

The following document is the minutes of the Council and Committee meeting held on 22 November 2012. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 13 December 2012 and therefore subject to change. Please refer to minutes of 13 December 2012 for confirmation.



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

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

22 NOVEMBER 2012

Present: Councillors D Knight (Mayor), N Cowling, R Degens, G Innes, B Palmer, K Rhoades, M Sultana and S Townley

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

The meeting commenced at 5.06 pm with the Mayor, Cr D Knight 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.

The Mayor congratulated Cr Keith Rhoades on his election as Vice President of Australian Local Government Association.

The Mayor presented Graduation Certificates to the six new Coffs Ambassadors Volunteer Tour Guides.

DISCLOSURES OF INTEREST

Disclosures of interest were tabled by Councillors concerning the following items of business:

Councillor	Item	Type of Interest
Cr Sultana	L12/27 - DA 955/12, Animal Establishment (Dog Boarding Facility - Change of Use) - Lot 5 DP 876129, 81D Old Bucca Road, Moonee Beach	Non-Pecuniary - Significant Conflict

APOLOGY

299 RESOLVED (Innes/Palmer) that an apology received from Councillor Arkan for unavoidable absence be received and accepted.

PUBLIC ADDRESS

Time	Speaker	Item
5.00 pm	Presentation by Thomas Noble Russell	CB 12/103 - Financial Reports 2011 - 2012
5.05 pm	Jeanette Jones	NOM 12/11 - Annual Country Music Festival
5.10 pm	John Hart	L12/27 - DA 955/12, Animal Establishment (Dog Boarding Facility - Change of Use) - Lot 5 DP 876129, 81D Old Bucca Road, Moonee Beach
5.15 pm	Felicity Forsyth	L12/27 - DA 955/12, Animal Establishment (Dog Boarding Facility - Change of Use) - Lot 5 DP 876129, 81D Old Bucca Road, Moonee Beach
5.20 pm	Graeme Wright	L12/28 - DA 700/12, Seniors Living Development (Serviced Self-Care Housing) - Lot 1 DP 1128964, 2 Mullaway Drive, Mullaway
5.25 pm	Shaun Lawer, GHD	L12/28 - DA 700/12, Seniors Living Development (Serviced Self-Care Housing) - Lot 1 DP 1128964, 2 Mullaway Drive, Mullaway

CONFIRMATION AND ADOPTION OF MINUTES

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

NOTICE OF MOTION

NOM12/11 ANNUAL COUNTRY MUSIC FESTIVAL

MOVED (Cowling/Townley) that

An inaugural annual Country Music Festival be held in Coffs Harbour.

1. The first event to be held in November 2013 at the International Stadium.
2. To honour Stan Costa who was born in Woolgoolga.
3. That a Volunteer Working Group be formed as an organizing committee.

AMENDMENT

- 301** **RESOLVED** (Degens/Rhoades) that:

1. Council notes the initiation of a Country Music Festival in Coffs Harbour by a volunteer working group.
2. Council notes and gives support in principle to this initiative.

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**.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

Cr Sultana left the meeting, the time being 6.00pm.

L12/27 DEVELOPMENT APPLICATION NO. 955/12 - ANIMAL ESTABLISHMENT (DOG BOARDING FACILITY – CHANGE OF USE) - LOT 5 DP 876129, 81D OLD BUCCA ROAD, MOONEE BEACH

This report describes Development Application No. 955/12 for an Animal Establishment (Dog Boarding Facility – Change of Use) at Lot 5, DP 876129, 81D Old Bucca Road, Moonee Beach.

MOVED (Degens/Palmer) that:

1. Development Application No. 955/12 for an Animal Establishment (Dog Boarding Facility – Change of Use) at Lot 5, DP 876129, 81D Old Bucca Road, Moonee be approved subject to conditions attached to this report (Attachment 3) with the substitution of Condition 28 to read as follows:

Waste Management – Odour Control

The “excrement bin” shall be stored adjoining the animal establishment building.

All excrement waste generated from the animal establishment being serviced by a private waste collection contractor and being collected on site, on a minimum weekly basis.

No excrement waste is to be deposited into bins serviced by Council’s waste collection service.

2. Those persons who lodged submissions on Development Application No. 955/12 be informed of Council’s decision.

VOTED FOR

Cr Rhoades

Cr Degens

VOTED AGAINST

Cr Townley

Cr Palmer

Cr Knight

Cr Innes

Cr Cowling

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

AMENDMENT

MOVED (Rhoades/Innes) that

1. Development Application No. 955/12 for an Animal Establishment (Dog Boarding Facility – Change of Use) at Lot 5, DP 876129, 81D Old Bucca Road, Moonee be approved subject to conditions attached to this report (Attachment 3)
2. Those persons who lodged submissions on Development Application No. 955/12 be informed of Council’s decision.

Cont'd

L12/27 Development Application No. 955/12 - Animal Establishment (Dog Boarding Facility – Change of Use) - Lot 5 DP 876129, 81D Old Bucca Road, Moonee Beach ...(Cont'd)

VOTED FOR

Cr Rhoades
Cr Palmer
Cr Innes

VOTED AGAINST

Cr Townley
Cr Knight
Cr Degens
Cr Cowling

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

MOTION

MOVED (Cowling/Townley) that:

1. The Development Application No 955/12 an Animal Establishment (Dog Boarding Facility – Change of use) at Lot 5, DP 876129, 81D Old Bucca Road, Moonee be refused on the following grounds:
 - 1.1. The proposed development is not considered suitable for the site as it is not consistent with the objectives of the Rural 1A Agriculture Zone “to enable development which is compatible with agricultural practices, and with the amenity and character of the rural environment of the area” and “to enable development that can be adequately serviced”.
 - 1.2. The proposed development does not satisfy the prescriptive buffers of the Rural Lands Development Control Plan for uses that emit intermittent odour and long term noise.
 - 1.3. The proposed development will result in unreasonable and adverse traffic impacts due to the existing condition and nature of the access to the site and there is no certainty that the access can be upgraded to a standard to mitigate those adverse impacts.
 - 1.4. The proposed development is contrary to the public interest with respect to the unsuitability of the access and the adverse impacts of the proposed use in the locality.
2. Those persons who lodged submissions on Development Application No 955/12 be informed of Council’s decision.

VOTED FOR

Cr Townley
Cr Knight
Cr Cowling

VOTED AGAINST

Cr Rhoades
Cr Palmer
Cr Innes
Cr Degens

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

Cr Rhoades gave notice of intention that he would submit a further motion to determine this development application.

Cr Sultana returned to the meeting, the time being 6.40pm.

L12/28 DEVELOPMENT APPLICATION NO. 700/12 – SENIORS LIVING DEVELOPMENT (SERVICED SELF-CARE HOUSING) – LOT 1 DP 1128964, 2 MULLAWAY DRIVE, MULLAWAY

This report describes Development Application No. 700/12 for a Seniors Living Development (Serviced Self-Care Housing) at Lot 1, DP 1128964, 2 Mullaway Drive, Mullaway. It is recommended that the application be approved subject to conditions.

MOVED (Rhoades/Palmer) that:

1. Development Application No. 700/12 for a Seniors Living Development (Serviced Self-Care Housing) at Lot 1, DP 1128964 at 2 Mullaway Drive, Mullaway be approved subject to the conditions in Attachment 3.
2. Persons who made a submission on Development Application No. 700/12 be informed of Council's decision.

VOTED FOR

Cr Rhoades
Cr Palmer
Cr Knight

VOTED AGAINST

Cr Townley
Cr Sultana
Cr Innes
Cr Degens
Cr Cowling

MOTION

302 RESOLVED (Degens/Cowling) that:

1. Council refuses the Development Application No. 700/12 for a Seniors Living Development (Serviced Self-Care Housing) at Lot 1, DP 1128964 at 2 Mullaway Drive, Mullaway on the following ground:

That the proposed development is not within the character of the area and will result in adverse impact on the amenity of the area.

VOTED FOR

Cr Townley
Cr Sultana
Cr Innes
Cr Degens
Cr Cowling

VOTED AGAINST

Cr Rhoades
Cr Palmer
Cr Knight

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

GENERAL MANAGER'S REPORTS

GM12/35 OPERATIONAL PLAN REPORTING FOR THE QUARTER ENDED 30 SEPTEMBER 2012

To report on the progress of implementation of Council's 2012/2013 Operational Plan.

303 RESOLVED (Townley/Innes) that:

1. Council notes the operational status of Council Services for the quarter ended 30 September 2012, as outlined in the body of this report.
 2. Council continues to monitor its performance with a view to improving service delivery.
-

GM12/36 2011/2012 ANNUAL REPORT AND 2011/2012 REGIONAL STATE OF THE ENVIRONMENT REPORT

To provide Council with the Annual Report and Regional State of the Environment Report for the 2011/2012 financial year. This report recommends that the 2011/2012 Annual Report and 2011/2012 Regional State of the Environment Report be adopted.

304 RESOLVED (Degens/Townley) that Council adopts the 2011/2012 Annual Report and 2011/2012 Regional State of the Environment Report.

GM12/37 COUNCILLOR RECORDS MANAGEMENT POLICY

For Council to adopt the Councillor Records Management Policy.

305 RESOLVED (Innes/Palmer) that Council adopts the Councillor Records Management Policy.

GM12/38 COUNCILLOR EXPENSES AND FACILITIES POLICY

In accordance with Section 252 of the Local Government Act 1993, (the Act) Council is required within 5 months of the end of each financial year to adopt a policy concerning the payment of expenses incurred by, and the provision of facilities to, the Mayor and Councillors in relation to discharging the functions of civil office.

306 RESOLVED (Rhoades/Townley) that Council adopts the attached Councillor Expenses and Facilities Policy.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

L12/29 BEACH SAFETY SIGNAGE - WOOLGOOLGA BEACH

To advise Council on the signs posted at Woolgoolga Beach and the procedure followed to determine the appropriate message type and location of beach safety signs.

307 RESOLVED (Innes/Degens) that:

1. Council note the report and that the current Remote Supervision Signage system be continued.
 2. Council host a small thank you function for those community members who rendered assistance to the recent incidents at Woolgoolga.
-

L12/30 DELEGATIONS AND INDEPENDENT REVIEWS OF PLAN-MAKING DECISIONS

The purpose of this report is to:

1. Advise Council about the new delegations and independent reviews related to plan-making under Part 3 of the Environmental Planning and Assessment (EP&A) Act 1979 that commenced on Friday, 2 November 2012.
2. Seek Council's endorsement to accept and delegate to the General Manager, the Minister for Planning and Infrastructure's functions under Section 59 of the EP&A Act 1979.

308 RESOLVED (Degens/Sultana) that:

1. Council note the information provided in this report about the new delegations and independent reviews related to plan-making under Part 3 of the Environmental Planning and Assessment Act 1979 that commenced on Friday, 2 November 2012.
2. Council accepts the delegations to undertake the functions of the Minister for Planning and Infrastructure under Section 59 of the Environmental Planning and Assessment Act 1979.
3. The General Manager be delegated to undertake the functions of the Minister for Planning and Infrastructure under Section 59 of the Environmental Planning and Assessment Act 1979.

CORPORATE BUSINESS DEPARTMENT REPORTS

CB12/101 APPOINTMENT OF DIRECTORS - PROSPER COFFS HARBOUR LTD

The objective of this report is to seek approval from Council to appoint the Mayor, Councillor Denise Knight, as a Director of Prosper Coffs Harbour Ltd, Councillor Keith Rhoades as the Councillor representative and Ms Jennifer Bonfield as a Community Representative.

- 309 RESOLVED** (Palmer/Sultana) that Council appoint the Mayor, Councillor Denise Knight as a Director of Prosper Coffs Harbour Ltd, Councillor Keith Rhoades as the Councillor representative and Ms Jennifer Bonfield as a Community Representative.

Cr Rhoades left the meeting, the time being 7.25pm.

CB12/102 EXECUTION OF LEASE DOCUMENTS - EASTERN AUSTRALIA AIRLINES PTY LTD - CHECK-IN COUNTER AND OFFICE AT COFFS HARBOUR AIRPORT

Seeking authority to execute lease documents under Common Seal of Council for Check-In Counter No. 2 and Office No. 2 to Eastern Australia Airlines Pty Ltd (Qantas).

- 310 RESOLVED** (Innes/Palmer) that all documents associated with the renewal of lease of Check-In Counter Area No. 2 and Office No. 2 in the RPT Passenger Terminal at Coffs Harbour Airport to Eastern Australia Airlines Pty Ltd be executed under the Common Seal of Council.
-

CB12/103 FINANCIAL REPORTS - 2011-2012

Consideration of the audited financial statements for the year ended 30 June 2012.

- 311 RESOLVED** (Palmer/Sultana) that:
1. The attached audited financial statements be received and adopted.
 2. The report on the audited financial statements be received and noted.

Cr Rhoades returned to the meeting, the time being 7.27pm.

CB12/104 DISPOSAL OF ASSETS POLICY

For Council to adopt the Disposal of Assets Policy.

- 312 RESOLVED** (Degens/Innes) that Council adopts the Disposal of Assets Policy.

CB12/105 ENVIRONMENTAL LEVY PROJECTS QUARTERLY REPORT TO 30 SEPTEMBER 2012

To provide Council with a quarterly status report to 30 September 2012 on the projects funded under the Environmental Levy Program.

- 313 RESOLVED** (Degens/Sultana) that:
1. Council notes the status of the Environmental Levy Projects as at 30 September 2012 as outlined in the report.
 2. Council continues to monitor the Environmental Levy Program to ensure earliest completion of projects.

CB12/106 QUARTERLY BUDGET REVIEW STATEMENT FOR SEPTEMBER 2012

To provide the quarterly budget review statement and report on the estimated budget position as at 30 September 2012.

- 314 RESOLVED** (Sultana/Degens) that:
1. The Quarterly Budget Review Statements be noted.
 2. The budget adjustments be approved and the current budget position be noted.

Estimated Budget Position as at 30 September 2012:

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 24 May 2012	308,365 (D)	4,397,830 (D)	3,542,337 (D)
Recommended variations for Sept 2012	(6,129) (S)	Nil	Nil
Estimated result 2012/13 as at 30 September 2012	<u>302,236 (D)</u>	<u>4,897,205 (D)</u>	<u>3,591,600 (D)</u>

CITY SERVICES DEPARTMENT REPORTS

CS12/45 TRAFFIC COMMITTEE REPORT NO. 4/2013

To confirm the Minutes of the Traffic Committee Meeting held on Thursday, 7 November 2012.

315 RESOLVED (Cowling/Degens) that:

T.52 – Marina Drive, Coffs Harbour – Signage and Road Marking (R.511190 [3181025])

That a 'Right Turn Only' lane be created on Marina Drive, Coffs Harbour, for east bound traffic between the rail crossing and Jordan Esplanade as per T.52-2012.

T.53 - Marina Drive, Coffs Harbour - Parking Issues (R.511190 [3210226])

1. That no action be taken to create a 'No Stopping' zone on the southern side of Marina Drive, Coffs Harbour, west of the pedestrian crossing.
2. That further investigation be carried out with the view to realigning the traffic lines in Marina Drive, Coffs Harbour, to allow adequate room for parking.

T.54 - Wakelands Road and Fairview Road, Sapphire Beach - Traffic Calming (R.506720, R507030 [2987245])

1. That no further investigation be required to install traffic calming in Fairview Road and Wakelands Road, Sapphire Beach, as it does not meet the warrants.
2. RMS are currently conducting a speed review on Fairview and Wakelands Roads in conjunction with the Sapphire to Woolgoolga Pacific Highway upgrade.

T.55 - Pacific Highway, Coffs Harbour Nightrider Service (R.511420)

That a temporary bus zone (22m) be installed for the Nightrider late night transport service Saturday nights from 6.00pm – 6.00am 1 December 2012 – 27 January 2013 and Monday 31 December (NYE) from 72 Grafton Street (TAB premises) to 135 West High Street (Coffs Hotel), as per plan T.55-2012.

T.56 - Lagoon Close and Breakers Way, Korora - Traffic Issues (R.503530, R.511600 [3200539])

That the installation of a 'Give Way' sign and hold lines in Breakers Way, Korora, at the intersection with Lagoon Close, be approved, as per plan T.56-2012.

Cont'd

CS12/45 Traffic Committee Report No. 4/2013 ...(Cont'd)

T.57 – Bucca Road/Orara Way, Nana Glen – Signage (R.500020, R.510980[2649149])

1. Stop signage is not warranted under current standards, the give way signage remain in place on Bucca Road and Brewers Road, Nana Glen, at the Orara Way intersection, and the crossroad signage (W2-1) on Bucca Road be replaced with 'Give Way Ahead' (W3-2) sign and advanced warning sign posting be installed on the Orara Way approach from the north, as per plan T.57-2012.
2. Petition organiser be advised of Council's decision.

T.58 - Beach/Market Street, Woolgoolga - High Pedestrian Areas (R.508710, R.508400[2990293])

1. That Council support RMS (subject to available funding) in establishing a 40km/h high pedestrian activity area in the following areas in Woolgoolga CBD, subject to community consultation:
 - Beach Street from Boundary Street to Carrington Street.
 - Nightingale Street from Beach Street to Market Street.
 - Queen Street from Beach Street to Market Street.
 - Market Street from Nightingale Street to Queen Street.
2. The RMS support be subject to completion of community consultation.

T.59 – Network Video Shop–2/36 Park Avenue, Coffs Harbour - Parking Issues (R.505670 [2944223])

That no action be taken to install 15 minute parking in Park Avenue, Coffs Harbour, between Gordon Street and Earl Street, and that any future changes reflect the recommendations in the forthcoming City Centre Master Plan Review.

T.60 – Cavanba Road, Toormina – Bus Zone Times

That action to remove times (2.45pm-3.00pm) from existing bus zone at 19 Cavanba Road, Toormina, to create a permanent bus zone, be approved, subject to consultation with adjacent residents.

T.61 – 99 West High Street/Murdock Street Coffs Harbour - Times Drop Off Zone at Medical Centre/Business Premises (R.509970)

That the installation of a “No Parking” zone (8.00am-6.00pm weekdays), 6.7m - one car length adjacent entrance of new medical centre 10m north of Murdock Street/West High Street intersection, be approved, as per plan T.61-2012.

Cont'd

CS12/45 Traffic Committee Report No. 4/2013 ...(Cont'd)

T.62 – Gleniffer Road/East Bonville Road, Bonville School – Various Parking Issues (R.500300,R.500220[3200073])

That approval be given for the installation of :

1. One accessible parking zone adjacent the Bonville Public School entrance in Gleniffer Road.
2. A timed 'No Parking' drop off zone (8.00am – 9.30am and 2.30pm – 4.00pm schooldays) for 24m adjacent the eastern side of the school gate in Gleniffer Road, Bonville, and the remainder of the frontage to be unrestricted parallel parking.
3. Edge lines and a double barrier line on Gleniffer Road, Bonville, adjacent the school, to delineate the road and slow traffic approaching the curve, as per plan T.62-2012.

T.63 – Edinburgh Street, Coffs Harbour - Disabled Parking Access (R.504100 [3214824])

That the bus zone in Edinburgh Street, Coffs Harbour, adjacent Coffs Harbour High School, be reduced to 78m, a rear to kerb accessible parking space (with a trial period of 15 minute disabled parking limit) be installed adjacent the entrance with the ramp and the remainder of the existing bus zone south of the new accessible parking space, become rear to kerb parking, as per plan T.63-2012.

T.64 – Sawtell New Years Day Fun Day – First Avenue, Sawtell -Temporary Road Closure (R.501140, R.501520 [3223220])

- (a) the temporary road closure of First Avenue, Sawtell, between Boronia Street and Second Avenue, from 7.30am to 11.00am on Sunday, 1 January 2013, for the purpose of conducting the street parade associated with the Sawtell Super Fun Day, be advertised and providing no substantive objections are received, the closure be approved, subject to a Traffic Control Plan and Traffic Management Plan being submitted.
- (b) the organisers of the Fun Day liaise with affected traders and obtain traders approval.
- (c) the organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers, in accordance with the Traffic Management Plan.
- (d) the organisers be responsible for all costs associated with the temporary closure and clean up, including advertising.
- (e) a temporary bus zone be established on the east side of First Avenue, Sawtell, north of Second Avenue to enable buses to continue to operate and supply temporary signage “Special Event Bus Stop, Please Keep Clear”.

Cont'd

CS12/45 Traffic Committee Report No. 4/2013 ...(Cont'd)

T.65 - Jordan Esplanade, Coffs Harbour - Temporary Road Closure - New Year's Eve (R.506100[3219654])

The temporary road closure of Jordan Esplanade, Coffs Harbour, between Marina Drive and car park entry to Jetty on Saturday, 31 December 2012 from 6.00pm and reopen Sunday 12.30am 1 January 2013 for the purpose of New Year's Eve celebrations, be advertised and providing no substantive objections are received, the closure be approved, subject to:

- (a) the submission of a satisfactory Traffic Management Plan and Traffic Control Plan prepared by accredited traffic controllers for the closure of Jordan Esplanade, and also for the following intersections:
 - Marina Drive/ Orlando Street
 - Camperdown Street / Harbour Drive
 - Jordon Esplanade / Camperdown Street
- (b) the organisers, March's Amusements, liaise with affected traders and obtain traders approval.
- (c) the organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers, in accordance with the Traffic Management Plan and police approval in writing.
- (d) the organisers be responsible for all costs associated with the temporary closure and clean up, including advertising.

T.66 – Prince Street, Coffs Harbour - Temporary Road Closure - 16 December 2012 (R.505780 [3235359])

The temporary road closure of Prince Street, Coffs Harbour, between Hogbin Drive and Phillip Street on Sunday 16 December 2012 from 5.00pm until 10.00pm for the purpose of a Christmas Carol Event, be advertised and providing no substantive objections are received, the closure be approved subject to:

- (a) the submission of a satisfactory Traffic Management Plan and Traffic Control Plan prepared by accredited traffic controllers.
- (b) the organisers, of the event, liaise with affected households and traders and obtain households and traders approval.
- (c) the organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers, in accordance with the Traffic Management Plan and police approval in writing.
- (d) the organisers be responsible for all costs associated with the temporary closure and clean up, including advertising.
- (e) organisers to install measures to deter inappropriate parking and marshals to ensure pedestrian safety on Hogbin Drive.

CS12/46 COASTAL ESTUARY MANAGEMENT ADVISORY COMMITTEE

To report minutes of the Coastal Estuary Management Advisory Committee Meeting held on 8 November 2012.

- 316 RESOLVED** (Sultana/Townley) that Council note the minutes of the Coastal Estuary Management Advisory Committee held 8 November 2012.

CS12/47 DRAFT COASTAL ZONE MANAGEMENT PLAN

To seek Council's approval to place the Draft 'Coffs Harbour Coastal Zone Management Plan' on public exhibition.

- 317 RESOLVED** (Palmer/Sultana) that:
1. Council approve the Draft Coastal Zone Management Plan, for public exhibition for a period of 56 days.
 2. Following the public exhibition, a further report be provided to Council on the submissions received and the amendments proposed.

CS12/48 ESTABLISHMENT OF ALCOHOL FREE ZONES FOR THE COFFS HARBOUR RAILWAY SURROUNDS AND RE-ESTABLISHMENT OF THREE EXISTING ALCOHOL FREE ZONES AND CREATION OF TWO NEW ALCOHOL PROHIBITED AREAS

To report on proposals received and to consider creation of an Alcohol Free Zone (AFZ) for Camperdown Street and the Coffs Harbour Railway surrounds (refer to Attachment 1).

Recommend the creation of two new alcohol prohibited area for Reserves in Prince Street and Argyll Street Coffs Harbour (refer to Attachments 2 and 3).

Recommend the re-establishment of AFZ's in Vost Park car park, Park Beach car parks and Reserve No. 25 (Beachfront Park) car park until 30 September 2015 in line with existing AFZ's (refer to Attachment 4).

- 318 RESOLVED** (Sultana/Innes) that:
1. Council use the powers granted by Section 632(1)(e) of the Local Government Act 1993 to prohibit the taking of and/or consumption of alcohol and the prohibition of loitering and antisocial behaviour as follows:
 2. Prince Street (Lots 321 and 322 DP 808314, Lots 4,5,6,7,25,26 Sec K of DP 17053, Lots 6 and 8 of DP 262196), Alcohol Prohibition between 9.00pm and 9.00am, except for authorised events, and prohibition of loitering and antisocial behaviour at all times as identified on the map attached to this report;

Cont'd

CS12/48 Establishment of Alcohol Free Zones for the Coffs Harbour Railway Surrounds and Re-Establishment of Three Existing Alcohol Free Zones and Creation of Two New Alcohol Prohibited Areas ...(Cont'd)

3. Argyll Street Playground (Lot 34 DP 237307), Alcohol Prohibition between 9.00pm and 9.00am, except for authorised events, and prohibition of loitering and antisocial behaviour at all times as identified on the map attached to this report;
4. Notices, to effect all of the above, be displayed at appropriate locations.
5. Council extend the existing Alcohol Free Zones at Coffs Harbour as identified in this report (excluding any areas operating under a Council Outdoor Dining Licence) to operate in line with existing Alcohol Free Zones to September 30, 2015 pursuant to the provisions of Section 644 of the Local Government Act.
6. Council engage in consultation as per Section 644A of the Local Government Act, on the re-establishment of Alcohol Free Zone in the Vost Park car park, Park Beach car parks and Reserve No. 25 (Beachfront Park) car park identified on the map attached to this report.
7. Provided that no substantial objections are received, the General Manager be delegated authority to re-establish the Alcohol Free Zones in the Vost Park car park, Park Beach car parks and Reserve No. 25 car park, using the powers granted by Sections 644, 644A, 644B, 644C, 645, 646 of the Local Government Act 1993 to be in accordance with all existing AFZ's to 30 September 2015.

CS12/49 DRAFT COFFS HARBOUR CULTURAL POLICY AND CULTURAL PLAN 2013-2016

This report provides information and recommendations to Council in relation to the adoption of a Cultural Policy and Cultural Plan for the period 2013 – 2016.

- 319 RESOLVED** (Townley/Sultana) that Council accept the attached Draft Cultural Policy and Draft Cultural Plan for public display and public comment for a period of 28 days, with community feedback to inform Council's consideration of a final document in early 2013.

CS12/50 CITY WORKS COMMERCIALISATION REVIEW

To inform Council of the commercial activities undertaken by Council's CityWorks branch over recent years, to propose a way forward to clarify opportunities arising from this area and to recommend the adoption of a revised Private Works Policy.

- 320 RESOLVED** (Palmer/Sultana) that:
1. Council note the scope of private works previously undertaken by CityWorks and the conclusions of phase one of the commercialisation review
 2. Allocate \$95,000 from the Business Development Reserve in 2012/13 as a budget for the next stage of the commercialisation review of CityWorks to enable the development of a detailed business case and implementation plan.

REQUESTS FOR LEAVE OF ABSENCE

No requests for leave of absence.

ADJOURNMENT OF MEETING

The Mayor requested a motion to adjourn the meeting to allow for recess.

- 321 RESOLVED** (Palmer/Degens) that the meeting be adjourned, the time being 7.38pm.

RESUMPTION OF MEETING

- 322 RESOLVED** (Palmer/Degens) that the meeting be resumed, the time being 7.53pm.

MATTERS OF AN URGENT NATURE

MOTION

- 323 MOVED** (Degens/Palmer) that the following report:

L12/27 - DA 955/12, Animal Establishment (Dog Boarding Facility - Change of Use) - Lot 5 DP 876129, 81D Old Bucca Road, Moonee Beach

be dealt with as a matter of an urgent nature.

The Mayor ruled that the business proposed to be brought forward is of great urgency under Clause 8.11 of Council's Code of Meeting Practice.

Cr Sultana left the meeting, the time being 7.54pm.

L12/27 DA 955/12, ANIMAL ESTABLISHMENT (DOG BOARDING FACILITY - CHANGE OF USE) - LOT 5 DP 876129, 81D OLD BUCCA ROAD, MOONEE BEACH

This report describes Development Application No. 955/12 for an Animal Establishment (Dog Boarding Facility – Change of Use) at Lot 5, DP 876129, 81D Old Bucca Road, Moonee Beach.

324 RESOLVED (Degens/Rhoades) that:

1. Development Application No. 955/12 for an Animal Establishment (Dog Boarding Facility – Change of Use) at Lot 5, DP 876129, 81D Old Bucca Road, Moonee be approved subject to conditions attached to this report (Attachment 3) with the substitution of Condition 28 to read as follows:

Waste Management – Odour Control

The “excrement bin” shall be stored adjoining the animal establishment building.

All excrement waste generated from the animal establishment being serviced by a private waste collection contractor and being collected on site, on a minimum weekly basis.

No excrement waste is to be deposited into bins serviced by Council's waste collection service.

2. Those persons who lodged submissions on Development Application No. 955/12 be informed of Council's decision.

VOTED FOR

Cr Rhoades
Cr Palmer
Cr Knight
Cr Degens

VOTED AGAINST

Cr Townley
Cr Innes
Cr Cowling

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

Cr Sultana returned to the meeting, the time being 7.58pm.

MUN12/18 State Funding for the Pacific Highway

Cr Rhoades reported that state government leased Port Botany and Port Kembla. This will provide the opportunity for the state government to provide 50:50 funding with the federal government for the Pacific Highway upgrade.

QUESTIONS ON NOTICE

No questions on notice.

This concluded the business and the meeting closed at 8.01 pm.

Confirmed: 13 December 2012

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Denise Knight
Mayor