERENCE**EXECUTIVE SUMMARY**

At Council's meeting held on 25 August 2016 it was resolved:

"That Council and the Environmental Levy Committee review their Terms of Reference prior to conducting a program review."

The reviewed ToR were developed by Council officers in consultation with the current EL Committee members and are attached to this report for Council's endorsement. This will enable the EL Program review to now commence with a findings report to be brought back to Council for consideration.

2017/23 RESOLVED (Cr Tegan Swan / Cr Jan Strom)

That Council:

1. Endorse the Terms of Reference for the Environmental Levy Committee; and
2. Note the review of Environmental Levy Program will be completed to coincide with the appointment of new community members to the Environmental Levy Committee from 1 July 2017.

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

CARRIED

DIRECTORATE REPORTS - SUSTAINABLE COMMUNITIES**SC17/05 2016-2020 DELIVERY PROGRAM - SIX MONTHLY REPORT****EXECUTIVE SUMMARY**

Under the Local Government Act, Council is required to report six-monthly on its progress and performance in helping to achieve the objectives of the *Coffs Harbour 2030* Community Strategic Plan.

The *Six-Monthly Progress Report (for the period 1 July to 31 December 2016) on the Coffs Harbour City Council 2016-2020 Delivery Program* is tabled at this time. The Six-Monthly Progress Report identifies achievements and challenges recorded during the reporting period and provides updates on Council services, projects and key operational activities.

There are 236 actions detailed in the six-monthly report. The majority are recorded as being On Track; 27 are listed as Needing Attention, generally reflecting resourcing/workload issues; delays associated with the introduction of new systems or processes; and/ or the impact of external factors.

The report represents the considerable record of achievement by Council and its workforce in delivering positive outcomes for the Coffs Harbour community. The reporting period saw many highlights including:

- Coffs Harbour winning the IFEA World Festival and Event City Award (for the second year in a row);
- Completion of the Duke Street extension and Harbour Drive/Gordon Street intersection upgrade works;
- A new calendar year record for passenger numbers at Coffs Harbour Regional Airport;
- Tenth anniversary celebrations for Coffs Harbour Regional Gallery's signature event, the Eutick Memorial Still Life Award;
- Council support and delivery of NAIDOC Week events and the annual Grace Roberts Awards;
- The final two One-Day matches of the 2016 Women's International Cricket Series held at the C.ex Coffs International Stadium;
- Top industry awards for the Park Beach and Woolgoolga Lakeside Holiday Parks;
- The launch of the 'MyCoffs' Community Strategic Plan review project to engage the local community in shaping the future of Coffs Harbour;
- Extensive road, bridge and cycleway works;
- Delivery of environmental and sustainability initiatives;
- Delivery of a range of community, economic and sporting programs.

2017/24 RESOLVED (Cr Paul Amos / Cr Tegan Swan)

That Council:

1. Adopts the Six-Monthly Progress Report (for the period 1 July to 31 December 2016) on the Coffs Harbour City Council 2016-2020 Delivery Program for public release.
2. Endorses the discontinuation of reporting measures M0177, B0150 and P0239 from the six-monthly reporting format.

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

CARRIED

SC17/06 CREATIVE COFFS - CULTURAL STRATEGIC PLAN 2017-2022 AND CULTURAL POLICY - FINAL

EXECUTIVE SUMMARY

In December 2016, Council endorsed the public exhibition of a draft Cultural Policy and a draft Creative Coffs - Cultural Strategic Plan 2017- 2022. Considerable stakeholder consultation occurred in the formation of the draft plan and draft policy which was placed on public exhibition from 14 December 2016 to 31 January 2017.

The public exhibition resulted in twelve submissions. The responses to the public submissions and resultant amendments to the plan and policy have been endorsed by the Cultural Reference Group. The final Cultural Policy and Creative Coffs – Cultural Strategic Plan 2017-2022 is now presented to Council for adoption.

The next stage of the cultural strategic planning process will assess the potential requirements, needs, strategic impacts and benefits of a new Performing Arts Centre (performance and conferencing events) in the region.

2017/25 RESOLVED (Cr Jan Strom / Cr Tegan Swan)

That Council:

1. Adopts the Cultural Policy (Attachment 1)
2. Adopts the Creative Coffs - Cultural Strategic Plan 2017-2022 (Attachment 2)
3. Notifies parties who made a submission during the consultation described in the report of Council's decision.
4. In accordance with Strategy 2.5 of the Creative Coffs - Cultural Strategic Plan 2017-2022, notes the commencement of the next stage of the cultural strategic planning process, being Stage 2a) Finalise issues and options analysis for future performance and/or conference venue(s) in Coffs Harbour that include a Performing Arts Space.

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

CARRIED

At 5:16 pm, Cr Denise Knight left the meeting.

MOTION**2017/26 RESOLVED (Cr Keith Rhoades / Cr Paul Amos)**

That Cr Swan Chair the meeting.

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

CARRIED

At 5:17 pm, Cr Tegan Swan assumed the Chair.

SC17/07 PLANNING PROPOSAL TO PERMIT A VEHICLE SALES OR HIRE PREMISES ON LOT 3 DP 1022408 & LOT 120 DP 1184992 6B & 10 NORTH BOAMBEE ROAD, NORTH BOAMBEE VALLEY**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 6B and 10 North Boambee Road, North Boambee Valley (Lot 3 DP 1022408 & Lot 120 DP 1184992) for an expanded vehicle sales or hire premises. The allotments are contained within the R1 General Residential zone and the R2 Low Density Residential zone respectively under Coffs Harbour LEP 2013 and a vehicle sales or hire premises is currently a prohibited use in both of these zones.

An existing vehicle sales or hire premises operates at 6-6A North Boambee Road, North Boambee Valley, and the owners of this business are looking to expand onto adjacent land parcels as referenced above.

It is recommended that Council proceeds with a PP that amends Schedule 1 (Additional Permitted Uses) of Coffs Harbour LEP 2013 to permit a 'vehicle sales or hire premises' on the subject land. The applicant has also requested Council's consideration of an associated 5 year sunset clause.

This involves seeking a Gateway Determination from the NSW Department of Planning and Environment (P&E) 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.

2017/27 RESOLVED (Cr Keith Rhoades / Cr Michael Adendorff)

That Council:

1. Endorse and forward a Planning Proposal (Attachment 1) to permit a vehicle sales or hire premises with Council consent on Lot 3 DP 1022408 & Lot 120 DP 1184992 (6B and 10 North Boambee Road North Boambee Valley), to NSW Planning and Environment seeking a "Gateway Determination".
2. Request that the Secretary of NSW 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 and undertake government agency consultation based on the Gateway Determination issued 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

At 5:22 pm, Cr Denise Knight returned to the meeting and resumed the Chair.

The General Manager advised that the recommendation was carried unanimously.

SC17/08 COFFS HARBOUR LOCAL ENVIRONMENTAL PLAN - CBD HEIGHT RESTRICTIONS - FUNDING

EXECUTIVE SUMMARY

At its meeting of 9 February 2017, Council considered a Notice of Motion regarding CBD height restrictions and resolved the following:

- "1. That Council commence urgently a review of the building heights in the CBD of Coffs Harbour (as defined in the CBD Masterplan) with a view to seeking an amendment to the LEP based on the findings.*
- 2. That a funding report to commence the review be presented to Council at the next meeting."*

Accordingly, this report looks at the funding options to advance this strategic body of work.

2017/28 RESOLVED (Cr Jan Strom / Cr Tegan Swan)

That Council notes the funding for the CBD height restrictions review will be allocated from the Developer Contributions Study budget and that it will be confirmed through the next budget review.

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

CARRIED

NOTICES OF MOTION – SUSTAINABLE INFRASTRUCTURE**NOM17/03 COFFS CREEK REMEDIATION****2017/29 RESOLVED (Cr Paul Amos / Cr Sally Townley)**

That Council receive a report for the remediation of Coffs Creek as a matter of priority that addresses the following aspects:

1. Consideration of the actions identified in the adopted Coffs Creek Estuary Coastal Zone Management Plan in the context of how these actions can achieve long term solutions to issues relating to low water depth, poor water quality and poor water flow and other related matters;
2. Consideration of funding options associated with the development of an implementation plan, such that ideally Council has a “spade ready” plan for remediation works available by January 2018, thus enabling inclusion in Council’s future Delivery Program;
3. Ideally, the implementation plan will provide increased opportunities for recreational water activities and must provide solutions that are environmentally responsible, sustainable and utilise modern engineering solutions.

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

CARRIED

NOM17/04 ROBIN STREET - VEHICULAR GUARD RAIL**2017/30 RESOLVED (Cr Paul Amos / Cr Jan Strom)**

That the Coffs Harbour City Council install, as a matter of urgency, a vehicular guard rail on the bend adjacent 36 Robin St Coffs Harbour, above the existing concrete culvert.

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

CARRIED

DIRECTORATE REPORTS - SUSTAINABLE INFRASTRUCTURE**SI17/02 DRAFT VEHICLES ON BEACHES POLICY & 4WD BEACH PERMIT FEES & CHARGES****EXECUTIVE SUMMARY**

The former Mid North Coast Region of Councils (MIDROC) members, comprising the former Great Lakes Council and Taree Council, Coffs Harbour City Council, Port Macquarie Hastings, Kempsey, Nambucca and Bellingen Councils, recommended in February 2015 the implementation of a mutually recognised beach permit system for vehicles accessing beaches within the region extending from Coffs Harbour to Great Lakes. The MIDROC proposal would allow a permit holder access to any vehicle permitted beach within the region. This was seen as of significant benefit to residents and visitors to the region, obviating the need for multiple permits and applying consistent rules for ease of use.

The MIDROC recommendation included actions relating to a standardised fee structure, types of permits and delivery timetable. The MIDROC members currently have permit provisions in place and have indicated moving to the regional permit model in 2017/18.

Since the initial proposal by MIDROC a number of changes have occurred. Great Lakes Council moved to the Hunter Councils Inc., followed by the amalgamation of Great Lakes and Taree Council with Gloucester Council to form Mid Coast Council. Mid Coast Council is now part of Hunter Councils Inc. Despite the change in membership, Mid-Coast Council has indicated that they still wish to be part of the Mid North Coast regional beach permit scheme.

Council has undertaken further engagement with the MIDROC member councils, Mid Coast Council, and in consultation with stakeholders has developed a draft Policy.

Council's previous Vehicles on Beaches Policy dates from 1996. This draft Policy is intended to replace the outdated 1996 Vehicles on Beaches Policy.

The draft Policy proposes:

- 1 introduction of a reciprocal 4WD beach permit system, recognised throughout the MIDROC local government areas. The permit would generally apply to all beach users, with the exception of emergency services, access by authorised vehicles, and access associated with launching and retrieving boats at designated locations and,
- 2 Minor changes to vehicle accessible beaches, in response to assessed conflicting/incompatible uses and environmental sensitivity

MOTION (Cr Tegan Swan / Cr Keith Rhoades)

That Council:

1. Approve the public exhibition of the draft Vehicles on Beaches Policy for a period of 28 days and,
2. Note that a report be returned to Council detailing the outcome of the public exhibition.

For: Crs Knight, Swan and Townley

Against: Crs Adendorff, Amos, Rhoades and Strom

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

TRUST REPORTS

T17/04 TRUST REPORT - COFFS COAST STATE PARK TRUST - RELOCATION OF MARINE RESCUE WOOLGOOLGA TO ARRAWARRA HEADLAND FACILITY - PROGRESS REPORT

EXECUTIVE SUMMARY

In accordance with Council's resolution 2017/3 at its meeting held on 9 February 2017, the following progress report is provided on the relocation of Marine Rescue Woolgoola to Arrawarra Headland.

2017/31 RESOLVED (Cr Jan Strom / Cr Tegan Swan)

That Council, as Corporate Manager of the Coffs Coast State Park Trust, note the progress report.

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

CARRIED

REQUESTS FOR LEAVE OF ABSENCE

No requests for leave of absence.

QUESTIONS ON NOTICE

No questions on notice.

MATTERS OF AN URGENT NATURE

No matters of an urgent nature.

CLOSE OF MEETING

The Meeting closed at 5.59pm.

Confirmed: 9 March 2017

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Denise Knight
Mayor