



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

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

**8 NOVEMBER 2012**

**Present:** Councillors D Knight (Mayor), J Arkan, N Cowling, R Degens, G Innes, B Palmer, K Rhoades and S Townley.

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

**Leave of Absence:** Cr M Sultana.

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.

The meeting commenced at 5.01pm with the Mayor, Cr D Knight in the chair.

The Mayor made a presentation to Cr Cowling which was a Rotarian award for community service.

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#### DISCLOSURE OF INTEREST

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A Disclosure of Interest was passed to the Mayor at 5.15pm by Cr Palmer relating to item CB12/97 - CBD Special Rate Variation Application.

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**PUBLIC ADDRESS**

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Time	Speaker	Item
5.00pm	Ian Hogbin	CS12/40 - Brelsford Park - Regional Skate Plaza / Youth Space

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**CONFIRMATION OF MINUTES**

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- 284 **RESOLVED** (Innes/Townley) that the minutes of the Ordinary meeting held on 8 November 2012 be confirmed as a true and correct record of proceedings.

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**NOTICES OF MOTION**

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**NOM12/8 RE-USE FACILITY AT THE WASTE TRANSFER STATION**

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**MOVED** (Townley/Cowling) that the council calls for expressions of interest to develop a suitable lease arrangement for a goods reuse facility at the complex or another suitable location within the local government area or adjoining areas and undertake to seek partners and funding with a view to training workers in recovering recyclable resources.

**AMENDMENT**

- 285 **RESOLVED** (Arkan/Innes) that a report be bought back highlighting potential sites for a goods reuse facility in the Coffs Harbour LGA and expression of interest for possible businesses interested in running such a facility.

The **AMENDMENT** on being put to the meeting was **CARRIED**. It then became the **MOTION** and on being put to the meeting was declared **CARRIED**.

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**NOM12/9 SUSPENSION OF BULKY GOODS AND HARD RUBBISH COLLECTION**

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- 286** **RESOLVED** (Townley/Cowling) that Council reviews its contractual arrangements and maximize recycling and reuse of bulky goods and hard rubbish.

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**NOM12/10 "ARTSIDE THE BOX" PROJECT**

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**MOTION**

**RESOLVED** (Cowling/Townley) that the following action be taken to promote the beautification of the Coffs Harbour City Local Government Area.

1. Obtain approval from Council for the "Artside the Box" project;
2. Request authority from RMS and Essential Energy to apply designs to their equipment;
3. Allow website development on the C.H.C.C. site to promote the project;
4. Obtain approval to utilise Council resources related to the project.

**AMENDMENT**

- 287** **RESOLVED** (Arkan/Degens) that a report be brought back to Council that addresses issues including the number of sites, requirements for public safety/workplace health and safety, insurances, administration of the project funding for materials / services and the need for ongoing maintenance of the artistic works, including financial issues.

The **AMENDMENT** on being put to the meeting was **CARRIED**. It then became the **MOTION** and on being put to the meeting was declared **CARRIED**.

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**CS12/40 BRELSFORD PARK - REGIONAL SKATE PLAZA / YOUTH SPACE**

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To seek approval for the next stage of development of Brelsford Park - Regional Skate Plaza/Youth Space.

**MOTION**

**MOVED** (Degens/Townley) that Council:

1. Endorse the Brelsford Park Regional Skate Plaza/Youth Space concept design.
2. Place the Brelsford Park Regional Skate Plaza/Youth Space concept design on Public Exhibition from 19th November 2012 to 3rd December 2012
3. Commence detail design of the key skate elements in the Brelsford Park Regional Skate Plaza/Youth Space concept design

**AMENDMENT**

- 288** **RESOLVED** (Arkan/Rhoades) that Council instruct the CBD Master Plan committee to require the planning consultants to include in its plan due for completion in December 2012, a concept plan of Brelsford Park, detailing the amenities, transport, parking and pedestrian linkages for the total park, having regard to Council's preferred position to locate a Regional Skate Plaza/Youth Space on the Park.

The **AMENDMENT** on being put to the meeting was **CARRIED**. It then became the **MOTION** and on being put to the meeting was declared **CARRIED**.

## **CORPORATE BUSINESS DEPARTMENT REPORTS**

Councillor Palmer declared an interest in the following item, vacated the Chamber and took no part in the discussion or voting.

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### **CB12/97 CBD SPECIAL RATE VARIATION APPLICATION**

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To seek Council's endorsement to notify the Independent Pricing and Regulatory Tribunal NSW (IPART) of its intention to submit a Special Rate Variation application for an extension of the existing CBD Special Rate.

**289 RESOLVED** (Rhoades/Arkan):

1. That Council writes to notify IPART of its intention to make an application for an extension to the current CBD Special Rate.
2. That ongoing consultation takes place with the relevant rate payers to develop and finalise the CBD Master Plan and the related ten year Works Program.

Councillor Palmer returned to the Chamber, the time being 6.27pm.

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### **CB12/98 PROPERTY ACQUISITION - RMS LAND AFFECTED BY BENNETTS ROAD AND SPAGNOLOS ROAD DETENTION BASINS**

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To seek Council approval to acquire an easement for inundation over part Lot 221 DP 1049858 and acquire the freehold of part of Lot 112 DP 816131.

**290 RESOLVED** (Arkan/Townley):

1. That Council acquire an easement for inundation over that part of Lot 221 DP 1049858 as shown on the plan attached to this report as Attachment 1, on the terms contained within this report.
2. That Council acquire that part of Lot 112 DP 816131 as shown on the plan attached to this report as Attachment 2 on the terms contained within this report.
3. That the part of Lot 112 DP 816131 once acquired be classified as operational land under the Local Government Act, 1993 (as amended).
4. That any necessary documents for the acquisitions be executed under the common seal of Council.

**CB12/98 Property Acquisition - RMS Land affected by Bennetts Road and Spagnolos Road Detention Basins (Cont'd)**

**AMENDMENT**

**MOVED** (Cowling):

1. That Council firstly negotiate a settlement with all the landowners affected by this inundation on Lot 221 DP 1049858 to negate their land being massively devalued.
2. That Council acquire that part of Lot 112 DP 816131 as shown on the plan attached to this report as Attachment 2 on the terms contained within this report.
3. That the part of Lot 112 DP 816131 once acquired should not be classified as operational land under the Local Government Act, 1993 (as amended).
4. That any necessary documents for the acquisitions be executed under the common seal of Council.

The Acting General Manager advised that the Amendment was unlawful as Council has previously resolved to compulsorily acquire an easement over the land being referred to in the Amendment and therefore could not be accepted.

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**DIVISION**

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A division was duly demanded, and those members voting for and against the motion were recorded:

**FOR**

Cr Rhoades  
Cr Townley  
Cr Palmer  
Cr Degens  
Cr Knight  
Cr Arkan  
Cr Innes

**AGAINST**

Cr Cowling



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**CB12/99 LEASE - SAWTELL MEALS ON WHEELS AT 25 ELIZABETH STREET BEING LOT 34 IN SECTION 4 DP 21528 - EXECUTION OF LEASE DOCUMENTS UNDER COMMON SEAL OF COUNCIL**

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Seeking authority for the execution of a lease between Coffs Harbour City Council as the registered proprietor of the land known as 25 Elizabeth Street being Lot 34 in section 4 DP 21528 to Sawtell Meals on Wheels Incorporated under the Common Seal of Council

**291 RESOLVED** (Arkan/Innes):

1. The Council as registered proprietor of 25 Elizabeth Street, Sawtell being Lot 34 in section 4 DP21528 (the demised premises) authorize the lease of the demised premises to Sawtell Meals on Wheels Incorporated for a period of 5 years with an option for a further period of 5 years and subject to the terms and conditions contained in this report.
2. That any necessary documents required to give effect to the lease of 25 Elizabeth Street, Sawtell being Lot 34 in section 4 DP21528 to Sawtell Meals on Wheels Incorporated be executed under the common seal of Council.

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**CB12/100 LEASE RENEWALS AT COFFS HARBOUR COMMUNITY VILLAGE**

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Seeking authority for the execution of leases between Coffs Harbour City Council in its capacity as the corporate manager of the Coffs Harbour (R140058) Community Village Reserve Trust and various not for profit community service organisations of office premises within the land known as the Coffs Harbour Community Village being Crown Reserve (R140058) for Community Purposes under the Common Seal of Council.

**MOTION**

**292 RESOLVED** (Arkan/Innes):

1. The Council as the Corporate Manager of the Coffs Harbour Community Village Reserve trust R140058 authorise the leasing of the premises detailed in the table below as and when they become vacant to not for profit community service organisations for a term not post dating 31 July 2015.

Office space at Coffs Harbour Community Village R140058	
1	Office 1 Block A
2	Office 3, 4 (Kitchen) & 5 Block A
3	Block B
4	Office 1 Block C
5	Offices 2 & 4 Block C

## CB12/100 - Lease Renewals at Coffs Harbour Community Village (Cont'd)

6	Office 3 Block C
7	Office 5 Block C
8	Caretakers residence ( to be converted to office space)
9	Office 1 & 1A Block D
10	Office 2 Block D - Maureen Guthrie Cottage
11	Office 1 & 2 Block E
12	Offices 1 & 2 Block F
13	Offices 1 & 3 Block G
14	Office 2 Block G
15	Block H
16	Block I
17	Block J

2. That the current outgoings apportionment relative to each premises be retained subject to annual CPI adjustments and further direction from Council following a review of the general operation of the Coffs Harbour Community Village.
3. That any necessary documents required giving effect to the leases for premises within Coffs Harbour (R140058) Community Village Reserve executed under the common seal of Council.
4. That a further report be brought to Council following a review of the operation of the Community Village

### AMENDMENT

#### MOVED (Cowling/Palmer)

1. The Council as the Corporate Manager of the Coffs Harbour Community Village Reserve Trust R140058 authorise the leasing of the premises detailed in the table below as and when they become vacant to not for profit community service organizations, continuing to give priority to Home and Community Care programs in accordance with the terms of the original funding agreement with the NSW Department of Local Government, for a term not post dating 31 July 2015.

**CB12/100 - Lease Renewals at Coffs Harbour Community Village (Cont'd)**

Office space at Coffs Harbour Community Village R140058	
1	Office 1 Block A
2	Office 3, 4 (Kitchen) & 5 Block A
3	Block B
4	Office 1 Block C
5	Offices 2 & 4 Block C
6	Office 3 Block C
7	Office 5 Block C
8	Caretakers residence ( to be converted to office space)
9	Office 1 & 1A Block D
10	Office 2 Block D - Maureen Guthrie Cottage
11	Office 1 & 2 Block E
12	Offices 1 & 2 Block F
13	Offices 1 & 3 Block G
14	Office 2 Block G
15	Block H
16	Block I
17	Block J

2. That the current outgoings apportionment relative to each premises be retained subject to annual CPI adjustments and further direction from Council following a review of the general operation of the Coffs Harbour Community Village.
3. That any necessary documents required giving effect to the leases for premises within Coffs Harbour (R140058) Community Village Reserve executed under the common seal of Council.
4. That a further report be brought to Council following a review of the operation of the Community Village

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

## CITY SERVICES DEPARTMENT REPORTS

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### CS12/39 PRIORITY PROJECTS FOR REGIONAL DEVELOPMENT AUSTRALIA FUND APPLICATIONS

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To provide an update on the status of possible projects to be considered for the Regional Development Australia Fund (RDAF) program, and to seek Council's direction regarding the submission of an Expression of Interest for round 4 of the program.

#### MOTION

**MOVED** (Degens/)

1. That Council prepare an Expression of Interest seeking \$5M from round 4 of the RDAF for a \$10M project Redevelopment of the Jetty Foreshores.
2. That Council note that, if the application is successful, the matching funds are proposed to be sourced as \$1.5M from the Private Works General Reserve and \$3.5M from a loan, with repayments funded equally from community facilities and priority infrastructure special rate variations and the Environmental Levy.

The Motion lapsed for want of a seconder.

#### MOTION

**MOVED** (Cowling/)

1. That Council prepare an Expression of Interest seeking \$5M from round 4 of the RDAF for a \$10M project Redevelopment of the Jetty Foreshores.
2. That Council note that, if the application is successful, the matching funds are proposed to be sourced as \$1.5M from the Private Works General Reserve and \$3.5M from a loan, with repayments funded equally from community facilities and priority infrastructure special rate variations and the Environmental Levy.
3. That Council priority order is:
  1. Jetty Foreshores;
  2. E-demo and Innovation Centre
  3. Cycleway next to newly constructed Pacific Highway
  4. Bruxner Park Eco Tourism Project
  5. Regional Skate Park
  6. BCU Stadium Upgrade
  7. Solitary Islands Coastal Walk

The Motion lapsed for want of a seconder.

**CS12/39 - Priority Projects for Regional Development Australia Fund Applications (Cont'd)**

**MOTION**

**MOVED** (Arkan/Degens)

1. That Council prepare an Expression of Interest seeking \$5M from round 4 of the RDAF for a \$10M project Redevelopment of the Jetty Foreshores.
2. That Council note that, if the application is successful, the matching funds are proposed to be sourced as \$1.5M from the Private Works General Reserve and \$3.5M from a loan, with repayments funded equally from community facilities and priority infrastructure special rate variations and the Environmental Levy.
3. That Council make the priority the Jetty Foreshores and make applications for funding.

**293 RESOLVED** (Cowling/Arkan) that the Motion be put to the meeting.

**AMENDMENT**

**294 RESOLVED** (Rhoades/Innes):

1. That Council prepare an Expression of Interest seeking \$5M from round 4 of the RDAF for a \$10M project Redevelopment of the Jetty Foreshores.
2. That Council note that, if the application is successful, the matching funds are proposed to be sourced as \$1.5M from the Private Works General Reserve and \$3.5M from a loan, with repayments funded equally from community facilities and priority infrastructure special rate variations and the Environmental Levy.
3. That Council priority order is:
  1. Jetty Foreshores;
  2. E-demo and Innovation Centre
  3. BCU Stadium Upgrade
  4. Regional Skate Park
  5. Bruxner Park Eco Tourism Project
  6. Cycleway next to newly constructed Pacific Highway
  7. Solitary Islands Coastal Walk

The **AMENDMENT** on being put to the meeting was **CARRIED**. It then became the **MOTION** and on being put to the meeting was declared **CARRIED**.

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**CS12/41 DRAFT WOOLGOOLGA LAKE ESTUARY, WILLIS CREEK ESTUARY & DARKUM CREEK ESTUARY COASTAL ZONE MANAGEMENT PLANS**

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The purpose of this report is to have the Draft 'Woolgoolga Lake Estuary, Willis Creek Estuary and Darkum Creek Estuary Coastal Zone Management Plans approved by Council for public exhibition.

- 295 RESOLVED** (Rhoades/Arkan) that Council approve the Draft Woolgoolga Lake Estuary Coastal Zone Management Plan, Willis Creek Estuary Coastal Zone Management Plan and Darkum Creek Estuary Coastal Zone Management Plan for public exhibition for a period of 28 days.

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**CS12/42 CITY WIDE FLOOD MITIGATION, STORMWATER & DRAINAGE WORKS PROGRAM - OCTOBER 2012**

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To advise on progress of the City Wide flood mitigation, stormwater and drainage works program and to recommend changes to the works program.

- 296 RESOLVED** (Rhoades/Innes) that Council note the progress on the City Wide Flood Mitigation, Stormwater and Drainage Works Program.

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**CS12/43 COFFS COAST CYCLE CHALLENGE MARKETING AND PROMOTION - VISIT TO LAKE TAUPO NZ BIKEFEST**

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Council's Road Safety and Transport Officer has been invited to be a member of the marketing and promotion team representing the Coffs Coast Cycle Challenge. The team will attend the Lake Taupo Cycle Challenge NZ arriving in Auckland on Wednesday 21st November and returning on Sunday 25th November 2012. The team will be holding discussions with the BikeFest organisers, Rotarians and Council staff. They will observe the way the events are conducted to assist with the Coffs Cycle Challenge in 2013. Brochures advertising the 2013 event and the Coffs Coast destination will be distributed.

- 297 RESOLVED** (Degens/Innes) that Council approve the Road Safety and Transport Officer's attendance at the Lake Taupo NZ cycle event from 21 November – 25 November 2012.

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**CS12/44 APPOINTMENT OF COUNCILLOR TO NORTH COAST WEEDS  
ADVISORY COMMITTEE**

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To appoint an elected member to represent Council on the North Coast Weeds Advisory Committee (NCWAC).

**298 RESOLVED** (Rhoades/Arkan):

1. That Council appoint an elected representative to the North Coast Weeds Advisory Committee.
2. That Council's representative on the North Coast Weeds Advisory Committee be Cr Townley.

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**REQUESTS FOR LEAVE OF ABSENCE**

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No requests for leave of absence.

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**MATTERS OF AN URGENT NATURE**

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No matters of an urgent nature

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**QUESTIONS ON NOTICE**

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No questions on notice.

This concluded the business and the meeting closed at 7.20 pm.

Confirmed: 22 November 2012.

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Denise Knight  
Mayor