

The following document is the minutes of the Council and Committee meeting held on 13 February 2014. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 27 February 2014 and therefore subject to change. Please refer to minutes of 27 February 2014 for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
13 FEBRUARY 2014

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

13 FEBRUARY 2014

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

Staff: General Manager, Director City Infrastructure Services, Director City Planning, Director Community Development, Director Corporate Business and Executive Assistant

The meeting commenced at 5.00 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.

DISCLOSURES OF INTEREST

The General Manager read the following disclosure of interest to inform the meeting:

Councillor	Item	Type of Interest
Cr Palmer	CP14/3 Jetty4Shores Project Update	Non Pecuniary - Less than Significant Conflict as the foreshore development is approximately 100 metres from place of business which will be relocating at the end of June 2014.

APOLOGY

No apologies.

PUBLIC FORUM

Time	Speaker	Item
5.00 pm	Kelly Fitzgerald	Procedure for Applying for Licenses on Commercial Fitness Activities on Council Controlled Beaches and Parks
5.05 pm	Cathy Constantine	The Community Garden in Review 2013 and Plans for 2014

PUBLIC ADDRESS

Time	Speaker	Item
5.10 pm	Craig Golding	CP 14/2 - North Boambee Valley (West) Investigation Area – Update
5.15 pm	Adam Bradfield	CB14/5 – Financial Reports – 2012-2013

CONFIRMATION AND ADOPTION OF MINUTES

- 1 **RESOLVED** (Degens/Palmer) that the minutes of the Ordinary meeting held on 12 December 2013 be confirmed as a true and correct record of proceedings.

NOTICES OF MOTION

NOM14/1 RENAMING OF HOCKEY COMPLEX

MOVED (Cowling/Degens) that the Hockey Complex be renamed “The Bruce Barnier Memorial Sports Park”.

AMENDMENT

- 2 **RESOLVED** (Knight/Innes) that the matter be deferred to the next meeting regarding the legalities of the naming rights.

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

NOM14/2 SNAP SEND SOLVE WEBSITE APPLICATION

MOVED (Cowling/Townley) that a report be brought back to Council by 13 March 2014 on how to utilise a free download App from the internet and to link with CHCC website for use by the residents of the LGA. The App’s website link is: <http://www.snapsendsolve.com/>. Snap Send Solve has over fifty thousand users Australia wide.

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

CITY PLANNING DEPARTMENT REPORT

CP14/2 NORTH BOAMBEE VALLEY (WEST) INVESTIGATION AREA - UPDATE

The purpose of this report is to provide an update on a Planning Proposal, draft Development Control Plan (DCP) and draft Contributions Plan for the North Boambee Valley (NBV) (West) Investigation Area.

The report recommends Council resolve to defer the progression of the NBV (West) Planning Proposal until the adoption of the forthcoming Boambee - Newports Creek Flood Risk Management Plan (FRMP). The contents and actions recommended by the Boambee - Newports Creek FRMP may change the contents (including proposed land use zones) of the NBV (West) Planning Proposal in terms of flood mitigation infrastructure requirements.

The findings of the Boambee - Newports Creek FRMP are critical to the recommendations of the NBV (West) Planning Proposal, hence the recommendation to defer the Planning Proposal's progression at this point in time.

The report acknowledges that construction of a flood mitigation detention basin is required before any development in NBV (West) can be undertaken.

3 RESOLVED (Palmer/Degens) that:

1. Council defer the progression of the North Boambee Valley (West) Planning Proposal until the outcomes of the Boambee - Newports Creek Flood Risk Management Plan and further consultation with RMS on Pacific Highway traffic impacts have been considered.
2. A further report be presented to Council following the finalisation of the Boambee - Newports Creek Flood Risk Management Plan, concerning the progression of the North Boambee Valley (West) Planning Proposal.
3. Landowners in the North Boambee Valley (West) Planning Proposal area be informed of Council's decision.

VOTED FOR

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

VOTED AGAINST

Nil

CORPORATE BUSINESS DEPARTMENT REPORT

CB14/5 FINANCIAL REPORTS - 2012-2013

To receive and approve the financial statements for the year ended 30 June 2013 for signature.

- 4 RESOLVED** (Innes/Sultana) that:
1. The report on the audited 2012-13 Financial Statements be received and noted.
 2. The 'Statement by Councillors and Management' for the General Purpose Financial Statements and the Special Purpose Financial Statements be approved for signature.

GENERAL MANAGER'S REPORTS

GM14/1 COFFS HARBOUR CITY COUNCIL RESOURCING STRATEGY 2014/2015 TO 2023/2024

To present the Draft 2014-2024 Coffs Harbour City Council Resourcing Strategy.

- 5 RESOLVED** (Townley/Palmer) that For the purposes of the Special Rate Variation, Council adopt the 2014/2024 Resourcing Strategy acknowledging that it may need to be refined when the full suite of integrated Planning and Reporting documents are presented for adoption by Council.

**Cr Degens left the meeting, the time being 6.16pm.
Cr Degens returned to the meeting, the time being 6.17pm.**

GM14/2 APPLICATION FOR SPECIAL RATE VARIATION

To seek Council's endorsement to apply to the Independent Pricing and Regulatory Tribunal (IPART) for a community wide Special Rate Variation (SRV) over three years commencing 2014/2015.

MOVED (Palmer/Innes) that Council makes a Special Rate Variation Application to IPART for a permanent rate increase to be phased in over three years, pursuant to Section 508(A) of the Local Government Act, 1993 which will result in Council's Notional General Income increasing by 7.90% for 2014/15, 8.14% for 2015/16 and 7.75% for 2016/17.

Cont'd

AMENDMENT

6 RESOLVED (Townley/Innes) that:

1. Council makes a Special Rate Variation Application to IPART for a permanent rate increase to be phased in over three years, pursuant to Section 508(A) of the Local Government Act, 1993 which will result in Council's Notional General Income increasing by 7.90% for 2014/15, 8.14% for 2015/16 and 7.75% for 2016/17.
2. Management bring a report back to Council prior to the end of year 2 of the Special Rate Variation period summarising the overall results from the Special Rate Variation, transformation to sustainability project and other initiatives thus enabling Council to determine whether or not to continue with Year 3 of the Special Rate Variation.

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

AMENDMENT

MOVED (Cowling/) that the Special Rate Variation Application to IPART for a permanent rate increase be postponed until December 2014 to allow time for all the efficiency, sustainability and current programs to be evaluated to gauge the revenue from these sources.

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

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

DIVISION

7 MOVED (Cowling/Townley) that a division be called, and those members voting for and against the motion were recorded:

FOR

Cr Rhoades
Cr Innes
Cr Sultana
Cr Degens
Cr Knight
Cr Townley
Cr Palmer

AGAINST

Cr Arkan
Cr Cowling

GM14/3 LOCAL GOVERNMENT ACTS TASKFORCE - RELEASE OF FINAL REPORT

To report to Council the recommendations and findings for a new Local Government Act for NSW by the Local Government Acts Taskforce.

- 8 RESOLVED** (Arkan/Sultana) that Council note the invitation of submissions to the Final Report of the Local Government Acts Taskforce.

GM14/4 REVITALISING LOCAL GOVERNMENT FINAL REPORT ON THE NSW INDEPENDENT LOCAL GOVERNMENT REVIEW PANEL, OCTOBER 2013

The objective of this report is to formally report to Council the release of the Final Report of the NSW Independent Local Government Review Panel (ILGRP) – Revitalising Local Government (October 2013) and to ascertain the need to prepare a submission to the NSW Government in this matter.

- 9 RESOLVED** (Sultana/Palmer) that the matter be deferred.

GM14/5 COFFS COAST REGIONAL PARK TRUST BOARD - COUNCILLOR NOMINATIONS

The objective of this report is to seek the nomination of four (4) Councillors, by Council, for the consideration of appointment to the Coffs Coast Regional Park Trust Board by the Minister for the Environment, as the term of the Board expired on 31 December 2013.

- 10 RESOLVED** (Townley/Arkan) that Council consider nominations for the Coffs Coast Regional Park Trust Board and provide four (4) Councillor nominations for the consideration of the Minister for the Environment.

Cr Knight nominated Cr Arkan
Cr Townley nominated
Cr Palmer nominated
Cr Cowling nominated

An open vote was conducted and the Mayor declared Cr Arkan, Cr Townley, Cr Palmer and Cr Cowling the four Councillor nominations.

GM14/6 DEVELOPMENT APPLICATION NO. 119/13 - LOT 26 DP 1001621, NO. 1 BREAKERS WAY KORORA - MULTI-UNIT HOUSING (ONE ADDITIONAL NEW DWELLING) AND STRATA SUBDIVISION - APPEAL

To consider legal advice provided by Council's legal representative in relation to a Land and Environment Court appeal against Council's refusal of a development application for multi-unit housing (one additional new dwelling) and strata subdivision at 1 Breakers Way, Korora.

- 11 **RESOLVED** (Palmer/Innes) that the matter be deferred.

CITY PLANNING DEPARTMENT REPORTS

CP14/1 DEVELOPMENT APPLICATION 121/13 - DEMOLITION OF EXISTING DWELLING, ATTACHED DUAL OCCUPANCY AND STRATA SUBDIVISION LOT A DP 390197, 8 SOLITARY ST, COFFS HARBOUR

To consider Development Application No. 121/13 for demolition of an existing dwelling, construction of an attached dual occupancy and strata subdivision at 8 Solitary Street, Coffs Harbour.

- 12 **RESOLVED** (Degens/Palmer) that the matter be deferred.

VOTED FOR

Cr Rhoades
Cr Townley
Cr Palmer
Cr Degens
Cr Knight
Cr Innes
Cr Cowling

VOTED AGAINST

Cr Arkan
Cr Sultana

CP14/3 JETTY4SHORES PROJECT UPDATE

To present Council with an update of progress on the Jetty4Shores Project and to seek delegations to obtain loan funds.

13 RESOLVED (Innes/Sultana) that:

1. Offers for a loan totaling \$2.2M be sought from appropriate lending institutions towards the Jetty4Shores Project.
2. Delegated approval be given to the General Manager to accept the most suitable offer in relation to the loan.
3. The Mayor and General Manager be authorised to execute all documents associated with the loan under common seal of Council.

DIVISION

14 MOVED (Cowling/Rhoades) that a division be called, and those members voting for and against the motion were recorded:

FOR

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

AGAINST

Cr Cowling

CORPORATE BUSINESS DEPARTMENT REPORTS

CB14/1 ACCEPTANCE OF PUBLIC RESERVES MANAGEMENT FUND PROGRAM LOANS FOR COFFS COAST STATE PARK TRUST AND WOOLGOOLGA BEACH RESERVE TRUST

To accept the offer of Public Reserves Management Fund (PRMF) Program Loans from the department of Trade and Investment, Crown Lands, for Woolgoolga Beach Reserve Trust and Coffs Coast State Park Trust.

15 RESOLVED (Palmer/Arkan) that:

1. Council as Corporate Manager of the Coffs Coast State Park Trust, accept the Public Reserves Management Fund loan offer of \$1,500,000 for 'installation of nine holiday villas (including two disabled villas) and extension to camp kitchen at Park Beach Holiday Park and five holiday villas (including two disabled villas) at Sawtell Beach Holiday Park'
2. Council as Corporate Manager of the Woolgoolga Beach Reserve Trust, accept the Public Reserves Management Fund loan offer of \$400,000 for 'a new reception/manager's residence, three upgraded villas, improved electrical, water and sewer infrastructure and sealing of roadways at Woolgoolga Lakeside Caravan Park'.

CB14/2 MONTHLY BUDGET REVIEW FOR NOVEMBER 2013

To report on the estimated budget position as at 30 November 2013.

16 RESOLVED (Innes/Palmer) that:

That the budget adjustments be approved and the current budget position be noted.

Estimated Budget Position as at 30 November 2013:

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 13 June 2013	426,307 (D)	4,553,442 (D)	3,165,226 (D)
Approved Variations to 31 October 2013	(410,044) (S)	Nil	Nil
Recommended variations November 2013	1,337 (D)	Nil	Nil
Estimated result as at 30 November 2013	<u>17,600 (D)</u>	<u>4,553,442 (D)</u>	<u>3,165,226 (D)</u>

CB14/3 BANK BALANCES AND INVESTMENT FOR NOVEMBER AND DECEMBER 2013

To list Council's Bank Balances and Investments as at 30 November 2013 and 31 December 2013.

17 RESOLVED (Palmer/Innes) that:

1. The bank balances and investments totaling (from loans, Section 94 and other avenues that form the restricted accounts and are committed for future works) one hundred and fifty seven million, eighty three thousand, and seventy four dollars (\$157,083,074) as at 30 November 2013 be noted.
2. The general fund unrestricted cash and investments totaling one hundred and twenty one thousand, two hundred and seventeen dollars (\$121,217) as at 30 November 2013 be noted.
3. The bank balances and investments totaling (from loans, Section 94 and other avenues that form the restricted accounts and are committed for future works) one hundred and fifty five million, four hundred and fifteen thousand, and three hundred and twenty two dollars (\$155,415,322) as at 31 December 2013 be noted.
4. The general fund unrestricted cash and investments totaling one hundred and twenty one thousand, two hundred and seventeen dollars (\$121,217) as at 31 December 2013 be noted.

CB14/4 ENVIRONMENTAL LEVY PROJECTS QUARTERLY REPORT TO 31 DECEMBER 2013

To provide Council with a quarterly status report to 31 December 2013 on the projects funded under the Environmental Levy (EL) Program.

18 RESOLVED (Sultana/Palmer) that:

1. Council notes the status of the Environmental Levy Projects as at 31 December 2013 as outlined in the report.
2. Council continues to monitor the Environmental Levy Program to ensure earliest completion of projects.

CB14/6 TENDER: RFT-619-TO MANAGEMENT OF COFFS HARBOUR REGIONAL AIRPORT

To report on tenders received for Contract No. RFT-619-TO for the provision of Management Services for the Coffs Harbour Regional Airport and to obtain approval to accept a tender.

19 RESOLVED (Sultana/Innes) that:

1. Council accept the tender of Coffs Aviation & Travel Services Pty Ltd, ABN 56 079 203 437, for Contract RFT-619-TO Management of Coffs Harbour Regional Airport, for the lump sum of \$689,260 (inclusive of GST) for a period of five years, on the basis that:
 - 1.1 The tender is the most advantageous tender following the application of Council's Tender Value Selection System.
 - 1.2 The Tenderer has the necessary experience in similar works, and its ability and performance are satisfactory.
 - 1.3 The Tenderer's financial capacity is acceptable.
2. The contract documents be executed under the Seal of Council.

COMMUNITY DEVELOPMENT DEPARTMENT REPORTS

CD14/1 THE MULTICULTURAL REFERENCE GROUP - UPDATE REPORT

To request Council's adoption of the updated Guidelines of Operation for the Multicultural Reference Group (MRG) 2013 – 2018, affirmation of current members and recognition of resigning foundation member.

20 RESOLVED (Sultana/Degens) that:

1. Council adopt the updated Multicultural Reference Group's Guidelines of Operation 2013 – 2018 and that they be implemented immediately.
2. The following members be re-affirmed as members of the Multicultural Reference Group as at February, 2014:

Amanda Jennings, Bill Van Den Bosch, Cheryl Nolan, Dave Fish, Deborah Ngubia/Vigeeta Chauhan, Dianne Jacobus, Gai Newman, Jorgette Sonter, Ted Greenwood, Erna O'Dell, Hilary Davies, My Holland, Rebecca Graham and Yarob Haddad.
3. Mrs Jackie Lloyd, in line with Council Policy, be awarded a plaque in recognition of her years of contribution and dedication to the Multicultural Reference Group at the 2014 Multicultural Harmony Festival by the Mayor or her nominee.

CD14/2 COUNCIL SISTER CITY DELEGATION TO SASEBO, JAPAN, 2014

To propose that Council send a delegation to Sasebo, Japan, in 2014 to consolidate Coffs Harbour's Sister City relationship with Sasebo City and to explore new opportunities for cultural and economic development between the two cities.

- 21 RESOLVED** (Palmer/Innes) that the matter be deferred to the next meeting.

CITY INFRASTRUCTURE SERVICES DEPARTMENT REPORTS

CIS14/1 CONTRACT NO. RFT-604-TO - TENDER FOR THE RECLAIMED WATER MAIN DUPLICATION AT DIAMOND HEAD DRIVE, SANDY BEACH

To report on tenders received for Contract RFT-604-TO, for the construction of 200m of reclaimed water main duplication and to gain Council approval to accept a tender.

- 22 RESOLVED** (Palmer/Arkan) that:

1. Council accept the tender of Coffs Coast Under Road Boring P/L, ABN 74 088 387 384, for Contract No. RFT – 604 - TO, for the Lump Sum amount \$208,028 including GST on the basis that:
 - 1.1 The tender is the most advantageous tender following the application of Council's Tender Value Selection System
 - 1.2 The Tenderer has the necessary experience in similar works and his ability and performance are satisfactory
 - 1.3 The Tenderer's financial capacity is acceptable
2. The contract documents be executed under the Seal of Council.

**CIS14/2 CONTRACT NO. RFT-621-TI - COOK DRIVE/PACIFIC HIGHWAY,
COFFS HARBOUR INTERSECTION UPGRADE - TELSTRA
RELOCATIONS**

To report to Council on Telstra relocations charges associated with Cook Drive intersection works and to gain Council approval to enter into a contract with the Telstra recommended relocation subcontractor.

23 RESOLVED (Rhoades/Arkan) that:

1. Council enter into a contract with Telstra Network Integrity Service, Contract No. RFT-621-TI, Pacific Highway/Cook Drive Intersection Upgrade – Telstra Relocations for the lump sum quotation of \$283,889.62 (GST Inclusive), on the basis that:
 - a) The tender quotation process follows Telstra Network Integrity’s tendering policy.
 - b) The successful tenderer, Central Coast Telephone Systems is one of the Telstra preferred industry experts and has been selected by Telstra Network Services to carry out the work.

REQUESTS FOR LEAVE OF ABSENCE

No requests for leave of absence.

MATTERS OF AN URGENT NATURE

No matters of an urgent nature.

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

Cr Palmer returned to the meeting, the time being 7.55pm.

QUESTIONS ON NOTICE

No questions on notice.

This concluded the business and the meeting closed at 7.56 pm.

Confirmed: 27 February 2014

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Denise Knight
Mayor
