

The following document is the minutes of the Council and Committee meeting held on 9 August 2012. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 23 August 2012 and therefore subject to change. Please refer to minutes of 23 August 2012 for confirmation.



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**9 AUGUST 2012**

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

**9 AUGUST 2012**

Present: Councillors K Rhoades (Mayor), J Arkan, R Degens, K Hines, D Knight, W Palmer and P Templeton.

Staff: General Manager, Acting Director of Corporate Business, Acting Director City Services, Director Land Use, Health & Development and Executive Assistant.

The meeting commenced at 5.00 pm with the Mayor, Cr K D Rhoades in the chair.

We respectfully acknowledge the Gumbayngirr Country and the Gumbayngirr Aboriginal peoples who are traditional custodians of the land on which we meet and their Elders both past and present

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

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#### DISCLOSURE OF INTEREST

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Disclosure of interest was tabled by staff concerning the following item of business:

Councillor	Item	Type of Interest
General Manager	MM12/1 - General Manager's Performance Review	Pecuniary

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#### APOLOGY

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**197 RESOLVED** (Palmer/Hines) that leave of absence as requested from Councillor Bonfield be approved.

**198 RESOLVED** (Palmer/Hines) that an apology received from Councillor Graham for unavoidable absence be received and accepted.

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## PUBLIC ADDRESS

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Time	Speaker	Item
5.00 pm	David Quinn	CB12/69 - Review of Future Major Civic Infrastructure Requirements and Council's Commercial Property Holdings

The Mayor thanked the Deputy Mayor for acting in the Mayoral role during his absence over the past 3 weeks.

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## CONFIRMATION AND ADOPTION OF MINUTES

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- 199** **RESOLVED** (Knight/Palmer) that the minutes of the Ordinary meeting held on 26 July 2012 be confirmed as a true and correct record of proceedings.

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### **CB12/69 REVIEW OF FUTURE MAJOR CIVIC INFRASTRUCTURE REQUIREMENTS AND COUNCIL'S COMMERCIAL PROPERTY HOLDINGS**

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To seek Council endorsement of the outcome of a review of the provision of future major civic infrastructure requirements and Council's commercial property holdings.

### **MOTION**

- 200** **MOVED** (Hines/Knight) that:

1. In relation to the provision of future major civic infrastructure as defined in the report, Council adopt the following six guiding principles as an input into the CBD master planning process:
  1. Acknowledge Council's current policy is for the primacy of the CBD to be maintained and accordingly, for the location of FMCI.
  2. Confirm that FMCI that is fully funded by Council, will be owned by Council.
  3. Confirm that due to the cost savings both in the provision and future operation of FMCI, that where possible and practical co-location principles are to be applied.
  4. Confirm that Council's role in the revitalisation of the CBD is as a facilitator/economic development catalyst (such as the development of the CBD Master Plan) and not that of a developer in its own right, acknowledging that opportunities for a joint venture will be treated on their merits when and if they arise.
  5. Acknowledge that in accordance with Council's adopted position, that in relation to the Breilsford Park Precinct, it be retained as a significant social family, cultural and community recreation space.

**Cont'd**

**CB12/69 Review of Future Major Civic Infrastructure Requirements and Council's Commercial Property Holdings ...(Cont'd)**

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6. Confirm that although desirable and preferable, it is not essential for the Council Administration Building to be in a single location.
2. Council resolve not to quarantine the City Hill site for an Entertainment Centre and Art Gallery.
3. Council accept the following recommendations of the Savill Report in relation to Council's Commercial Property Holdings:
  1. Dispose of 23-31 Gordon Street, Coffs Harbour
  2. Develop CBD parking and transport strategyCouncil note that point 2 has been included in the CBD Master Plan Brief.
4. No other property owned by Council in the CBD be considered for disposal/development until after the CBD Master Plan has been prepared and adopted.
5. In relation to the future provision (location) of future major civic infrastructure as defined in the report, the consultant engaged to prepare the CBD Master Plan be requested to consider the options discussed in the report and make an appropriate recommendation for Council's consideration.
6. In relation to the future provision of improvements to the Castle Street Car Park as discussed in the report, the consultant engaged to prepare the CBD Master Plan be requested to review the need and appropriateness of the proposed improvements and make a recommendation for Council's consideration.

**AMENDMENT**

**MOVED** (Templeton/Arkan) that:

1. In relation to the provision of future major civic infrastructure as defined in the report, Council adopt the following six guiding principles as an input into the CBD master planning process:
  1. Acknowledge Council's current policy is for the primacy of the CBD to be maintained and accordingly, for the location of FMCI.
  2. Confirm that FMCI that is fully funded by Council, will be owned by Council.
  3. Confirm that due to the cost savings both in the provision and future operation of FMCI, that where possible and practical co-location principles are to be applied.
  4. Confirm that Council's role in the revitalisation of the CBD is as a facilitator/economic development catalyst (such as the development of the CBD Master Plan) and not that of a developer in its own right, acknowledging that opportunities for a joint venture will be treated on their merits when and if they arise.
  5. Acknowledge that in accordance with Council's adopted position, that in relation to the Brelsford Park Precinct, it be retained as a significant social family, cultural and community recreation space.
  6. Confirm that although desirable and preferable, it is not essential for the Council Administration Building to be in a single location.

**Cont'd**

**CB12/69 Review of Future Major Civic Infrastructure Requirements and Council's Commercial Property Holdings ...(Cont'd)**

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2. Council defer any decision on quarantining the City Hill site for an Entertainment Centre and Art Gallery to next term.
3. Council accept the following recommendations of the Savill Report in relation to Council's Commercial Property Holdings:
  1. Dispose of 23-31 Gordon Street, Coffs Harbour
  2. Develop CBD parking and transport strategyCouncil note that point 3 has been included in the CBD Master Plan Brief.
4. No other property owned by Council in the CBD be considered for disposal/development until after the CBD Master Plan has been prepared and adopted.
5. In relation to the future provision (location) of future major civic infrastructure as defined in the report, the consultant engaged to prepare the CBD Master Plan be requested to consider the options discussed in the report and make an appropriate recommendation for Council's consideration.
6. In relation to the future provision of improvements to the Castle Street Car Park as discussed in the report, the consultant engaged to prepare the CBD Master Plan be requested to review the need and appropriateness of the proposed improvements and make a recommendation for Council's consideration.

The **AMENDMENT** was withdrawn by the mover.

**AMENDMENT**

**MOVED** (Degens/ ) that:

1. In relation to the provision of future major civic infrastructure as defined in the report, Council adopt the following six guiding principles as an input into the CBD master planning process:
  1. Confirm that FMCI that is fully funded by Council, will be owned by Council.
  2. Confirm that due to the cost savings both in the provision and future operation of FMCI, that where possible and practical co-location principles are to be applied.
  3. Confirm that Council's role in the revitalisation of the CBD is as a facilitator/economic development catalyst (such as the development of the CBD Master Plan) and not that of a developer in its own right, acknowledging that opportunities for a joint venture will be treated on their merits when and if they arise.
  4. Acknowledge that in accordance with Council's adopted position, that in relation to the Brelsford Park Precinct, it be retained as a significant social family, cultural and community recreation space.
  5. Confirm that although desirable and preferable, it is not essential for the Council Administration Building to be in a single location.
2. Council resolve not to quarantine the City Hill site for an Entertainment Centre and Art Gallery.

**Cont'd**

**CB12/69 Review of Future Major Civic Infrastructure Requirements and Council's Commercial Property Holdings ...(Cont'd)**

---

3. Council accept the following recommendations of the Savill Report in relation to Council's Commercial Property Holdings:
  1. Develop CBD parking and transport strategy  
Council note that point 1 has been included in the CBD Master Plan Brief.
4. No other property owned by Council in the CBD be considered for disposal/development until after the CBD Master Plan has been prepared and adopted.
5. In relation to the future provision (location) of future major civic infrastructure as defined in the report, the consultant engaged to prepare the CBD Master Plan be requested to consider the options discussed in the report and make an appropriate recommendation for Council's consideration.
6. In relation to the future provision of improvements to the Castle Street Car Park as discussed in the report, the consultant engaged to prepare the CBD Master Plan be requested to review the need and appropriateness of the proposed improvements and make a recommendation for Council's consideration.
7. Council investigate and report back on employing a professional fundraiser to establish funds as was done in the City of Cairns.
8. A business study or a establishment of needs also be delivered.

The **AMENDMENT** lapsed in the absence of a seconder.

The **MOTION** on being put to the meeting was declared **CARRIED**.

**MAYORAL MINUTE**

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**MM12/1 GENERAL MANAGER'S PERFORMANCE REVIEW**

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**The General Manager left the meeting, the time being 5.35pm.**

To advise Council of the outcome of the General Manager's Performance Review, which was conducted on 22 June 2012.

- 201 RESOLVED** (Rhoades) that the outcome of the General Manager's Performance Review be noted, including the awarding of a discretionary increase in accordance with Clause 8.3 of the Standard Contract of Employment for General Managers of Local Councils in New South Wales, the increase being 2.5%.

**The General Manager returned to the meeting, the time being 5.36pm.**

## LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

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### **L12/23 COFFS HARBOUR BIODIVERSITY ACTION STRATEGY 2012 - 2030**

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To recommend that Council adopt the *Coffs Harbour Biodiversity Action Strategy 2012-2030*.

- 202 RESOLVED** (Degens/Hines) that Council adopt the Coffs Harbour Biodiversity Action Strategy 2012 – 2030 as appended.

## CORPORATE BUSINESS DEPARTMENT REPORTS

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### **CB12/68 DEVELOPER CONTRIBUTIONS PLAN FOR SURF RESCUE FACILITIES**

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To present to Council a Section 94 Developer Contributions Plan for construction of storage facilities for lifeguards' patrol and rescue equipment, a copy of which is attached to this report. This report recommends that the existing developer contributions plan for Surf Rescue Equipment be repealed, and the draft Surf Rescue Facilities Contributions Plan be adopted.

- 203 RESOLVED** (Palmer/Arkan) that:
1. The Surf Rescue Facilities Developer Contributions Plan 2012 as attached to the report be adopted and that notice of the adoption and commencement of the Plan be placed in the local newspaper.
  2. Notice of the repeal of the Surf Rescue Equipment Developer Contributions Plan be placed in the local newspaper.

### **CB12/70 AMENDMENT OF 2012 - 2013 WATER BACKFLOW FEES AND CHARGES**

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To seek endorsement of changes to Council's 2012-2013 Fees and Charges Schedule, with the introduction of a new schedule of fees for water backflow prevention.

- 204 RESOLVED** (Templeton/Palmer) that:
1. Council adopt the proposed revised schedule of fees for Backflow Prevention as per the attachment to this report.
  2. Council advertises the proposed changes to the fees and charges for a period of 28 days.
  3. Following the advertising period, a report be brought back to Council to consider any submissions and adopt the revised schedule of fees.

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**CB12/71 PROPOSED LEASE OF AIRSPACE OVER HARBOUR DRIVE, COFFS HARBOUR**

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To seek Council approval to a conditional lease of airspace over Harbour Drive, Coffs Harbour to the owners of Coffs Central Shopping Centre.

**205 RESOLVED** (Arkan/Hines) that:

1. Subject to the Director of Planning's consent under Section 149 of the Roads Act, 1993, Council approve the lease of the Airspace above Harbour Drive, Coffs Harbour as shown on the attached plans (subject to survey) to Gowings Bros Ltd on the terms and conditions contained in the confidential attachment to this report.
2. Any necessary documents be executed under the Common Seal of Council.

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**CB12/72 LEASE - TOORMINA WATER RESERVOIR SITE BELBOWRIE ROAD, TOORMINA BEING PART LOT 3 DP 595755 TO RBA HOLDINGS PTY LIMITED - EXECUTION OF LEASE DOCUMENTS**

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Seeking authority for the execution of a lease between Coffs Harbour City Council as the registered proprietor of the land adjacent to the Toormina Water Reservoir Site at Belbowrie Road, Toormina, being Part Lot 3 DP 595755 to RBA Holdings Pty Limited ACN 144 070 986 under the common seal of Council.

**206 RESOLVED** (Arkan/Templeton) that:

1. The Council as registered proprietor of Lot 3 DP 595755 authorise the lease of part of the lot shown hatched on the plan annexed to this report (the demised premises) to RBA Holdings Pty Limited, ACN 144 070 986 for two consecutive periods of 5 years subject to the terms and conditions contained in this report and the confidential attachment.
2. Any necessary documents required to give effect to the lease of Part Lot 3 DP 595755 to RBA Holdings Pty Limited, ACN 144 070 986 be executed under the common seal of Council.

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**CB12/73 SALE OF SURPLUS COUNCIL LAND - DORRIGO LANE, CORAMBA**

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The purpose of the report is to obtain approval for the sale of surplus land at Coramba.

**207 RESOLVED** (Arkan/Knight) that:

1. Council sell Lot 5 DP 614685 Dorrigo Lane, Coramba by way of the public auction process.
2. The General Manager be given delegated authority to select a Real Estate Agent, and negotiate the sale of Lot 5 DP 614685 subject to the recommendation set out in the confidential attachment.
3. All necessary documents associated with the disposal of this property be executed under the common seal of Council.
4. The nett proceeds of the sale be used to reduce the 2012/2013 budget deficit.



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**REQUESTS FOR LEAVE OF ABSENCE**

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There were no requests for leave of absence.

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**MATTERS OF AN URGENT NATURE**

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There were no matters of an urgent nature.

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**QUESTIONS ON NOTICE**

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There were no questions on notice

This concluded the business and the meeting closed at 5.42pm.

Confirmed: 23 August 2012

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Keith Rhoades AFSM  
Mayor