



MINUTES

**COFFS HARBOUR CITY COUNCIL
ORDINARY COUNCIL MEETING
COUNCIL ADMINISTRATION BUILDING
CNR COFF AND CASTLE STREETS, COFFS HARBOUR
ON THURSDAY, 24 AUGUST 2017 AT 5.00PM**

PRESENT: Cr Denise Knight, Cr Michael Adendorff, Cr George Cecato, Cr Keith Rhoades, Cr Jan Strom, Cr Sally Townley

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

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 live audio streamed, and that no other recordings of the meeting would be permitted.

DISCLOSURE OF INTEREST

Councillor	Items	Type of Interest
Cr Denise Knight	BS17/31 Review of Environmental Levy Program	Non-Pecuniary - Less Than Significant Conflict as on the Environmental Levy Committee.

APOLOGIES

2017/176 RESOLVED (Cr Jan Strom / Cr Sally Townley)

That leave of absence as requested from Councillors Swan, Amos and Arkan be approved.

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

CARRIED

PUBLIC ADDRESSES

Time	Speaker	Item
5.00 pm	Garry Dew Chair of EL Committee	'Against' BS17/31 – Review of Environmental Levy Program
5.05 pm	Ron Smith Secretary, Orara Valley Landcare Management Committee	'Against' BS17/31 – Review of Environmental Levy Program

PUBLIC FORUM

No public forums.

MAYORAL ACTIONS UNDER DELEGATED AUTHORITY

No Mayoral actions under delegated authority.

CONFIRMATION OF MINUTES**2017/177 RESOLVED (Cr Jan Strom / Cr George Cecato)**

That the minutes of the Ordinary Meeting held on 10 August 2017 be confirmed.

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

CARRIED

MOTION**2017/178 RESOLVED (Cr Denise Knight / Cr Jan Strom)**

That item BS17/31 is brought forward in the agenda, before the Mayoral Minute.

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

CARRIED

BS17/31 REVIEW OF ENVIRONMENTAL LEVY PROGRAM**EXECUTIVE SUMMARY**

At Council's meeting held on 14 July 2016 it was resolved:

"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 review methodology involved a comprehensive review of the history and documentation relating to the Environmental Levy (EL) Program, interviews with various stakeholders and a review of other similar programs in Local Government. A discussion draft report was provided to Council together with a presentation by the consultants on 18 July 2017. Following an opportunity for Councillor feedback the consultants issued their final report on 3 August 2017 (Attachment 1).

The consultants observed a number of positive aspects to the EL Program; however, they also identified key opportunities for improvements around probity, accountability and committee membership. The consultants EL Review report provides seven primary recommendations together with an Action Plan for design and implementation of a new model for the EL Program.

The report and its recommendations are now tabled for Council's formal consideration.

MOTION**2017/179 RESOLVED (Cr Sally Townley / Cr Jan Strom)**

That Council:

1. Note the report.
2. Run a workshop at which all recommendations made in the Action Plan are discussed by staff and Councillors.
3. Receive a report on this which then forms the basis of the new Environmental Levy Policy.

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

CARRIED

MAYORAL MINUTE

The General Manager left the meeting, the time being 5.39pm.

MM17/02 GENERAL MANAGER'S PERFORMANCE REVIEW**2017/180 RESOLVED (Cr Denise Knight)**

That Council note the outcome of the General Manager's Performance Review.

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

CARRIED

The General Manager returned to the meeting, the time being 5.40pm.

NOTICES OF MOTION – GENERAL**NOM17/13 CHANGE TO THE CODE OF MEETING PRACTICE****MOTION (Cr Sally Townley / Cr Jan Strom)**

"That Council change its Code of Meeting Practice s5.11.1 to reflect that a member of the public may speak on any matter before Council; and also that a Public Forum be permitted at any ordinary meeting of Council"

For: Crs Strom and Townley

Against: Crs Knight, Adendorff, Cecato and Rhoades

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

GENERAL MANAGER'S REPORTS**GM17/15 POLICY REVIEW 2017****EXECUTIVE SUMMARY**

It is a requirement of s165 Local Government Act to review all policies within 12 months of a local government general election. This report presents the next group of Council's policies that are ready for re-adoption following review.

2017/181 RESOLVED (Cr Michael Adendorff / Cr George Cecato)

That Council adopts the following policies as part of the 2017 policy review:

1. Construction in the Vicinity of Council Underground Assets Policy
2. Contaminated Land Policy
3. Investment Policy
4. Media Policy
5. Private Sewer Pump Station Policy

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

CARRIED

NOTICES OF MOTION – BUSINESS SERVICES**NOM17/14 DIVESTMENT OF COUNCIL INVESTMENTS IN FOSSIL FUEL SUPPORTING FINANCIAL INSTITUTIONS****2017/182 RESOLVED (Cr Denise Knight / Cr Jan Strom)**

"Council give preference to investing with financial institutions that do not invest in, or finance, the fossil fuel industry where:

- a. Council's investment is compliant with its 'Investment Policy'.
- b. The investment rate of interest is comparable or better to other similar investments that may be on offer to Council at the time of investment.

A briefing be provided to Councillors, at the end of each financial year, on the state of its divestment from fossil fuels."

For: Crs Knight, Cecato, Strom and Townley

Against: Crs Adendorff and Rhoades

CARRIED

DIRECTORATE REPORTS - BUSINESS SERVICES**BS17/28 BANK AND INVESTMENT BALANCES FOR JUNE 2017****EXECUTIVE SUMMARY**

The purpose is to report on Council's Bank Balances and Investments as at 30 June 2017. Council receives independent advice and invests surplus funds in accordance with Council's Investment Policy to maximise investment income and preserve capital to assist with funding requirements for projects listed under the My Coffs Community Strategic Plan.

2017/183 RESOLVED (Cr Jan Strom / Cr George Cecato)

That Council note the bank balances and investments totalling \$191,713,655.32 (including from loans, Developer Contributions and other avenues that form the restricted accounts and are committed for future works) as at 30 June 2017.

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

CARRIED

BS17/29 BANK AND INVESTMENT BALANCES FOR JULY 2017**EXECUTIVE SUMMARY**

The purpose is to report on Council's Bank Balances and Investments as at 31 July 2017. Council receives independent advice and invests surplus funds in accordance with Council's Investment Policy to maximise investment income and preserve capital to assist with funding requirements for projects listed under the My Coffs Community Strategic Plan.

2017/184 RESOLVED (Cr Sally Townley / Cr George Cecato)

That Council note the bank balances and investments totalling \$183,747,287.09 (including from loans, Developer Contributions and other avenues that form the restricted accounts and are committed for future works) as at 31 July 2017.

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

CARRIED

BS17/30 ACQUISITION OF EASEMENT FOR WATER SUPPLY - LOT 104 DP 1184344, 834 CORAMBA ROAD, KARANGI**EXECUTIVE SUMMARY**

Council recently completed a duplication of the water main that connects Karangi Dam with Red Hill Reservoir to the West of Coffs Harbour. This project included the construction of a new 600mm water main, and now that it's complete, the security of Coffs Harbour's water supply has been considerably improved. As part of the project, easements' are required over a number of properties upon which Council have no current tenure to protect the new works. Recent negotiations with an affected owner at 834 Coramba Road, Karangi, has resulted in Council agreeing to an amount of compensation on the basis Council are responsible for all reasonable costs.

2017/185 RESOLVED (Cr Jan Strom / Cr Sally Townley)

That Council:

1. Authorise payment of \$750 inclusive of GST to the owner of Lot 104 DP 1185344, 834 Coramba Road, Karangi, as compensation for an easement for water supply 5 metres wide being transferred to Council over the property as described in this report.
2. Authorise payment of all costs associated with the acquisitions, including reasonable legal expenses, survey, mortgage consent fees and registration expenses.
3. Execute all documents necessary to facilitate the matters under the common seal of Council

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

CARRIED

DIRECTORATE REPORTS - SUSTAINABLE COMMUNITIES**SC17/44 2016-2020 DELIVERY PROGRAM - SIX MONTHLY REPORT JANUARY TO JUNE 2017****EXECUTIVE SUMMARY**

Under the Local Government Act, Council is required to report six-monthly on its progress against the principal activities detailed in the Delivery Program.

The *Six-Monthly Progress Report (for the period 1 January to 30 June 2017) 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 231 actions detailed in the six-monthly report. The majority are recorded as being On Track; 32 are listed as Needing Attention, generally reflecting the impacts 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:

- The start of construction of Stages 2-4 of the Jetty4Shores Project;
- Completion of the five-kilometre-long duplicate Water Trunk Main from Karangi Dam, securing the domestic water supply to the city;
- Advanced construction of a new multi-purpose amenity building at Fitzroy Oval in Coffs Harbour's CBD;
- A new financial year record (413,000) for passenger numbers at Coffs Harbour Regional Airport;
- The establishment of three new visitor information outlets as part of the new Coffs Coast Tourism Strategy ;
- The finalization of contract arrangements to run local waste services for the next decade, reinforcing the region's position as a recycling and resource management leader;
- The extension of the successful 6 Degrees co-working initiative to the northern beaches;
- The successful completion of the MyCoffs consultation project, establishing a new Community Strategic Plan for Coffs Harbour;
- Extensive road, bridge and cycleway works;
- Delivery of environmental and sustainability initiatives;
- Delivery of a range of community, economic and sporting programs.

2017/186 RESOLVED (Cr George Cecato / Cr Michael Adendorff)

That Council adopts the attached *Six-Monthly Progress Report (for the period 1 January to 30 June 2017) on the Coffs Harbour City Council 2016-2020 Delivery Program* for public release.

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

CARRIED

**SC17/45 PLANNING PROPOSAL: NORTH BOAMBEE VALLEY (WEST)
RESIDENTIAL INVESTIGATION AREA****EXECUTIVE SUMMARY**

The purpose of this report is to present Council with a revised Planning Proposal (PP) for the North Boambee Valley (West) Investigation Area. The original Planning

Proposal (PP_2013_COFFS_004_00) has been the subject of previous Council reports, the most recent being 10 December 2015.

This report discusses actions which have been undertaken since that date, and seeks to progress a revised PP to achieve the creation of residential land within the northern section of the North Boambee Valley (West) Investigation Area. The PP has been revised based on the outcomes of additional studies, with the key amendments being:

- Revision of the extent of the proposed residential precinct with an estimated yield of 820 new low density residential allotments;
- Removal of the proposed industrial precinct from the PP as this land will now be considered as part of a separate PP for the southern part of the North Boambee Valley (West) Investigation Area following resolution of flood impacts and via a future report to Council;
- Rationalisation of the extent of Zone E2 Environmental Conservation and introduction of Zone E3 Environmental Management under the provisions of *Coffs Harbour Local Environmental Plan (LEP) 2013*.

Council has been advised by NSW Planning & Environment (P&E) that the most appropriate means to progress the planning strategy for North Boambee Valley (West) is to prepare a revised PP, given that the content of the PP has undergone substantial changes and covers a reduced area. NSW Planning & Environment have also advised that the original supporting reports and assessments can be appended to the PP, despite these documents applying to the broader North Boambee Valley (West) Investigation Area.

Based on that advice, this report recommends that Council relinquish the current active Planning Proposal (PP_2013_COFFS_004_00) and submit a revised PP (Attachment 1) to P&E requesting the issue of a Gateway Determination to allow the revised Planning Proposal to be placed on public exhibition. Amendments will also need to be made to *Coffs Harbour Development Control Plan (DCP) 2015* (Attachment 2) and a draft North Boambee Valley (West) Developer Contributions Plan 2017 has been prepared (Attachment 3) to accompany the PP. These documents will be exhibited concurrently with the PP, subject to endorsement by Council and the terms of P&E's Gateway Determination.

2017/187 RESOLVED (Cr Michael Adendorff / Cr Jan Strom)

That Council:

1. Relinquish the active Planning Proposal PP_2013_COFFS_004_00 for North Boambee Valley (West) Investigation Area.
2. Endorse and forward a revised Planning Proposal to NSW Planning and Environment seeking a 'Gateway Determination' for the rezoning of parts of the North Boambee Valley (West) Investigation Area for residential purposes (Attachment 1).
3. Subject to the 'Gateway Determination' from NSW Planning and Environment, place the revised Planning Proposal on public exhibition.
4. Subject to the 'Gateway Determination' from NSW Planning and Environment, place proposed amendments to Coffs Harbour Development Control Plan and associated maps on public exhibition (Attachment 2).
5. Subject to the 'Gateway Determination' from NSW Planning and Environment, place Draft North Boambee Valley (West) Developer Contributions Plan on public exhibition (Attachment 3).
6. Consider a further report, concerning the outcome of the public exhibition.
7. Endorse in principle the forward funding of a detention basin to service the needs of the North Boambee Valley (West) residential planning area, subject to further investigation and reporting to Council to confirm the location, size and performance requirements for the detailed design and cost of construction of the basin.
8. Consider a further report, addressing the planning strategy for the parts of North Boambee Valley (West) Investigation Area which are not subject to the revised Planning Proposal.
9. Inform landowners in the North Boambee Valley (West) Investigation Area of Council's resolutions.

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

CARRIED

SC17/46 COFFS HARBOUR LGA FLYING-FOX CAMPS STRATEGIC CAMP MANAGEMENT PLAN**EXECUTIVE SUMMARY**

The objective of this report is to have Council adopt the *Coffs Harbour LGA Flying-fox Camps Strategic Camp Management Plan – August 2017* (Attachment 1). This follows the public exhibition of the draft plan and subsequent consideration of submissions.

The Coffs Harbour LGA Flying-fox Camps Strategic Camp Management Plan will assist Council to strategically manage the three permanent camps on Council managed land and provide direction for temporary camps that may develop.

2017/188 RESOLVED (Cr Sally Townley / Cr Jan Strom)

That Council:

1. Adopt the *Coffs Harbour LGA Flying-Fox Camps Strategic Camp Management Plan – August 2017* (Attachment 1).
2. Inform parties who made submissions to the exhibition of the draft Coffs Harbour LGA Flying-fox Camps Strategic Camp Management Plan, of Council's resolution.

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

CARRIED

SC17/47 PLANNING PROPOSAL PP_2016_COFFS_004_00 - REVIEW OF COFFS HARBOUR LOCAL ENVIRONMENTAL PLAN 2013**EXECUTIVE SUMMARY**

The objective of this report is to provide Council with a review of the four submissions received during the exhibition period for Planning Proposal (PP) PP_2016_Coffs_004_00, being the second of a series of regular performance reviews of Coffs Harbour Local Environmental Plan (LEP) 2013.

It is recommended that Council endorse and progress the PP in accordance with Council's delegation of plan making powers under the *Environmental Planning and Assessment (EP&A) Act 1979*. The PP presented in this report proposes 15 minor amendments to Coffs Harbour LEP 2013.

2017/189 RESOLVED (Cr Jan Strom / Cr Michael Adendorff)

That Council:

1. Endorses Planning Proposal PP_2016_Coffs_004_00 - Coffs Harbour Local Environmental Plan 2013 "Housekeeping" Performance Review No 2 – V3 Post Exhibition – August 2017 (Attachment 1).
2. Delegates to the General Manager the authority issued by the NSW Department of Planning and Environment to 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. Continues to consult with the NSW Department of Planning and Environment on the terms of the amendment to Coffs Harbour Local Environmental Plan 2013, to ensure its consistency with the objectives, outcomes and provisions of the Planning Proposal.
4. Informs the landowners and where relevant, their consultant/s, of Council's decision.

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

CARRIED

SC17/48 STRONGER COUNTRY COMMUNITIES FUND**EXECUTIVE SUMMARY**

The NSW Government has committed \$200m to support infrastructure projects through the Stronger Country Communities Fund (SCCF), and local councils are eligible to apply.

Local councils are required to consult with their communities, and Council is responsible for the prioritisation of which projects (both external and internal) are submitted. It is recommended in the SCCF guidelines that each local government area submit projects that strongly reflect community preferences.

This report seeks determination from Council of which project applications are to be progressed for submission and the prioritisation of those projects, as per the SCCF guidelines.

2017/190 RESOLVED (Cr Jan Strom / Cr Sally Townley)

That Council submit the following projects to the Stronger Country Communities Fund, and assign the priority as indicated:

Priority	Applicant	Proposed Project
1	Coffs Harbour City Council	Community Facility Activation Upgrades
2	Coffs Harbour City Council	Woolgoolga Reserve Community Hub
3	Coffs Harbour City Council	Refurbishment of Rugby Park Clubhouse
4	Coffs Harbour City Council	Footpath Missing Links
5	Coffs Coast Little Athletics	York Street Athletics Facilities

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

CARRIED

SC17/49 2017/18 DONATIONS AND RATES SUBSIDY PROGRAM**EXECUTIVE SUMMARY**

Each financial year, Council is required under Section 356 of the Local Government Act to assess and approve applications submitted under the Donations Program.

Funds are distributed in accordance with the Donations by Council Policy to ensure funds are allocated in the most effective manner. This enables Council to be accountable to the community in regard to the spending of Council funds and transparent about the level of financial support to community events and organisations.

2017/191 RESOLVED (Cr Jan Strom / Cr George Cecato)

That Council adopt the 2017/18 Donations and Rates Subsidy Program as detailed in the table.

Donations and Contributions	
Recipient	Amount(\$)
Donations Unallocated (Mayor)	8,053
Westpac Rescue Helicopter	500
Schools Annual Presentations	5,300
Relay for Life (Cancer Council)	2,500
North Coast Academy of Sport	5,500
Event Subsidies (Road Closures for Anzac Day Parades)	3,500
Southern Cross University Presentations	300
TAFE Presentations	300
Woolgoolga Volunteer Sea Rescue (Rates + Lease Fee)	1,100
D A Fees	5,000

Other Health Services – Life Education Van	4,000
Hope Bears Charity	250
TS Vendetta (Access Charge)	500
Reimbursement of Legal Fees for Lease Preparation	2,500
Variety Special Children’s Christmas Party	250
Coffs Harbour Spring Garden Festival	1,000
Coffs Ladies Silks Day	600
Rotary Club Coffs Coast Cycle Challenge	2,000
Coffs Harbour Agricultural Show	4,000
New Year’s Eve Fireworks	5,000
Christmas Carols	5,500
Total	57,653
Rates Subsidy – Sporting and Cultural Groups	Amount(\$)
Advocate Park	13,675
Sawtell Toormina Sports & Recreation Club	12,447
Coffs Harbour Rugby Club	7,779
Coffs Harbour Hockey Fields	5,308
Coffs Harbour Kart Racing Track	1,408
Coffs Harbour Motor Cycle Club	2,805
Coffs Harbour Pistol Club	686
Woolgoolga Art Group (first instalment)	974
Coffs Harbour & District Aero Club	2,972
Glenreagh Mountain Railway	1,798
Woolgoolga Senior Citizens Centre	5,158
Nana Glen Hall	2,178
Bonville Hall	1,911
Ayrshire Park	16
Upper Orara Hall	2,064
Upper Orara Recreational Ground	662
Eastern Dorrigo (Ulong) Hall & Showground	16
Coramba Community Centre	2,159
Lower Bucca Community Centre	936
Woolgoolga Neighbourhood Centre	3,873
Nana Glen Sportsground	678
Lowanna Hall	662
Girl Guide Associate (Waste Service)	646
Total	70,811
Rates Subsidy – Surf Life Saving Clubs	Amount(\$)
Coffs Harbour Surf Club	6,459
Woolgoolga Surf Club	3,618
Red Rock Corindi Surf Club	1,591
Sawtell Surf Club	7,130
Total	18,798
Total Rates Subsidy	89,609
Total Donations & Rates Subsidy	147,262

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

CARRIED

DIRECTORATE REPORTS - SUSTAINABLE INFRASTRUCTURE**SI17/22 AMENDMENT TO ALCOHOL PROHIBITED RESERVES IN THE COFFS HARBOUR CBD****EXECUTIVE SUMMARY**

The Coffs Clarence Police Local Area Command has requested that Council consider changing all of the parks within the CBD Masterplan area (currently alcohol prohibited 9pm to 9am) to 24 hour/7 day prohibition areas. The purpose of their request is to address issues currently being experienced by police, local businesses, and their patrons particularly in the vicinity of Rotary Park, and similar concerns with drunken behaviour in other CBD parks, such as Baden Powell Park. Changing parks within the general vicinity of the CBD to Alcohol Prohibited 24 hours, 7 days a week, will address the primary issue of drunken behaviour and will alleviate any concern of relocating the Rotary Park and Baden Powell Park problems to elsewhere in the CBD. However the request is somewhat at odds with Council's strategy to have some reserve areas available for limited alcohol consumption at specified times.

MOTION**2017/192 RESOLVED (Cr George Cecato / Cr Jan Strom)**

That Council:

1. Note the requests and reasons for potential changes of Alcohol Prohibited Zones within the vicinity of the CBD contained in the report.
2. Endorse a 30 day public exhibition and consultation of the proposed changes in line with the requirements for establishing/extending Alcohol Free Zones pursuant to the 'Ministerial Guidelines on Alcohol Free Zones, including:
 - 2.1. Notification in a local newspaper
 - 2.2. Notification to Police, Licenced premises adjoining the area, and the Local Aboriginal Land Council.
3. Upon the receipt and consideration of any submissions which arise, receive a further report to establish Alcohol Prohibited Zones in certain CBD areas.

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 6.00pm.

Confirmed: 14 September 2017

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Denise Knight
Mayor