



MINUTES

**COFFS HARBOUR CITY COUNCIL
ORDINARY COUNCIL MEETING
COUNCIL ADMINISTRATION BUILDING
CNR COFF AND CASTLE STREETS, COFFS HARBOUR
ON THURSDAY, 25 MAY 2017 AT 5.00PM**

PRESENT: Cr Denise Knight, Cr Michael Adendorff, Cr Paul Amos, Cr John Arkan, Cr George Cecato, Cr Sally Townley

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

LEAVE OF ABSENCE Cr J Strom, Cr T Swan and Cr K Rhoades.

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

DISCLOSURE OF INTEREST

Councillor	Items	Type of Interest
Cr Cecato	SC17/25 - Heritage Strategy 2017-2020	Non pecuniary - Less than significant as he is a joint tenant and owns 29 Gundagai Street property and at one stage it was considered to have a heritage significance.

APOLOGIES

2017/90 RESOLVED (Cr John Arkan / Cr Sally Townley)

That leave of absence as requested from Councillors J Strom, T Swan and K Rhoades be approved.

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

CARRIED

PUBLIC ADDRESSES

No public addresses.

PUBLIC FORUM

No public forum.

MAYORAL ACTIONS UNDER DELEGATED AUTHORITY

No actions under delegated authority.

CONFIRMATION OF MINUTES

2017/91 RESOLVED (Cr Paul Amos / Cr Sally Townley)

That the minutes of the Ordinary Meeting held on 11 May 2017 be confirmed.

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

CARRIED

NOTICES OF MOTION – BUSINESS SERVICES**NOM17/08 COFFS HARBOUR WAR MEMORIAL, WOOLGOOLGA AND SAWTELL SWIMMING POOLS LEASEHOLDER QUARTERLY PERFORMANCE REPORT****MOTION (Cr Paul Amos / Cr Sally Townley)**

Coffs Harbour City Council provide, to full Council, a quarterly performance report as to the service standards provided by the new leaseholder of the Coffs Harbour Memorial, Woolgoolga and Sawtell swimming pools for a period of 12 months. This report is to identify any changes in performance standards criteria thought to be vital in the tender assessment process. It will include, but not be limited to the percentage of previous staff retaining employment, changes in fees charged, monitoring if opening hours commitments have been honored, a record of all maintenance requests and correspondence with Coffs Harbour City Council.

For: Crs Amos, Arkan and Townley

Against: Crs Knight, Adendorff and Cecato

The **MOTION** on being put to the meeting resulted in a tied vote. The Mayor used her casting vote and the **MOTION** was declared **LOST**.

DIRECTORATE REPORTS - BUSINESS SERVICES**BS17/14 BANK AND INVESTMENT BALANCES FOR APRIL 2017****EXECUTIVE SUMMARY**

The purpose is to report on Council's Bank Balances and Investments as at 30 April 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 Coffs Harbour 2030 Community Strategic Plan.

2017/92 RESOLVED (Cr Paul Amos / Cr Michael Adendorff)

That Council note the bank balances and investments totalling \$175,536,511.01 (including from loans, Developer Contributions and other avenues that form the restricted accounts and are committed for future works) as at 30 April 2017.

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

CARRIED

BS17/15 QUARTERLY BUDGET REVIEW STATEMENT FOR MARCH 2017**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.

2017/93 RESOLVED (Cr Michael Adendorff / Cr George Cecato)

That Council:

- Note the Quarterly Budget Review Statements and the following estimated budget position as at 31 March 2017;

	2016/17 Original Budget	2016/17 Revised Budget	2016/17 Projected Budget	2016/17 Mar YTD Actuals
	'000s	'000s	'000s	'000s
Recurrent Revenue				
Rates & Annual Charges	\$86,781	\$86,785	\$90,793	\$91,222
User Charges & Fees	\$33,104	\$28,457	\$24,517	\$15,146
Interest & Investment Revenue	\$5,700	\$5,828	\$5,687	\$5,607
Other Revenues	\$8,152	\$13,428	\$16,700	\$10,723
Grants & Contributions provided for Operating Purposes	\$20,924	\$21,915	\$22,543	\$11,359
RECURRENT REVENUE	\$154,661	\$156,413	\$160,240	\$134,057
Recurrent Expenditure				
Employee Benefits & Oncosts	\$37,814	\$37,886	\$37,768	\$35,855
Borrowing Costs	\$11,498	\$11,498	\$11,498	\$7,252
Materials & Contracts	\$54,123	\$59,001	\$63,059	\$27,335
Depreciation & Amortisation	\$44,767	\$44,767	\$44,767	\$33,575
Other Expenses	\$12,236	\$12,385	\$12,244	\$5,454
RECURRENT EXPENDITURE	\$160,438	\$165,537	\$169,336	\$109,471
NET OPERATING (DEFICIT)	(\$5,777)	(\$9,124)	(\$9,096)	\$24,586

Capital Revenue

Capital Grants, Subsidies, Contributions and Donations	\$24,317	\$31,924	\$31,610	\$5,523
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CAPITAL REVENUE	\$24,317	\$31,924	\$31,610	\$5,523
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NET SURPLUS	\$18,540	\$22,800	\$22,514	\$30,109
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2. Approve the budget adjustments included in this Report with a net cash value of nil.

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

CARRIED

**BS17/16 WAIVER OF DEVELOPER CONTRIBUTIONS FOR SECONDARY DWELLINGS -
OUTCOME OF TWO YEAR TRIAL**

EXECUTIVE SUMMARY

This report provides Council with information on the outcomes of a trial involving the waiving of certain developer contributions for developments approved under the State Environmental Planning Policy (SEPP) for Affordable Rental Housing for a two year period, which commenced in June 2015. The waiver applies to Secondary Dwelling (granny flat) development approvals which involve the construction of a Secondary Dwelling with a maximum floor area of 60 square metres.

Previous to the trial period Council imposed a developer contribution rate of 40% of the single Dwelling/lot rate contribution which resulted in a contribution rate for Section 94 and water and waste water of around of \$10,000 per Secondary Dwelling in general urban areas and around \$14,500 in some new release areas based on rates currently applicable. The trial involved waiving Section 64 water and waste water contributions and also release area specific contributions. This resulted in contributions applicable reducing to between \$2,000 and \$2,100 per Secondary Dwelling depending on the location.

There has been significant positive community and industry comment and support for the current policy of exempting Section 64 and release area specific Section 94 contributions for Secondary Dwellings. Whilst possible contribution revenue has reduced, there has been a significant increase in the number of Secondary Dwelling approvals since commencement of the trial. It is recommended that Council continues to waive release area specific Section 94 contributions and Section 64 water and waste water developer contributions for Secondary Dwellings indefinitely.

2017/94 RESOLVED (Cr Sally Townley / Cr Michael Adendorff)

That Council:

1. Continues to waive Section 64 developer contributions and release area specific Section 94 developer contributions, and levy the Local Government Area wide minimum Section 94 developer contributions, for the construction of Secondary Dwellings 60 square metres or less, as defined under the State Environmental Planning Policy for Affordable Rental

Housing;

2. Approves the amending of the Exemptions section for each of the Developer Contributions Plans listed below accordingly;
 - Hearnese Lake/Sandy Beach Developer Contributions Plan
 - Korora Rural Residential Developer Contributions Plan
 - Moonee Area Developer Contributions Plan
 - North Boambee Valley (East) Developer Contributions Plan
 - North Bonville Developer Contributions Plan
 - North Coffs Developer Contributions Plan
 - Open Space Developer Contributions Plan
 - Park Beach Area Developer Contributions Plan
 - South Coffs Developer Contributions Plan
 - West Coffs Developer Contributions Plan
 - West Woolgoolga Developer Contributions Plan
 - Wastewater Development Servicing Plan
 - Water Development Servicing Plan
3. Resolves to place the amended Developer Contributions Plans on exhibition for a period of 28 days and invite submissions.

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

CARRIED

DIRECTORATE REPORTS - SUSTAINABLE COMMUNITIES

SC17/24 DEVELOPMENT APPLICATION NO. 0645/17 - DUAL OCCUPANCY (DETACHED) AND SUBDIVISION (2 LOTS) - LOT 79 DP 1223036, 6 ANCHORAGE CLOSE, MOONEE BEACH

EXECUTIVE SUMMARY

This report provides an assessment of Development Application 0645/17 for the construction of a detached dual occupancy and torrens title subdivision, resulting in a single dwelling on each lot once completed. The development proposes variation to the lot size standard specified in clause 4.1A – Minimum subdivision lot sizes for certain split zones – of Coffs Harbour Local Environmental Plan 2013. The application was notified to adjoining land owners. No submissions were received.

In November 2008, the Department of Planning issued a Planning Circular outlining requirements in relation to the determination and reporting of development applications involving variations to development standards. The circular specifies that all applications which propose a variation greater than 10% of the development standard must be determined by full Council rather than by staff under delegated authority.

Accordingly, this matter is reported to Council for determination as the proposal incorporates a variation greater than 10% to the specified lot size standard. It is recommended that the application be approved subject to a number of conditions.

2017/95 RESOLVED (Cr John Arkan / Cr Paul Amos)

That Council:

1. Support the request to vary a development standard made pursuant to Clause 4.6 of Coffs Harbour Local Environmental Plan 2013 for the variation to the minimum lot size under Clause 4.1A(3)(b) of Coffs Harbour Local Environmental Plan 2013 in this particular case.
2. Approve Development Application No. 0645/17 for Dual Occupancy (Detached) and Subdivision (2 Lots) at Lot 79, DP1223036, 6 Anchorage Close, Moonee, subject to the conditions provided in Attachment 3.

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

CARRIED

SC17/25 HERITAGE STRATEGY 2017 - 2020

EXECUTIVE SUMMARY

This report outlines the draft Coffs Harbour Heritage Strategy proposed for the three year period 2017 – 2020 and seeks Council's endorsement of a 30 day public exhibition process. The draft Strategy summarises the way Coffs Harbour City Council will achieve implementation of its heritage program, which includes research and promotional activities, as well as the operation of the Heritage Executive Committee, Heritage Advisory Program and the Local Heritage Fund.

The report also provides a review of the performance of the Coffs Harbour Heritage Strategy over the previous three years.

MOTION (Cr Sally Townley / Cr John Arkan)

That Council:

1. Endorse the draft Coffs Harbour Heritage Strategy 2017 – 2020 (Attachment 1) for public exhibition purposes for a 30 day period.
2. Consider a further report should any objections be received during the exhibition period to the draft Coffs Harbour Heritage Strategy 2017-2020.
3. Progress the Coffs Harbour Heritage Strategy 2017 – 2020 to the NSW Office of Environment and Heritage for endorsement, should no objections be received during the public exhibition period.
4. Endorse the continuation of the Heritage Executive Committee for the period of the Heritage Strategy 2017 - 2020.

AMENDMENT

2017/96 RESOLVED (Cr Michael Adendorff / Cr George Cecato)

That Council:

1. Endorse the draft Coffs Harbour Heritage Strategy 2017 – 2020 (Attachment 1) for public exhibition purposes for a 30 day period.
2. Consider a further report should any objections be received during the exhibition period to the draft Coffs Harbour Heritage Strategy 2017-2020.
3. Progress the Coffs Harbour Heritage Strategy 2017 – 2020 to the NSW Office of Environment and Heritage for endorsement, should no objections be received during the

public exhibition period.

4. Endorse the continuation of the Heritage Executive Committee for the period of the Heritage Strategy 2017 - 2020.
5. Notes that existing scope of work for the Jetty renewal works is to be brought before Councillors at a future briefing for their consideration of improving electrical and other service provision at the Jetty structure with a view to allowing commercial activity on the Jetty structure.

For: Crs Knight, Adendorff, Arkan and Cecato

Against: Crs Amos and Townley

CARRIED

The **AMENDMENT** on being put to the meeting was **carried**. It then became the **MOTION**.

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

SC17/26 DRAFT COFFS HARBOUR SIGNIFICANT TREE REGISTER AND DRAFT COFFS HARBOUR CITY COUNCIL SIGNIFICANT TREE POLICY

EXECUTIVE SUMMARY

The objective of this report is to seek Council's endorsement of the draft Coffs Harbour Significant Tree Register (Attachment 1) and draft Coffs Harbour City Council Significant Tree Policy (Attachment 2) for public exhibition.

The report provides the background to the draft Coffs Harbour Significant Tree Register, the implications and how it will be implemented.

2017/97 RESOLVED (Cr Sally Townley / Cr George Cecato)

That Council:

1. Adopt in principle the draft Coffs Harbour Significant Tree Register (Attachment 1) and draft Coffs Harbour City Council Significant Tree Policy (Attachment 2) and place them on exhibition for a period of 28 days seeking feedback to enable Council's final determination on this matter.
2. Note that amendments to the Coffs Harbour Development Control Plan 2015 will be the subject of a separate report to Council to facilitate the implementation of the final Coffs Harbour Significant Tree Register.

For: Crs Knight, Amos, Arkan, Cecato and Townley

Against: Cr Adendorff

CARRIED

2017/98 RESOLVED (Cr Denise Knight / Cr Sally Townley)

That Council move into Closed Session at the end of the meeting to consider item SC17/27 -

GC2018 Queen's Baton Relay - Council Selected Batonbearer Nomination.

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

CARRIED

SC17/28 DUAL NAMING - FITZROY OVAL

EXECUTIVE SUMMARY

Various stakeholders, including Council's Yandaarra Aboriginal Advisory Committee, have proposed for the dual naming of Fitzroy Oval to recognise its significance to the Coffs Harbour Gumbaynggirr community as a previous site of Aboriginal settlement. Council's adopted Reserve Naming and Memorial Policy provides for the dual naming of Reserves.

The dual naming proposed is '*Yaam Nguura Jalumgal*' which is Gumbaynggirr language for the historical English name used by the Gumbaynggirr community for Fitzroy Oval which was 'The Old Camp'.

Consultation relating to the dual naming was undertaken with the Yandaarra Committee, the Coffs Harbour District Local Aboriginal Land Council, the Garlambirla Guuyu Girrwa Elders Group and Aboriginal community members who have a connection to Fitzroy Oval when it was an Aboriginal settlement. All stakeholders consulted have endorsed the dual naming proposal.

2017/99 RESOLVED (Cr Sally Townley / Cr Michael Adendorff)

That Council:

1. Adopt the proposal to dual name Fitzroy Oval as '*The Old Camp - Yaam Nguura Jalumgal*'
2. Submit an application to the Geographical Names Board of New South Wales to have Fitzroy Oval dual named as '*The Old Camp - Yaam Nguura Jalumgal*'.

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

CARRIED

DIRECTORATE REPORTS - SUSTAINABLE INFRASTRUCTURE

SI17/11 AMENDMENT TO ALCOHOL FREE AREAS IN WOOLGOOLGA CBD

EXECUTIVE SUMMARY

The 'Curryfest 2017' event organisers are including a new, additional night time event called "Eat St", to take place on Saturday 30 September 2017, a week after the main Curryfest. "Eat Street" will involve a number of mobile vendors in Market St, complementing the permanent dining venues. 6-8 vendors will showcase their craft beer, cider and wine products. These stallholders will be permitted to sell alcohol to patrons within the fenced event area. Market Street is currently an Alcohol Free Zone (AFZ).

Section 645 of the Local Government (LG) Act provides for Council, by resolution, to allow the temporary suspension of AFZs for specific periods or events. The LG Act and Ministerial Guidelines on Alcohol Free Zones (February 2009) provide a specific procedure which must be followed in relation to suspending AFZs, and this includes a requirement to seek Council's endorsement as well as Police approval.

2017/100 RESOLVED (Cr Paul Amos / Cr Sally Townley)

That Council approve the temporary suspension of the Market Street, Woolgoolga Alcohol Free Zone between Nightingale St and Queen St, on 30 September 2017 from 3pm to 11.30pm for the purpose of the Curryfest "Eat St" event, pursuant to the provisions of Section 645 of the Local Government Act 1993.

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

CARRIED

TRUST REPORTS**T17/11 TRUST REPORT - 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, progress reports are provided to each Council meeting on the relocation of Marine Rescue Woolgoolga to Arrawarra Headland.

2017/101 RESOLVED (Cr Sally Townley / Cr Paul Amos)

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

T17/12 TRUST REPORT - SHORT TERM EXPRESSION OF INTEREST FOR THE FORMER DEEP SEA FISHING CLUB FACILITY**EXECUTIVE SUMMARY**

At the Council meeting of 27 April 2017 the Coffs Coast State Park Trust approved the drafting and content of an Expression of Interest (EOI) for short-term use (up to three years) of the Former Deep Sea Fishing Club facility. The EOI documentation is contained within the confidential section of this report. To ensure probity the EOI will remain confidential until it is formally advertised.

2017/102 RESOLVED (Cr Paul Amos / Cr Sally Townley)

That Council as Corporate Manager of the Coffs Coast State Park Trust approve the issuing of the EOI for short term use, up to three years, of the former Coffs Harbour Deep Sea Fishing Club facility.

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

Nil.

CLOSED SESSION - SECTION 10A

Councillor Knight requested a motion to close the meeting to consider a confidential report as outlined in the meeting agenda.

MOTION**2017/103 RESOLVED (Cr Denise Knight / Cr Paul Amos)**

That the meeting be closed to the press and public during consideration of the following item for the reasons stated

SC17/27 - GC2018 Queen's Baton Relay - Council Selected Batonbearer Nominations

This report was confidential for the reason of Section 10A(2)(d)

(iii): Contains information that would, if disclosed, reveal a trade secret.

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

CARRIED

2017/104 RESOLVED (Cr Paul Amos / Cr Sally Townley)

That the meeting open in Closed Section. The Press and public vacated the Chamber.

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

CARRIED

SC17/27 GC2018 QUEEN'S BATON RELAY - COUNCIL SELECTED BATONBEARER NOMINATION

EXECUTIVE SUMMARY

Coffs Harbour has been selected as an Australian Celebration Community of the Gold Coast 2018 Commonwealth Games Queen's Baton Relay (QBR). The QBR is a Commonwealth Games tradition that celebrates the Commonwealth's diversity, inspires community pride and excites people about the world-class festival of sports and culture to come.

The Queen's Baton will travel for 100 days bringing together everyday Australians to become batonbearers and carry the Queens's Baton with pride through Australian Celebration Communities.

Council is invited to nominate one Council Selected Batonbearer to take part in the Coffs Harbour celebration on 1 February 2018. Nominees must meet one or more of the nomination and selection criteria to be considered for a QBR Batonbearer position. The Council Selected Batonbearer Nomination Program must remain a closed confidential process and is not open to the general public or the media.

2017/105 RESOLVED (Cr Michael Adendorff / Cr George Cecato)

That Council confirm the nomination for the Council Selected Batonbearer for the Gold Coast 2018 Queen's Baton Relay

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

CARRIED

2017/106 RESOLVED (Cr John Arkan / Cr Paul Amos)

That the Council move into Open Session

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

CARRIED

2017/107 RESOLVED (Cr Paul Amos / Cr Michael Adendorff)

That the resolution of the Closed Session be adopted.

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

CARRIED

2017/108 RESOLVED (Cr Paul Amos / Cr Sally Townley)

That the resolution of the Closed Session is to remain confidential.

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

CARRIED

The Acting General Manager advised the meeting the resolution of the Closed Session will remain confidential.

CLOSE OF MEETING

The Meeting closed at 6.38pm.

Confirmed: 8 June 2017.

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Denise Knight
Mayor