



# Coffs Harbour City Council

21 August 2014

## ORDINARY MEETING

The above meeting will be held in the Council Chamber, Administration Building, corner Coff and Castle Streets, Coffs Harbour, on:

**THURSDAY 28 AUGUST 2014**

The meeting commences at **5.00pm** and your attendance is requested.

## AGENDA

1. Opening of Ordinary Meeting
2. Acknowledgment of Country
3. Disclosure of Interest
4. Apologies
5. Public Addresses / Public Forum
6. Mayoral Minute
7. Mayoral Actions under Delegated Authority
8. [Confirmation of Minutes of Ordinary Meeting – 14 August 2014](#)
9. Notices of Motion
10. [General Manager's Reports](#)
11. [Consideration of Officers' Reports](#)
12. Requests for Leave of Absence
13. Matters of an Urgent Nature
14. Questions On Notice
15. Consideration of Confidential Items (if any)
16. Close of Ordinary Meeting.

Steve McGrath  
General Manager



**COFFS HARBOUR CITY COUNCIL  
ORDINARY MEETING**

**COUNCIL CHAMBERS  
COUNCIL ADMINISTRATION BUILDING  
COFF AND CASTLE STREETS, COFFS HARBOUR**

**28 AUGUST 2014**

**Contents**

**ITEM            DESCRIPTION**

**RESCISSION MOTION**

RM14/4            GENERAL MANAGER'S PERFORMANCE REVIEW PANEL - RESCISSION MOTION

**GENERAL MANAGER'S REPORTS**

GM14/23            2013/2017 DELIVERY PROGRAM - SIX MONTHLY PROGRESS REPORT

GM14/24            NOTICE OF DRAFT POLICY TO BE PLACED ON PUBLIC EXHIBITION -  
COUNCILLOR EXPENSES AND FACILITIES POLICY

GM14/25            TRANSFORMATION TO SUSTAINABILITY PROGRAM - NEXT STAGE -  
ORGANISATION STRUCTURE

**CITY INFRASTRUCTURE SERVICES DEPARTMENT REPORTS**

CIS14/43            LANDLORD'S CONSENT FOR MORTGAGE OVER TENANT'S LEASE - GOWING  
BROS LIMITED

CIS14/44            LANDLORD'S CONSENT FOR MORTGAGE OVER TENANT'S LEASE - EAGLE  
COPTERS AUSTRALASIA PTY LIMITED

CIS14/45            COFFS HARBOUR NETBALL ASSOCIATION - NEW LEASE OF VOST PARK

CIS14/46            WOOLGOOLGA REGIONAL COMMUNITY GARDEN

The following item either in whole or in part may be considered in Closed Meeting for the reasons stated.

CIS14/47 CONTRACT NOS. RFT-667-TO & RFT-668-TO: CASTLE STREET CAR PARK ROOF

A portion of these reports is confidential for the reason of Section 10A (2):

- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret.

and in accordance with Section 10A (1) the meeting may be closed to the public.

#### **CORPORATE BUSINESS DEPARTMENT REPORTS**

CB14/47 BANK BALANCES AND INVESTMENT FOR JULY 2014

CB14/48 DEVELOPER CONTRIBUTIONS PLAN REVIEW - MOONEE RELEASE AREA AND HEARNES LAKE / SANDY BEACH RELEASE AREA

CB14/49 DEVELOPER CONTRIBUTIONS PLAN REVIEW - OPEN SPACE

CB14/50 ENVIRONMENTAL LEVY PROJECTS REPORT 30 JUNE 2014

The following two items either in whole or in part may be considered in Closed Meeting for the reasons stated.

CB14/51 TENDER RFT-665-TO: PROVISION OF AIRPORT CAR PARK MANAGEMENT SERVICES

#### **COMMUNITY DEVELOPMENT DEPARTMENT REPORTS**

CD14/15 CONTRACT NO. RFT-656-TO DESIGN AND CONSTRUCT FLOOD LIGHTING - COFFS COAST SPORT AND LEISURE PARK FIELD 2

A portion of these reports is confidential for the reason of Section 10A (2):

- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret.

and in accordance with Section 10A (1) the meeting may be closed to the public.

CD14/16 COUNCILLOR - REFERENCE GROUP CULTURAL FACILITY ENGAGEMENT

#### **CITY PLANNING DEPARTMENT REPORTS**

CP14/25 PLANNING PROPOSAL – PP\_2013\_COFFS\_003\_00 FOR LOT 1, DP777555 HAMILTON DRIVE, BOAMBEE EAST (MI ORGANICS LANDSCAPE SUPPLIES)

CP14/26 PLANNING PROPOSAL – PP\_2014\_COFFS\_004\_00 FOR LOT 1, DP417132, 2 ARRAWARRA ROAD, MULLAWAY



## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

14 AUGUST 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 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.

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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#### DISCLOSURES OF INTEREST

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

Councillor	Item	Type of Interest
Cr Knight	GM14/21 - Legal Appeal - Development Application No. 876/12 – Subdivision into One Residential Torrens Title Lot plus 13 Residential Community Title Lots and One Community Lot - Lot 19 DP 1126372, 45 Rutland Street, Bonville	Non Pecuniary - Less Than Significant Conflict as she has known the developer and his family for a number of years and now also knows the land owner
Cr Palmer	GM14/21 - Legal Appeal - Development Application No. 876/12 – Subdivision into One Residential Torrens Title Lot plus 13 Residential Community Title Lots and One Community Lot - Lot 19 DP 1126372, 45 Rutland Street, Bonville	Non Pecuniary - Less Than Significant Conflict as person named in email regarding development application and has had previous business dealings



<b>Councillor</b>	<b>Item</b>	<b>Type of Interest</b>
Cr Innes	RM14/3 - DA 960/13 - 35-63 Harbour Drive, 31 Vernon Street, Coffs Harbour and Road Reserves - Rescission Motion	Non Pecuniary - Less Than Significant Conflict as his wife owns a competitive business to two in CBD
Cr Palmer	RM14/3 - DA 960/13 - 35-63 Harbour Drive, 31 Vernon Street, Coffs Harbour and Road Reserves - Rescission Motion	Non Pecuniary - Less Than Significant Conflict as wife operates a retail business in the CBD
Steve McGrath	MM14/4 - General Manager's Performance Review Panel	Pecuniary as the report retains to his performance review process
Steve McGrath	CP14/22 - Development Application No. 1018/14 – Installation of Temporary Events Sign – Railway Overbridge, Pacific Highway North, Coffs Harbour	Non Pecuniary - Less Than Significant Conflict as he is on the Board of Rally Australia as a non-remunerated Director's role

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**APOLOGY**

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No apologies.

**The General Manager declared a pecuniary interest in the following item, vacated the chamber and took no part in the discussion or voting, the time being 5.06pm.**

**MAYORAL MINUTE**

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**MM14/4 GENERAL MANAGER'S PERFORMANCE REVIEW PANEL**

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To seek a Council appointed Councillor to the Review Panel charged with reviewing the performance of the General Manager.

- 212 RESOLVED** (Knight) that Council nominate Councillor Cowling to participate on the review panel charged with reviewing the performance of the General Manager.

**The General Manager returned - 5.09pm**

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**CONFIRMATION AND ADOPTION OF MINUTES**

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- 213 RESOLVED** (Sultana/Arkan) that the minutes of the Ordinary meeting held on 24 July 2014 be confirmed as a true and correct record of proceedings.

**RESCISSION MOTION**

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**RM14/3 DA 960/13 - 35-63 HARBOUR DRIVE, 31 VERNON STREET, COFFS HARBOUR AND ROAD RESERVES - RESCISSION MOTION**

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**214** **RESOLVED** (Degens/Arkan) that Resolution 210 of Ordinary meeting held on 24 July 2014 regarding item CP14/20 - DA 960/13 - 35-63 Harbour Drive, 31 Vernon Street, Coffs Harbour and Road Reserves -- Demolition of Existing Buildings and Construction of Commercial Premise (4 Tenancies) and associated Public Infrastructure Works, and reading as follows, be rescinded:

**RESOLVED** (Townley/Cowling) that the item be deferred pending:

- a) Commencement of the partnership with Gowings on an engagement program regarding the proposed traffic management plan for the road construction works as a matter of priority to identify and minimise impacts on businesses and other users.
- b) That consultation be held with the retailers, landlords and Council prior to next meeting.

**VOTED FOR**

Cr Arkan  
Cr Knight  
Cr Degens  
Cr Sultana  
Cr Innes  
Cr Rhoades

**VOTED AGAINST**

Cr Palmer  
Cr Cowling  
Cr Townley

**215** **RESOLVED** (Arkan/Sultana) that:

- 1. Council agree to enter into a planning agreement with the Developer (Gowings Bros Ltd) for the cost of and carrying out of agreed public infrastructure works associated with Development Application No. 960/13 generally in accordance with the terms of the draft planning agreement contained in the offer from Gowings Bros Ltd to the Council dated 14 July 2014 (Attachment 4).
- 2. Development Application No. 960/13 for demolition of existing building and construction of commercial premise (4 tenancies) and associated public infrastructure works at 63 Harbour Drive (Lot 1, DP796866), 31 Vernon Street (Lot 1, DP421199), 35-61 Harbour Drive (Lots 1-3, Part Lot 4, Section 8 & Lot 6, Section 7, DP 758258, Lot 6, DP 721353, & Lot 1, DP 43845), Coffs Harbour and associated road reserves be approved subject to the conditions in Attachment 3.

**VOTED FOR**

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

**VOTED AGAINST**

Nil

## NOTICE OF MOTION

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### NOM14/11 REJECTION OF NOTICE OF MOTION

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A notice of motion was received from a Councillor for consideration at this meeting of Council. There were concerns regarding the legality of the proposal in the motion and legal advice confirmed that the proposal was unlawful. Accordingly, under section 5.2(2) of the Code of Meeting Practice, the notice of motion was rejected.

## GENERAL MANAGER'S REPORTS

- 216 **MOVED** (Knight/Innes) that item GM14/21 - Legal Appeal - Development Application No. 876/12 – Subdivision into One Residential Torrens Title Lot plus 13 Residential Community Title Lots and One Community Lot - Lot 19 DP 1126372, 45 Rutland Street, Bonville be referred to confidential session at the end of the meeting as a portion of this report is confidential for the reasons set out in Section 10A (2):

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,

and in accordance with Section 10A (1) the meeting may be closed to the public

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### GM14/22 2014 LOCAL GOVERNMENT NSW CONFERENCE- VOTING DELEGATES FROM COFFS HARBOUR CITY COUNCIL

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To appoint four voting delegates to represent Coffs Harbour City Council at the 2014 Local Government NSW Annual Conference to be held in Coffs Harbour on 19-21 October 2014.

- 217 **RESOLVED** (Arkan/Degens) that Coffs Harbour City Council resolve the nomination of the Mayor, Councillor Cowling, Councillor Townley and Councillor Innes as voting delegates for the 2014 LGNSW Conference.

**CITY PLANNING DEPARTMENT REPORTS**

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**CP14/22 DEVELOPMENT APPLICATION NO. 1018/14 INSTALLATION OF  
TEMPORARY EVENTS SIGN RAILWAY OVERBRIDGE, PACIFIC  
HIGHWAY NORTH, COFFS HARBOUR**

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The purpose of this report is to present Development Application No. 1018/14 for Council's consideration, which is an application for installation of a temporary events sign on the railway overbridge at the northern entrance to Coffs Harbour, for the purpose of publicising the Rally Australia event in the Coffs Coast Region.

**218 RESOLVED** (Arkan/Innes) that:

1. Development Application No. 1018/14 for installation of temporary events sign on the Railway Overbridge, Pacific Highway North, Coffs Harbour be approved subject to the conditions in Attachment 3.
2. The Roads and Maritime Services and Australian Rail Track Corporation be advised of Council's determination.

**VOTED FOR**

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

**VOTED AGAINST**

Cr Cowling

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**CP14/23 JOINT REGIONAL PLANNING PANEL (NORTHERN REGION)  
COUNCIL MEMBERS NOMINATION**

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The purpose of the report is for Council to nominate two Council members, plus an alternate, to the Joint Regional Planning Panel (Northern Region).

**219 RESOLVED** (Rhoades/Degens) that:

Council nominate the following persons to be members of the Joint Regional Planning Panel (Northern Region):

- Mayor
- Deputy Mayor
- Councillor Arkan (alternate member)

Effective to 10 September 2016.

**AMENDMENT**

**MOVED** (Cowling/Townley) that:

Council nominate the following persons to be members of the Joint Regional Planning Panel (Northern Region):

- Mayor
- Councillor Townley
- Councillor Cowling (alternate member)

Effective to 10 September 2015.

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

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**CP14/24 JETTY4SHORES STAGE 1 - JETTY WALKWAY PROJECT  
UPDATE - ARTC LICENCE**

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To present Council with an update of progress on the Jetty4Shores Project, specifically in relation to a licence across the rail land to allow for construction of the Stage 1 – Jetty Walkway.

**220 RESOLVED** (Arkan/Innes) that Council note a licence, rather than a lease, will be issued by Australian Rail Track Corporation at a peppercorn rental across rail land to allow for the construction of the Jetty4Shores Stage 1 – Jetty Walkway.

## **CORPORATE BUSINESS DEPARTMENT REPORT**

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### **CB14/46 COFFS HARBOUR REGIONAL AIRPORT 2014 MASTER PLAN UPDATE**

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The purpose of this report is to present to Council for adoption the Coffs Harbour Regional Airport 2014 Master Plan update.

- 221 RESOLVED** (Arkan/Palmer) that Council adopt the Coffs Harbour Regional Airport 2014 Master Plan update.

#### **AMENDMENT**

**MOVED** (Townley/Palmer) that the draft Coffs Harbour Regional Airport Master Plan be placed on public exhibition for a period of six weeks.

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

## **COMMUNITY DEVELOPMENT DEPARTMENT REPORTS**

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### **CD14/13 COMMITTEE MEMBERSHIP - AYRSHIRE PARK AND MULTICULTURAL REFERENCE GROUP**

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To recommend to Council appointment of community members to facility management committees.

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

The following committee members nominations be appointed to the relevant committees:

- Ayrshire Park Management Committee – Mr Garry Murray
- Multicultural Reference Group – Mrs Merren Asquith

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### **CD14/14 POTENTIAL FOR CRUISE SHIP VISITATION TO THE REGION**

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To provide an update to Council on the status of investigations into the potential of cruise ship visitation to the region.

- 223 RESOLVED** (Degens/Arkan) that:

1. Council notes the progress to date in relation to investigations into cruise ship visitation to the region.
2. An update report be provided to Council when outcomes of the DNSW 10 Year Cruise Development Plan and the Restart NSW funding submission are finalised.

## CITY INFRASTRUCTURE SERVICES DEPARTMENT REPORTS

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### **CIS14/39 LEASE - KIOSK CONCESSION AT COFFS HARBOUR REGIONAL AIRPORT**

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Seeking authority for execution of a further lease period between Coffs Harbour City Council and Becuda Pty Limited ABN 79 003 811 569 under the Common Seal of Council for that part of the Coffs Harbour Regional Airport terminal known as the Concession (Kiosk).

**224 RESOLVED** (Innes/Palmer) that:

1. The Council, as registered proprietor of part Lot 22 in DP 812274 comprising an area of approx. 95.2 m<sup>2</sup> known as the Kiosk concession, authorise a new lease to Becuda Pty Ltd ABN 79 003 811 569 for an initial term of five years and option for a further three years and commencing from 1 September 2014.
2. The lease of part Lot 22 in DP 812274, known as the Kiosk Concession, between Coffs Harbour City Council as Lessor and Lessee be executed under Common Seal of Council.

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### **CIS14/40 ASSIGNMENT OF LEASE OF THE COFFS HARBOUR MEMORIAL SWIMMING POOL**

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Seeking consent to the assignment of the lease of the Coffs Harbour Memorial Swimming Pool.

**225 RESOLVED** (Arkan/Degens) that:

1. Council in its capacity as the Manager of the Coffs Coast State Park being the Trustee of Crown Reserve No. 1002970 consent to the assignment of the lease of the Coffs Harbour Memorial Pool from Excellence in Aquatics to Swimplex Pty Ltd (or a corporate entity underwritten by Swimplex Aquatics and having Mr Mark Anthony McLaughlin and Mr Daniel Jon Leaver as Directors).
2. Council in its capacity as the Manager of the Coffs Coast State Park being the Trustee of Crown Reserve No. 1002970 execute under the Council Seal any documents, deeds and agreements necessary to give effect to the assignment of lease of the Coffs Harbour Memorial Pool from Excellence in Aquatics to Swimplex Pty Ltd (or a corporate entity underwritten by Swimplex Aquatics and having Mr Mark Anthony McLaughlin and Mr Daniel Jon Leaver as Directors).
3. All legal fees incurred by Council as a consequence of the assignment of lease of the Coffs Harbour Memorial Pool from Excellence in Aquatics to Swimplex Pty Ltd (or a corporate entity underwritten by Swimplex Aquatics and having Mr Mark Anthony McLaughlin and Mr Daniel Jon Leaver as Directors) be paid by the assignee.

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**CIS14/41      PACIFIC HIGHWAY SAPPHIRE TO WOOLGOOLGA - SERVICE  
ROADS**

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To consider speed zone determinations from Roads and Maritime Services for the local roads associated with the Sapphire to Woolgoolga Pacific Highway Upgrade (Solitary Islands Way), and consider further recommendations in relation to the Sapphire to Woolgoolga Cycleway proposal.

**226      RESOLVED** (Sultana/Rhoades):

That Council in relation to the Pacific Highway Sapphire to Woolgoolga project:

1. Note the RMS determinations on the proposed speed zones on Solitary Island Way.
2. Note the works proposed on the Pacific Highway Sapphire to Woolgoolga project in relation the Sapphire to Arrawarra Shared Path.
3. Prepare a submission to the Roads and Maritime Services to provide commitment to part funding the construction of the shared path between Sandy Beach and the Graham Drive north interchange as part of the Highway Upgrade project or other Cycleway programs.

**AMENDMENT**

**MOVED** (Cowling) that:

Council in relation to the Pacific Highway Sapphire to Woolgoolga project:

1. That Council make a submission to Roads and Maritime Services for the proposed Solitary Island Way speed zones be 80kms/hour with the exception of the on and off ramps to be 60kms/hour.
2. Note the works proposed on the Pacific Highway Sapphire to Woolgoolga project in relation the Sapphire to Arrawarra Shared Path.
3. Prepare a submission to the Roads and Maritime Services to provide commitment to part funding the construction of the shared path between Sandy Beach and the Graham Drive north interchange as part of the Highway Upgrade project or other Cycleway programs.

**The AMENDMENT lapsed in the absence of a seconder. The MOTION on being put to the meeting was declared CARRIED.**



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**CIS14/42 TRAFFIC COMMITTEE NO. 2/2014**

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To confirm the Minutes of the Traffic Committee Meeting held electronically for the approval of the following events and temporary road closures:

**227 RESOLVED** (Arkan/Degens) that:

T.23 Howard Street, Coffs Harbour - Traffic Management Plan - Coffs Cup  
([3778094]R.503110)

That approval has been given for the temporary road closure of Howard Street, Coffs Harbour, on Thursday, 7 August 2014, between 9.00am and 6.30pm for Carlton MID 2014 Coffs Harbour Gold Cup.

The road closure will be advertised and providing no substantive objections are received, the closure will be approved, subject to the following:

- (a) A Traffic Management Plan (TMP) incorporating a current Traffic Control Plan (TCP) be submitted. The plan shall be prepared by a person holding appropriate certification issued by Roads and Maritime Services (RMS) qualified in designing or modifying traffic control plans to an accepted standard. Plans should be dated and signed by the accredited designer and also include their certificate number and expiry date.
- (b) A copy of current Public Liability Insurance/Certificate of Currency be submitted.
- (c) The organisers to liaise with affected traders and obtain traders approval.
- (d) The organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers ensuring they sign off on the Traffic Management Plan after the event.
- (e) The organisers be responsible for all costs associated with the temporary closure
- (f) The organiser submit a public transport plan to Council, prior to the event.
- (g) Confirmation that notification / have communications with all emergency services regarding the road closure.
- (h) Confirmation that they will communicate with surrounding residents.

T.24 Sawtell Chilli Festival Temporary Road Closure- Saturday 5 July 2014  
([3784068] R.501520)

That approval has been given for the temporary road closure of First Avenue, Sawtell, between 50m north of Second Avenue and Boronia Street, and Second Avenue from 30m west and 35m east of First Avenue between the hours of 6.00am and 6.00pm on Saturday, 5 July 2014.

**Cont'd**

**CIS14/42 Traffic Committee No. 2/2014 ...(Cont'd)**

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The road closure will be advertised and providing no substantive objections are received, the closure be approved subject to the following:

- (a) The organisers of the Chilli Festival liaise with affected traders and obtain traders approval.
- (b) The organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
- (c) The organisers be responsible for all costs associated with the temporary closure, including advertising.
- (d) Copy of current Public Liability Insurance be submitted.
- (e) Traffic Management Plan to be submitted for approval.
- (f) That organisers and officials liaise with the local bus company to obtain approval on routes used.

T.25 Sawtell Summer Sessions 2014 Temporary Road Closure First Avenue Sawtell ([5250575] R.501520)

That approval for the temporary road closure of First Avenue between Boronia Street and Second Avenue Sawtell between 5.00pm and 8.00pm to conduct the Sawtell Summer Sessions for markets and entertainment on the following Thursdays:

THURSDAY, 28 AUGUST 2014  
THURSDAY, 9 OCTOBER 2014  
THURSDAY, 13 NOVEMBER 2014  
THURSDAY, 11 DECEMBER 2014  
THURSDAY, 8 JANUARY 2015  
THURSDAY, 12 FEBRUARY 2015  
THURSDAY, 12 MARCH 2015

And that the road closures be advertised and providing no substantive objections are received, the closure be approved subject to the following:

1. The organisers of the markets liaise with affected traders and obtain traders approval including the local bus company.
2. The organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
3. The organisers be responsible for all costs associated with the temporary closure, including advertising.
4. Copy of current Public Liability Insurance be submitted.
5. Traffic Management Plan and RMS accredited Traffic Control Plan to be submitted for approval.
6. A temporary bus zone be installed in First Avenue north of Second Avenue as alternative to the Ex-Services Club bus zone.

**Cont'd**

**CIS14/42 Traffic Committee No. 2/2014 ...(Cont'd)**

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T.26 Fiddaman Road, Emerald Beach - Temporary Road Closure for Emerald Beach Community Fair - 25 May 2014 ([3576345]R.507240)

That the temporary road closure of Fiddaman Road, Emerald Beach, adjacent the Reserve to the start of Ocean View Crescent, from 6.00am to 4.00pm on Sunday 25 May 2014, for the purpose of conducting the Emerald Beach Community Fair, be advertised and providing no substantive objections are received, the closure be approved.

1. The organisers of the Community Fair liaise with affected traders and obtain traders approval.
2. The organisers submit a traffic control plan for approval by Council and be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
3. The organisers be responsible for all costs associated with the temporary closure and clean up, including advertising.

T.27 - Woolgoolga Community Triathlon, 28 September 2014 [5207070]

That approval be given for the temporary road closure of Beach Street, Woolgoolga between Bultitude Street and Pollack Esplanade from 5.30 am and 12 noon on Sunday, 28 September 2014.

The road closure will be advertised and providing no substantive objections are received, the closure be approved subject to the following:

- (a) A Traffic Management Plan (TMP) incorporating a current Traffic Control Plan (TCP) be submitted. The plan shall be prepared by a person holding appropriate certification issued by Roads and Maritime Services (RMS) qualified in designing or modifying traffic control plans to an accepted standard. Plans should be dated and signed by the accredited designer and also include their certificate number and expiry date.
- (b) A copy of current Public Liability Insurance/Certificate of Currency be submitted.
- (c) The organisers to liaise with affected traders and obtain traders approval.
- (d) The organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers ensuring they sign off on the Traffic Management Plan after the event.
- (e) The organisers be responsible for all costs associated with the temporary closure
- (f) The organiser submit a public transport plan to Council, prior to the event.
- (g) Confirmation that all emergency services are aware of the road closure.

**Cont'd**

**CIS14/42 Traffic Committee No. 2/2014 ...(Cont'd)**

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T.28 - Coffs Harbour Triathlon Club – Triathlon Season 2014/2015 Events  
[5235058]

That approval be given for the use of Marina Drive, Harbour Drive, Hogbin Drive, Arthur Street, and Orlando Street on Sundays every two weeks from 6:45am – 9:30am from 21 September 2014 to 3 May 2015 for the purpose of conducting the Coffs Harbour Triathlon Club events for the 2014/15 triathlon season.

- (a) A Traffic Management Plan (TMP) incorporating a current Traffic Control Plan (TCP) be submitted. The plan shall be prepared by a person holding appropriate certification issued by Roads and Maritime Services (RMS) qualified in designing or modifying traffic control plans to an accepted standard. Plans should be dated and signed by the accredited designer and also include their certificate number and expiry date.
- (b) A copy of current Public Liability Insurance/Certificate of Currency be submitted.
- (c) The organisers to liaise with affected traders and obtain traders and residents approval.
- (d) The organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers ensuring they sign off on the Traffic Management Plan after the event.
- (e) The organisers be responsible for all costs associated with the temporary closure
- (f) The organiser submit a public transport plan to Council, prior to the event.
- (g) Confirmation that all emergency services are aware of the road closure.

T.29 - First Avenue Sawtell - Temporary Road Closure -Dragons Hot Rod Display  
([5258226]R.501520)

That approval be given for the temporary road closure of First Avenue between Boronia Street and Second Avenue Sawtell on Wednesday 24 September 2014 between 4.00pm and 9.00pm for the Dragens Hot Rod Display.

The road closures will be advertised and providing no substantive objections are received, the closure be approved subject to the following:

- (a) A Traffic Management Plan (TMP) incorporating a current Traffic Control Plan (TCP) be submitted. The plan shall be prepared by a person holding appropriate certification issued by Roads and Maritime Services (RMS) qualified in designing or modifying traffic control plans to an accepted standard. Plans should be dated and signed by the accredited designer and also include their certificate number and expiry date.
- (b) A copy of current Public Liability Insurance/Certificate of Currency be submitted.
- (c) The organisers to liaise with affected traders and obtain traders and residents approval.

**Cont'd**

**CIS14/42 Traffic Committee No. 2/2014 ...(Cont'd)**

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- (d) The organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers ensuring they sign off on the Traffic Management Plan after the event.
- (e) The organisers be responsible for all costs associated with the temporary closure
- (f) The organiser submit a public transport plan to Council, prior to the event.
- (g) Confirmation that all emergency services are aware of the road closure.

T.30- Coffs Harbour Adventurethon 11-12 October 2014 [5257324]

That approval be given for the Coffs Harbour Adventurethon event on the 11 & 12 October 2014.

The approval to incorporate:

- (a) A Traffic Management Plan (TMP) incorporating a current Traffic Control Plan (TCP) be submitted. The plan shall be prepared by a person holding appropriate certification issued by Roads and Maritime Services (RMS) qualified in designing or modifying traffic control plans to an accepted standard. Plans should be dated and signed by the accredited designer and also include their certificate number and expiry date.
- (b) That the organisers and officials comply to any conditions imposed by the Road and Maritime Services and Police, and take all reasonable measures to reduce obstruction to traffic during the course of the event.
- (c) That all participants must comply with the Australian Road Rules and relevant legislation.
- (d) Confirmation that all emergency services are aware of the road closure.

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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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**QON14/2 PETER KAGEYAMA'S VISIT TO COFFS HARBOUR**

This report was noted

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**CLOSED MEETING – SECTION 10(A)**

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The Mayor requested a motion to close the meeting to consider a confidential report as outlined in the meeting agenda, the time was 6.40pm.

- 228** **MOVED** (Rhoades/Innes) that the meeting be closed to the press and public during consideration of the following items for the reasons as stated:

GM14/21 - Legal Appeal - Development Application No. 876/12 – Subdivision into One Residential Torrens Title Lot plus 13 Residential Community Title Lots and One Community Lot - Lot 19 DP 1126372, 45 Rutland Street, Bonville

This report was confidential for the reason of Section 10A(2) of the Local Government Act, 1993:

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

The motion on being put to the meeting was carried.

The press and public vacated the chamber.

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**OPEN MEETING**

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The Mayor requested an appropriate motion to enable the meeting to resolve into Open Meeting, the time being 7.56pm

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**GM14/21      LEGAL APPEAL - DEVELOPMENT APPLICATION NO. 876/12  
SUBDIVISION INTO ONE RESIDENTIAL TORRENS TITLE LOT  
PLUS 13 RESIDENTIAL COMMUNITY TITLE LOTS AND ONE  
COMMUNITY LOT - LOT 19 DP 1126372, 45 RUTLAND STREET,  
BONVILLE**

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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 a subdivision into one (1) residential torrens title lot plus 13 residential community title lots and 1 community lot at 45 Rutland St Bonville.

The General Manager notified the public that the resolution considered in the Closed Section whilst adopted is to remain confidential until such time as it is practical to release and that would be at the conclusion of the court proceedings

- 231** **RESOLVED** (Innes/Degens) to adopt the report of the Closed Meeting.

This concluded the business and the meeting closed at 7.58 pm.

Confirmed: 28 August 2014

.....  
Denise Knight  
Mayor

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**GENERAL MANAGER'S PERFORMANCE REVIEW PANEL - RESCISSION MOTION**

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**Purpose:**

Councillors Rhoades, Palmer and Innes have given notice of their intention to move:

That resolution 212 of Ordinary meeting held on 14 August 2014 regarding item MM14/4 General Manager's Performance Review Panel, and reading as follows, **be rescinded:**

**RESOLVED** (Knight) that Council nominate Councillor Cowling to participate on the review panel charged with reviewing the performance of the General Manager.

**If the above resolution is rescinded, we intend to move the following:**

**That Council nominates Councillor Palmer to participate on the review panel charged with reviewing the performance of the General Manager.**



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## 2013/2017 DELIVERY PROGRAM - SIX MONTHLY PROGRESS REPORT

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### **Purpose:**

To provide a progress report on the implementation of Council's 2013/2017 Delivery Program for the six-month period 1 January to 30 June 2014.

### **Description of Item:**

Coffs Harbour City Council began implementing its 2013/2017 Delivery Program on 1 July 2013, under the Integrated Planning and Reporting provisions (IPR) of the Local Government Act, 1993.

The Delivery Program must include a method of assessment to determine the effectiveness of Council's principal activities in achieving the objectives of the *Coffs Harbour 2030* Community Strategic Plan. Progress reports must be provided to Council at least every six months.

The *Six-Monthly Progress Report (for the period 1 January to 30 June 2014) on the Coffs Harbour City Council 2013/2017 Delivery Program* is tabled at this time. The document has been distributed to Councillors and is posted on Council's website. Once adopted, printed copies will also be available at Council's display locations.

The Six-Monthly Progress Report identifies specific achievements or challenges recorded during the reporting period and provides updates on Council's services, projects and key operational activities. The report represents an overview of the way in which Council's performance has contributed towards achieving 2030 Objectives.

It is recommended that the Six-Monthly Progress Report be adopted for public release.

### **Sustainability Assessment:**

- **Environment**

There are no environmental impacts associated with the preparation or content of this report.

- **Social**

There are no social impacts associated with the preparation or content of this report.

- **Civic Leadership**

The IPR framework enables Council to identify and respond to community aspirations and co-ordinate the provision of appropriate works and services to help achieve the city's strategic objectives. This is consistent with the *Coffs Harbour 2030* Community Strategic Plan strategy LC3.1: *Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour.*

- **Economic**

**Broader Economic Implications**

There are no broad economic impacts associated with the preparation or content of this report.

**Delivery Program/Operational Plan Implications**

The annual development and review of the Delivery Program and Operational Plan are accommodated within Council's budget structure. This expenditure is monitored through Council's monthly and quarterly budget reviews.

**Risk Analysis:**

The preparation of a six-monthly progress report is a legislative requirement. A risk analysis is not applicable in this instance.

**Consultation:**

The preparation of this report involved engagement with senior staff, managers and activity supervisors across Council.

**Related Policy and / or Precedents:**

Section 404 of the Local Government Act 1993 applies. In summary, it requires that:

- A council must have a Delivery Program, detailing the principal activities it will undertake to achieve the objectives established in the Community Strategic Plan, within the resources available under the Resourcing Strategy.
- The Delivery Program must include a method of assessment to determine the effectiveness of each principal activity detailed in the Delivery Program in achieving the objectives at which the activity is directed.
- The General Manager must ensure that progress reports are provided to the council, with respect to the principal activities detailed in the Delivery Program, at least every six months.

**Statutory Requirements:**

Not applicable to this report.

**Issues:**

The Six-Monthly Progress Report is an overview of the effectiveness of Council's principal activities in *implementing the strategies* and *achieving the objectives* of the *Coffs Harbour 2030 Community Strategic Plan*. It refers to the period 1 January to 30 June 2014.

In the 2013/2017 Delivery Program, Council's 'principal activities' are identified as 41 Services. Each Service encompasses a range of related projects and ongoing tasks. The Services are aligned with one or more of the Strategies that are set out in the *Coffs Harbour 2030 Plan*. The implementation of 2030 Strategies contributes to the achievement of the 2030 Objectives.

The IPR alignment can be viewed as:

Coffs Harbour 2030 Plan		
Theme	Delivery Program	
Objective	Objective	Operational Plan
Strategy	Strategy	Strategy
	Service	Service
	Projects (4 years)	Projects/Ongoing tasks (one year)

Council's *Performance Planning* software tracks the progress of services as well as a nominated set of reportable actions (from the full list of projects and ongoing tasks set out in Council's Operational Plan). These serve as broad indicators of the impact that Council's Delivery Program is having in responding to the Coffs Harbour 2030 Plan. The updates include 'traffic lights' which indicate whether a reportable is on track (green light), needs attention (orange light), or critical (red light).

The Six-Monthly Progress Report for the period 1 January to 30 June 2014 indicates that 39 of Council's services are on track. The remaining two services are reported as needing attention, with the following comments provided:

1. S24: Waste Services - Operational service levels have been met by contractors. Programs were generally on budget with a surplus within the Waste Service at year's end - however reserves remain low.
2. S39: Procurement - Steady progress has been achieved in the quarter. In relation to the Procurement Roadmap, the timetable is lengthening but additional tasks are found and addressed for gain along the way. An option is to extend the timeframe for the procurement roadmap and continue steady progress. Another option is to find additional resources to assist with the project. This requires an evaluation of the current position and determination of work to be undertaken and the timeframe to be completed.

The Delivery Program features three types of reportable actions within services. A *Project* is a one-off activity with a start and end date. *Business As Usual (BAU)* describes much of the day-to-day work carried out by Council; these are ongoing programs and tasks that are implemented over the course of each year. *Metric Key Performance Indicators (KPIs)* are simple numeric measures for the performance of many Council activities (eg, the number of development applications (DAs) received, or the percentage of DAs processed within a set timeframe).

During the period, progress reports were submitted for a total of 275 actions implemented by Council. The updates indicate the majority of actions are 'on track'.

The Finance Metric KPI M33.01 (Compliance with legislative requirements in relation to key dates) was recorded as Critical with the following comment provided:

*2012/13 Annual Financial Statements were not lodged until February 2014 when they had been due on 7/11/13. Inaccurate and incomplete data from the Work Order Register was the cause of the delay. The 2013/14 Work Order Register is being updated on an ongoing basis; a deadline of 31/7/14 for handover of a complete and accurate register from the Assets Team to Finance has been agreed to.*

Another 20 actions (1 x Project, 2 x BAU's, and 17 x Metrics) are recorded as Needing Attention, generally relating to ongoing resourcing issues, the need for process or data reviews, or because of delayed input from agencies outside Council.

A further 16 actions are recorded as being 'on hold' – in these cases, they may be yet to start, not active this reporting cycle, or their relevant measurement data sources are still being finalised.

### **Significant Achievements**

Council continued to deliver a full range of programs and services to the Coffs Harbour community during the reporting period. Significant achievements are detailed in the report according to 2030 Theme. They included:

1. The launch of the Coffs Harbour Economic Strategy;
2. A new traffic record at Coffs Harbour Regional Airport, with 377,397 passengers using the facility during 2013/2014;
3. Fiftieth birthday celebrations for the Coffs Harbour Library Service;
4. An Australia Day community festival event at the Botanic Gardens attended by 4,000 people;
5. A coup for Council's Sports Unit, securing the Sydney Swans for a pre-season training camp at the C.ex Coffs International Stadium;
6. Varied and successful programs of exhibitions and events at the Coffs Harbour Regional Art Gallery and the Bunker Cartoon Gallery;
7. The completion of construction works to redevelop Coffs Harbour's historic courthouse building as the city's new Museum;
8. Major community events such as the Multicultural Harmony Festival, Youth Week, and the 2014 Japanese Festival of Children's Day;
9. The awarding of funding to 18 local schools and childcare centres for environmental projects under Council's 2014 Green Schools Sustainability Grants Program;
10. The launch of a new sustainability program called 'Living Lightly' in partnership with the Coffs Regional Community Gardens;
11. The commencement of work, by Council's CityWorks division, to substantially improve traffic flow along the Pacific Highway near the Cook Drive and North Boambee Road intersections;
12. A \$310,000 program of improvements to Beach Street in Woolgoolga.
13. Construction beginning on the \$1.44 million Stage 1 of the long-awaited Jetty4Shores Plan, with work on a new carpark next to Jordan Esplanade;
14. The launch of a comprehensive community engagement process to help develop the Woolgoolga Town Centre Masterplan;
15. Significant progress on the construction of the new Skate Plaza in Brelsford Park;
16. A lighting upgrade at Sportz Central, with the installation of state-of-the-art induction lights which are brighter and more energy-efficient than the old system;
17. The public exhibition of a Draft Plan of Management that aims to make Woolgoolga Beach Reserve and Holiday Park more attractive to locals and visitors, open up more public open space and provide better community facilities.

### **Implementation Date / Priority:**

If adopted by Council, the Six-Monthly Progress Report on the 2012/2016 Delivery Program will be released immediately.

**Recommendation:**

**That Council adopt the Six-Monthly Progress Report (for the period 1 January to 30 June 2014) on the Coffs Harbour City Council 2013/2017 Delivery Program.**

As reported to Council Meeting 28 August 2014

# COFFS HARBOUR CITY COUNCIL 2013-2017 DELIVERY PROGRAM

## SIX-MONTHLY PROGRESS REPORT (for the period 1 January - 30 June 2014)



Helping to achieve the 2030 Community Vision

SIX-MONTHLY PROGRESS REPORT ON THE COFFS HARBOUR CITY COUNCIL 2013/2017 DELIVERY PROGRAM  
FOR THE PERIOD 1 JANUARY TO 30 JUNE 2014  
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SIX-MONTHLY PROGRESS REPORT ON THE COFFS HARBOUR CITY COUNCIL 2013/2017 DELIVERY PROGRAM  
FOR THE PERIOD 1 JANUARY TO 30 JUNE 2014  
HOW TO READ THE PROGRESS REPORT




The *Six-Monthly Progress Report (for the period 1 January to 30 June 2014)* on the *Coffs Harbour City Council 2013/2017 Delivery Program* is generated from Council's *Performance Planning* software package. Managers provide updates on the implementation of the 41 Services that encompass all of the projects and ongoing tasks set out in Council's Operational Plan. This report provides an overview of the progress made in each Service during the period.

The report also tracks the progress of a nominated set of reportable actions that serve as broad indicators of the impact that Council's Delivery Program is having in responding to the Coffs Harbour 2030 Plan.

The body of the Progress Report is structured to match the five 2030 Themes and their subsidiary Objectives and Strategies. Each Council action has a primary alignment with a 2030 Strategy; in many cases, an action will have an impact in implementing other 2030 Strategies as well. For brevity here, action progress reports are published according to primary 2030 alignments.

The Delivery Program features three types of reportable actions within Services. A *Project* is a one-off activity with a start and end date. *Business As Usual (BAU)* describes much of the day-to-day work carried out by Council; these are ongoing programs and tasks that are implemented over the course of each year. *Metric Key Performance Indicators (KPIs)* are simple numeric measures for the performance of many Council activities (eg, the number of Development Applications (DAs) received, or the percentage of DAs processed within a set timeframe).

In completing a progress update in *Performance Planning*, an action's responsible officer is asked to *comment* on progress made during the reporting period. The officer is also required to select a '*traffic light*' indicating the overall status of the performance measure:

-  A green light indicates that the measure is either *On Track* or achieved.
-  An amber light indicates the measure *Needs Attention*.
-  A red light indicates the activity is at risk to a *Critical* degree.

The Six-Monthly Progress Report provides an overview of Council's significant achievements within each of the 2030 Themes. The following summary is also provided for 2030 Objectives:

- A list of Council actions that help to address 2030 strategies;
- Key Performance Indicators tied to Metric measures;
- Commentary on the performance of Project and Business reportables.

It is Council's expectation that the Six-Monthly Progress Report will be principally accessed online via Council's website [www.coffsharbour.nsw.gov.au](http://www.coffsharbour.nsw.gov.au). Printed copies will also be available at Council's Administrative Centre and at the Coffs Harbour, Toormina and Woolgoolga branches of the City Library.





SIX-MONTHLY PROGRESS REPORT ON THE COFFS HARBOUR CITY COUNCIL 2013/2017 DELIVERY PROGRAM  
 FOR THE PERIOD 1 JANUARY TO 30 JUNE 2014  
 EXECUTIVE SUMMARY

The Six-Monthly Progress Report for the period 1 January to 30 June 2014 indicates that 39 of Council's Services are *On Track*. The remaining two Services are reported as *Needing Attention*, with the following comments provided:

- *S24: Waste Services: Operational service levels have been met by Contractors. Programs were generally on budget with a surplus within the Waste Service at year's end - however reserves remain low.*
- *S39: Procurement: Steady progress has been achieved in the quarter. In relation to the Procurement Roadmap, the timetable is lengthening but additional tasks are found and addressed for gain along the way. An option is to extend the timeframe for the procurement roadmap and continue steady progress. Another option is to find additional resources to assist with the project. This requires an evaluation of the current position and determination of work to be undertaken and the timeframe to be completed.*

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- Another 20 actions (1 Project, 2 BAU, and 17 Metrics) are recorded as *Needing Attention*, generally relating to ongoing resourcing issues, the need for process or data reviews, or because of delayed input from agencies outside Council.
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SIX-MONTHLY PROGRESS REPORT ON THE COFFS HARBOUR CITY COUNCIL 2013/2017 DELIVERY PROGRAM

FOR THE PERIOD 1 JANUARY TO 30 JUNE 2014

OVERVIEW - SERVICES



**S01: Arts and Culture**

Overall these areas continue to meet the needs of the community through a variety of programs and activities.

Of particular note during this reporting period is the increase in attendance levels across a range of different performance genre at the JMT.



**S02: City Image - Cleaning**

Council's day labour staff and cleaning contractors ensure that the City's high profile locations were maintained in a clean and presentable condition on a daily basis.

24 public enquires received regarding cleanliness of streets in period.

14 public enquires regarding the cleanliness of public toilets. All enquiries regarding cleanliness where resolved immediately



**S03: Community Services**

The activities within the community services team are all progressing as anticipated with the team undertaking a diverse range of activities within this period including the delivery of many signature community events and engagement initiatives.



**OVERVIEW – SERVICES** *(Continued)*



**S04: Compliance**

Pool safety inspection program in progress with Shared Pools currently being addressed - elective component of program slightly behind schedule due to resourcing issues. Pool complaints are responded to within statutory time frames.

City Planning Compliance Framework review in progress - draft due late August 2014. Development Compliance initial response times generally in accordance with established targets.



**S05: Customer Service**

Performance has been of a high standard, aided by the renovations to the Customer Service Area and change in opening hours.



**S06: Development Assessment**

The development assessment service is performing adequately, noting the increasing volume of applications being received by Council as the economic conditions continue to improve.



**OVERVIEW – SERVICES** *(Continued)*



**S07: Economic Development**

Enterprise Coffs projects are all on track and the unit is gearing up for a big 12 months of delivering the Economic Strategy Localisation and Love of our City.



**S08: Emergency Management**

LEMC meetings being held in conjunction with Bellingen Shire Council.



**S09: Environmental Management**

Notable activities during the reporting period include the following:

- Habitat corridor restoration work continues to progress well with an estimated 46 hectares of land rehabilitated through partnership works supported through the Orara and Jaligirr projects.
- The on site sewage management inspection program tracked well with an increased number of premises inspected following a reorganisation of resources and additional capacity invested into the program. 870 premises were inspected with 217 premises identified as requiring varying levels of maintenance work,
- The community sustainability and education programs engaged with over 4,600 people through Green School, Coffs Ambassador and social media programs.



OVERVIEW – SERVICES (Continued)



**S10: Event Management**

Another busy program at the C.ex International Stadium: 27 events (9 Local, 10 Regional, 3 State, 5 National) with an estimated local economic impact exceeding \$2M.

Preparations are underway for the 2014 Buskers Festival with some changes required as a result of the reduction in Council funding.



**S11: Flooding and Coastal Management**

- Consultants have completed a final draft Coastal Hazards DCP, Planning proposal on Coastal Hazards, Finding Report, Coastal Management Report Guidelines, Coastal Risk Area Planning Policy and Section-149 Notations Advice. Council has also sought legal advice on Coastal Hazards DCP , Section 149's and the planning proposal. A report to Council will be provided in September 2014
- Consultants have completed a draft Investigation and Preliminary Design of Coastal Hazard protection option for Campbells Beach.
- Coffs Harbour Boat Ramp Basin Improvement Design report was finalised by Water Technology. Geotechnical investigations have been completed for the basin extension. A consultants brief has been issued to undertake a detailed design for the boat ramp basin extension. Works will be undertaken on completion of the detail design process. Scheduled to commence September 2014.
- Coffs Creek Flood Study - 2d model Brief prepared and forwarded to selected consultants
- Boambee Newports Flood Study - Preliminary assessment of mitigation options completed. Detailed assessment of preferred options under way.
- Woolgoolga Flood Study - Consultant engaged and preliminary assessment of mitigation options undertaken.
- Park Beach Drainage augmentation - Brief prepared and forwarded to selected consultants.



**S12: Footpaths and cycleways**

New cycleway from hospital to Stadium Drive on eastern side of highway completed.





OVERVIEW – SERVICES (Continued)



**S13: Health**

Council achieved its food inspection responsibilities undertaken in partnership with the NSW Food Authority. Numerous re-inspections were undertaken with several penalty infringement notices and improvement notices being issued to a number of food business operators. Food Authority continues to divest further responsibilities upon council with Council now required to inspect all child care centres that include provision of meals and the most recent requirement being the need to conduct and educate food businesses that utilise uncooked egg products.



**S14: Sustainable Planning**

Meeting project obligations and time frames consistent with Council resolutions, NSW Planning and Environment and legislative requirements.



**S15: Library**

The library has had another busy period, not only with its regular customer service operations, but also in providing a range of public programs and events, which included; Ten Minutes a Day early literacy program, outreach storytime in the City Centre and at local festivals, beginner internet classes, e-reader/e-lending information sessions, two author talks, hosting of workshops for Coffs Harbour Writers Group, World Wide Knit in Public Day and support for the Wrap with Love Project, and an ongoing partnership with ABC OPEN.

A major anniversary event for the library took place on 15 April 2014, with the celebration of 50 years of public library services in Coffs Harbour. A special morning tea event was held at Coffs Harbour Library attended by the Mayor, State Library representative, ex-staff members and library supporters and also saw the launch of the library's '50 Years 50 Stories' website (<http://ourstorycoffslibrary.info>) - containing blog posts, oral history interviews and video.

The Library's upgraded Spydus 9 library management system (a managed service, ie via remote cloud-based server) successfully went 'live' in early January with a much improved online catalogue for customers.

Council also resolved to support the NSW Public Library Funding Campaign during the period, with the library service collecting approximately 2,000 signatures to support the state-wide campaign.



OVERVIEW – SERVICES (Continued)



**S16: Lifeguard Services**

Council's Lifeguards experienced strong patronage at all patrolled beaches undertaking 20,842 preventative actions during the patrol season (these actions taken by Lifeguards prevent an incident from occurring). 26 rescues were undertaken over the entire 12-month period being the second lowest number recorded since 1997.



**S17: Parks and Facilities**

Total number of CRs are down by 393 (from 2,109 to 1,716) or 19 % as compared to the previous year. The only activity that has increased is Law Enforcement, 150 CRs (125 CRs in 12/13). This is a direct result of our implementing of the Reflect System which assists us greatly to become more proactive with addressing defects for minor assets.

The new Friends of the Park Program is well received with numbers of groups and volunteers increasing. Botanic Garden Volunteers donated 1,240 hours in 13/14 at the cafe, herbarium and seedbank and over 2,600 hours for outdoor garden activities.



**S18: Property**

The property program encompasses the maintenance, repair, renewal and replacement of council building assets.

As part of the AM efforts building staff have commenced the condition assessment process and have also commenced periodic programmed inspection of leased premises

The Property program also oversees the leasing and licencing of Council owned and controlled properties. Satisfactory progress is being made with occupancy levels being constant and income as projected. Leasing of community facilities and buildings to community and sports organisations to June 30 2014 accounts for 22 % of the overall number of managed agreements but only 13% of rental income.

An overarching policy to guide the leasing and licencing of community buildings is being drafted.

The property program also oversees the operation of Council's 4 public swimming pools. All four public swimming pools are operating satisfactorily and lessees are largely complying with lease conditions. As previously reported Council will need to consider long term replacement and/or improvement of the Sawtell and Woolgoolga facilities as population growth and aging infrastructure compromise the current level of service provided by the facilities.



**OVERVIEW – SERVICES** *(Continued)*



**S19: Roads and Bridges**

Roads maintenance response demands have fallen due to recent dry weather which has allowed targeted maintenance to occur. Targeting has been directed at isolated areas of pavement failure that are larger than traditional areas undertaken by maintenance crews. Bridges have been inspected and maintenance programmed accordingly. Capital works on the road and bridge stack are proceeding.



**S20: Sewer**

Sewer infrastructure projects identified in the Sewerage Strategy are progressing as required



**S21: Sport**

Sports facility usage consistent with seasonal and casual bookings. No Sport Facility Plans funded or commenced in this period. C.Ex Stadium bookings have increased compared to same period last year. Stadium seating upgrade: Concept planning approved for this project (anticipated completion date for this July/August 2014).





OVERVIEW – SERVICES *(Continued)*



**S22: Stormwater**

Minor drainage works have been completed as required.  
Spagnolos Road detention basin to start in July 2014.



**S23: Tourism**

The key measure for Tourism is visitation, with current visitation up at 1.94million p.a. Key activities such as the Wotif campaign, App development, 101 Campaign, media targets, conference delivery are all performing well.



**S24: Waste Services**

Operational service levels have been met by Contractors. Programs were generally on budget with a surplus within the Waste Service at year's end - however reserves remain low.



OVERVIEW – SERVICES *(Continued)*



**S25: Water**

Water infrastructure projects identified in the Water Supply Strategy and the capital works program are progressing satisfactorily.



**S26: Airport**

Increases in Revenue and passenger numbers (growth of 5.7%) despite impacts of Brindabella Airlines closure and reduction of Tiger Airways frequency.

Non RPT revenue increased 7.9% on previous year.

Works progressed well including completion of Runway Upgrade, Terminal Upgrade and Bureau of Meteorology relocation.

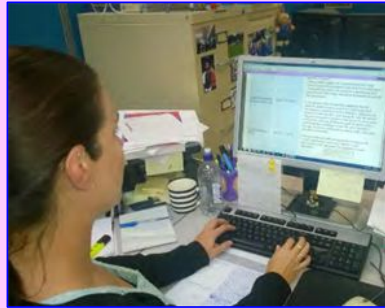


**S27: Civil Contracting**

The private works outcome for 2013/14 is acceptable at a margin achieved of 20.7% on completed works. There appears to be ongoing works for 2014/15 to sustain the operation and provide an acceptable margin.



**OVERVIEW – SERVICES (Continued)**



**S28: Corporate Information Services**

Most strategy documents underpinning this service are either underway or complete. Major achievements during this period include the commissioning of the disaster recovery site and the implementation of an online forms engine.



**S29: Corporate Planning**

All Integrated Planning and Reporting timeframes met (Delivery Program, Operational Plan, Budgets and Fees and Charges finalised 22 May 2014). Further attention needs to be given to community engagement strategies going forward following IPART's approval of only the first year of CHCC's 3-year Special Rate Variation application.

2030 Plan management and monitoring still to be finalised under new Directorate of Community Development. Work advanced on community survey needs to establish baselines for 2030 and Delivery Program indicators.

Ongoing assistance and support provided by Corporate Information Services in the development of systems to enable IPR framework.

Review ongoing of strategic indicators/performance measures, integration within framework and CHCC organisation (reinforced by T2S recommendations).

Corporate Relations Assistance provided as required.



**S30: Design**

Design and Environmental assessments completed and signed-off in accordance with works program. Major projects included Eggins Drive service relocations, Beach Street road reconstruction, Gordon Street/Harbour Drive road reconstruction, Community consultation completed for Spagnolos Road Detention Basin. Program transfer to works order system on-going.

All engineering designs required to service works program completed in accordance with agreements on timing and scheduling with Infrastructure Program Manager.



**OVERVIEW – SERVICES** *(Continued)*



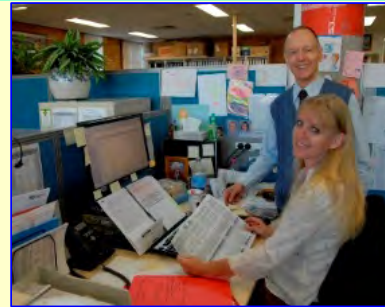
**S31: Digital e-leadership**

This Service will be strengthened by the T2S strategy through formalised project management and quality service frameworks and business process review.



**S32: Environmental Laboratory**

Successful external NATA audit; external work has increased especially with Clarence Valley Council resulting in an increase in revenue.  
 Researching increase of scope of testing to include further microbiological testing.  
 New equipment has been purchased to automate and improve turnaround times for some analyses.



**S33: Finance**

Considerable work undertaken in this quarter. Statutory requirements up to date. New General Ledger structure to commence on 1 July 14. Grants System implemented. Considerable work undertaken in readiness for year end, particularly in relation to assets.



**OVERVIEW – SERVICES** *(Continued)*



**S34: Governance**

Insurance and risk officer has had increased workload this period due to outcomes of the storm damage in late 2013. Claims in hand, though some still awaiting finalisation by insurers due to workloads of repairers.

Organisational wide Business Continuity Plan was finalised in February, with a simulation exercise being conducted involving all key stakeholders.

Two Governance and Audit Committee meetings held within this period, attended by all external members.



**S35: Holiday Parks**

The Holiday Parks continue to perform well with business levels, revenues and profits all increasing on the previous financial year.



**S36: Human Resources**

Business as Usual usual activities during the period in addition to those above - Staff Survey conducted, Leadership Team Workshop and Supervisors / Team Leaders Workshop conducted, Presence at Careers Expo, Updated Recruitment Careers Site, Rolled out online leave forms in Empower. Team supported in LGMA Management Challenge, Emerging Leaders Program 2014 launched, Alcohol and Drug (AOD) random testing in April and May.

Evaluations of 39 Positions during the period. Recruitment - 48 positions recruited in the period.





**OVERVIEW – SERVICES (Continued)**



**S37: Media**

During this period provided a range of assistance and advice regarding a number of community engagement projects such as WoolgoolgaWOW, the Woolgoolga Beach Reserve Plan of Management, sand infill issues in the Harbour and the Saltwater/Freshwater Festival.

A total of 89 media releases were issued on Council’s programmes, events, project progress and services. These were issued via Council’s corporate social media (Twitter) outlet and garnered attention from all local media outlets – TV, radio and print. Some stand-out media coverage was provided including on the NSW Blues State of Origin civic welcome which was featured on statewide TV and radio outlets as well as local media, new Oztag tournaments, the start of work on the Jetty4Shores project and the progress on the Skate Plaza.

In addition, an 800-word feature was produced for LG Focus magazine on the soon-to-be-complete \$250m Coffs Harbour Sewerage Strategy.

A series of internal communications newsletters were also produced to inform staff of the progress on the T2S strategy. Assistance was also provided in the form of flyers – at very short notice – to give the community information on bridge closures on key local roads.

A very positive review was carried out with the Mayor on media matters.

Work began on an internal communications strategy through a working group chaired by the Director Corporate Business.



**S38: Plant and Fleet Management**

The system in place for managing fleet has been complied with in the quarter. Meaningful information is produced in relation to funds available and required and vehicle and plant performance, purchase and replacement.



**S39: Procurement**

Steady progress has been achieved in the quarter.

In relation to the Procurement Roadmap, the timetable is lengthening but additional tasks are found and addressed for gain along the way.

An option is to extend the timeframe for the procurement roadmap and continue steady progress. Another option is to find additional resources to assist with the project. This requires an evaluation of the current position and determination of work to be undertaken and the timeframe to be completed.



OVERVIEW – SERVICES (Continued)



**S40: Strategic Asset Planning**

Financial statements, work orders and 'Assetmaster' issues have taken precedence.  
Work on asset management plans to continue into 2014/15.



**S41: Telemetry and Optic Fibre**

The technology group has received great results for EOY. With excellent profits and continued expansion of CHCC fibre network.



## 2030 THEME: LP LEARNING AND PROSPERING Significant Achievements

In March, Council officially launched the Coffs Harbour Economic Strategy, founded on the principle of fostering growth through localisation and love of the city. It was developed through extensive community consultation and brought together by Council's Enterprise Coffs division and Southern Cross University's Dr Grant Cairncross.

Coffs Harbour Regional Airport set a new traffic record, with 377,397 passengers using the facility during 2013/2014 (up from 356,126 the previous year).

The decision by Qantas to introduce direct jet flights from June between Melbourne and Coffs Harbour was welcomed as a massive endorsement for the Regional Airport and the city. The addition of Qantas services means that Coffs Harbour is now serviced by all of the major airlines in Australia.

Council's C.ex Coffs International Stadium continues to enable sports tourism as an important economic driver. Major fixtures secured during the period include the national Junior Oztag Championships for 2014 – 2016 and the Oztag Junior NSW State Cup for 2015-2017. Both events are expected to bring thousands of visitors to the region. The Oztag National Senior Championships will return to the Stadium for the eighth year in November 2014.

Council's tourism arm, Coffs Coast Marketing linked with Wotif – the Australian online booking giant – to run a four-month campaign promoting the region during May to August to specifically target the traditionally quieter months for the tourism industry. The campaign was assisted by NSW Government funding through the Destination NSW Regional Visitor Economy Fund.

In February, Council secured a \$1.9m loan from the NSW Government for major capital reinvestment at Park Beach Holiday Park, Sawtell Beach Holiday Park and Woolgoolga Lakeside Holiday Park.

For the second year in a row, Park Beach Holiday Park won a TripAdvisor® Certificate of Excellence award; the accolade is only given to establishments that consistently achieve outstanding traveller reviews on TripAdvisor's online network.

In May, Council's Enterprise Coffs division secured a home for its Six Degrees Co-working initiative, providing space for local entrepreneurs, home-workers and other independent operators to tap into a creative, collaborative working environment.

The successful Coffs Coast Growers Markets continued to serve as a focal attraction for the City Centre with special promotions including Healthy Kids Week and the Coffs Coast Healthy Canteen Awards.

Coffs Harbour Library:

- Celebrated its 50th birthday in May and helped to mark the occasion by launching a new website called '50 Years 50 Stories' to promote the library's history and its impact on the community.
- presented special free Storytime sessions in City Square in January as part of a popular annual City Centre holiday promotion.
- Promoted the digital delivery of services with the introduction of a 'virtual librarian' service following an upgrade to the Library Service's online catalogue. A free seminar was also run at Woolgoolga Library in March to help build awareness about hard-copy alternatives including eReaders, eBooks and tablets.
- Hosted award-winning writer, Kristina Olsson "in conversation" with ABC Open Radio as part of the Bellingen Readers and Writers Festival.
- Staged special promotions to mark Library Week, the official "Library Lovers' Day" (on Valentine's Day), Law Week and World Wide Knit in Public Day.
- Joined a statewide campaign (endorsed by Council) to secure improved NSW Government funding for local libraries





LP LEARNING AND PROSPERING

LP1 Coffs Harbour is a regional centre for future-driven, innovative and green business and industry

LP1.1 Promote opportunities around renewable energy, sustainable tourism, sustainable agriculture and fisheries, local produce, creative and clean industries



- Actions**
- Food Futures
  - Growers Market
  - Creative Industries
  - Co-working and Enterprise-Facilitation
  - Manufacturing Network
  - Health Network
  - Switched on Coffs Digital Strategy
  - Business Tourism Plan
  - Overnight Visitation.
  - Direct economic impact
  - Tourism-related jobs

**KPI Performance** **Achieved Status**

M23.02: Tourism: National Visitor Survey figures - Overnight Visitation.	1.94M	<span style="color: green;">●</span>
M23.03: Tourism: National Visitor Survey figures - direct economic impact	\$540M	<span style="color: green;">●</span>

**Progress Comments** **Status**

**B07.04: Economic Development: Report on the outcomes of the Food Futures Network** ●

Meetings have been arranged with various internal and external stakeholders in the local food industry. Discussions have commenced with NSW Trade & Investment in regards to assistance in programs to develop our value-added agriculture industry. Discussions with Northern Rivers RDA and Northern Rivers Food have provided leads and assistance to develop a program for a Local Food Forum to be run on 3 November 2014 as part of the Sustainable Living Festival to engage industry and generate working groups to follow up projects as identified in the economic Development Strategy.

**B07.05: Economic Development: Report on the management and promotion of the Growers market as an outlet for local producers to promote and develop their businesses.(Number of stallholders./ Number of attendees / Number and type of Community and Food Industry education programs impleme** ●

Coffs Coast Growers Market (CCGM) continues to attract a steady number of stall holders and a good patronage from the local community. CCGM partnered with Coffs for Kids, Mid North Coast Health District, Coffs Coast Health Club, Coffs Library, Go 4 Fun, BCU and the Cancer Council to deliver the Healthy Kids School Holidays program in the April school holidays. The event attracted around 250 children across the two days.







The Coffs Kids Chef Challenge was held again this year on Thursday 17 April in partnership with Coffs for Kids. The cook-off with three of Coffs Harbour's well know chefs and three children judges was well attended and got coverage in the Coffs Coast Advocate.

The Coffs Coast growers Market also supported multicultural cooking demonstrations at the Harmony Day festival and a number of cooking demonstrations at the Market itself.

Following on from the success of the Coffs Coast Healthy Canteen Awards held in October 2013 a healthy community breakfast was held at William Bayldon Public School in partnership with The Good Guys, Mid North Coast Local Health District and Zulu's Restaurant and Bar. The event occurred on Jamie Olivers Food Revolution Day 16 May and attracted 230 members of the school community for breakfast. The event got the front page of the Coffs Coast Advocate and succeed in securing continued sponsorship from The Good Guys for the Awards to run again in 2014. Following on from this Zulu's Restaurant and CCGM attended Mid North Coast Local Area Health Districts Canteen Forum held on 5 June to promote the use of healthy local food in school canteens and the awards for 2014.

*Continued Next Page*



Progress Comments <i>Continued</i>	Status	Progress Comments <i>Continued</i>	Status
<p><b>B07.06: Economic Development: Report on the outcomes of the Creative Industry Network (B5)</b>                      Meetings with key stakeholders to discuss options moving forward with the Creative Industries Action Plan as identified in Council's Economic Development Strategy. Met with Music Aviva, Coffs Harbour Regional Conservatorium, Coffs Harbour Music Society, Arts Mid North Coast and other internal stakeholders to explore partnership opportunities to create a more sustainable industry and strengthen relationships with complementary local and regional organisations. Working with Councils Cultural Development Officer to collaborate on projects.</p>		<p><b>B23.01: Tourism: Complete annual Business Marketing and Campaign Plan</b>                      Annual marketing plan on track - commencement of new plan (2015) will be required to start in October - Tourism Review may have some impact on how delivery or consultation of plan is developed</p>	
<p><b>B07.09: Economic Development: Report on encouragement and assistance to entrepreneurs, new industries and facilitation of existing businesses to grow through Enterprise Facilitation and co-working space. (B4)</b>                      Submission of EOI to NSW Trade and Investment.                      6 x Pop-up coworking events                      Establishment of Six Degrees Coworking space.                      To date have conducted 21 days of coworking                      9 people delivering their PITCH to 90 people                      Lightning Talks by 3 members.                      87 registered online members with 200 supporters on Facebook                      190 followers on Facebook with 86 registered members for newsletter.                      Enterprise Facilitation accessed by 9 businesses.</p>			
<p><b>B07.10: Economic Development: Report on outcomes of the local manufacturing network (Report on the number of members, meetings, etc) (B2)</b>                      This network has been dormant for a few months waiting for the Economic Strategy to be approved. The next meeting will arrange a AGM and identify actions from the Action Plan.</p>			
<p><b>B07.12: Economic Development: Report on roll-out of Health Industry Network projects. Report on projects implemented from the Industry Action Plan; Number of enquiries serviced; Number of visits to the website. (C4)</b>                      A number of activities by local organisations have worked to support the development of the sector - medical conferences, online doctor network, upgrade of medical imaging equipment, attraction of specialist.                      CoffsCoastHealth website continues to attract interest with 91% of its 3000 unique visitors being from outside Coffs Harbour.</p>			
<p><b>B07.15: Economic Development: Report on the implementation and review of the Switched on Coffs Digital Strategy (E1)</b>                      Switched on Coffs Digital Strategy continues to be the foundation for implementation of projects within Council and the wider community:                      - Digital Enterprise Program delivering group and one-on one workshops to enterprises                      - Digital Hub program delivering group and one-on-one assistance to residents                      - E-Library programs                      - Six Degrees Coworking Hub developing a focus as a Digital Hub for local entrepreneurs                      - Wi-fi in new Skate Park development                      - Digital Planning in Local Government Program                      - Free wifi across the city (60% of the city now covered)                      - Switched on Coffs TV continues to develop content and attract increasing numbers of unique online visitors</p>			
<p><i>Continued Next Column</i></p>			





LP LEARNING AND PROSPERING

- LP1 Coffs Harbour is a regional centre for future-driven, innovative and green business and industry
- LP1.2 Promote the Coffs Coast as a lifestyle location for e-workers
- LP1.3 Support innovation and leadership in sustainable business practices



- Actions**
- e-Subscribers
  - Events
  - Buskers Festival
  - Industry contribution

**KPI Performance** **Achieved Status**

M23.01: Tourism: Industry contribution (dollar value) to Coffs Coast Marketing activity 4.00

**Progress Comments** **Status**

**B07.14: Economic Development: Report on the number of E- NEWSLETTER, SOCIAL MEDIA SUBSCRIBERS**   
 Enterprise Coffs Business Enews currently has 617 subscribers and an average open rate of 25% which is slightly above the industry average. Newsletters are sent out monthly and updates sent out regularly between these. We continue to maintain a strong social media presence; Coffs Coast Life: 1453 followers; Live Love Coffs: 287 followers; Six Degrees CoWorking: 197 likes; Coffs Youth Space: 285 followers; Coffs Coast Growers Market: 2081 Coffs Coast Life (Twitter): 506 followers.

We also maintain the following additional newsletter databases: Coffs Coast Harvest - Industry Newsletter: 105 open rate 35%; Digital Enterprise Newsletter 205 open rate 45%;

**B10.01: Event Management: Reporting updated SIX-MONTHLY to record number of event days, type of events, participation numbers, spectator numbers, visitor nights and estimated economic impact**   
 Statistics for C.ex Coffs International Stadium for the January - June 2014 period :  
 Total number of event days = 43 days  
 Total number of events = 27 (9 Local, 10 Regional, 3 State, 5 National)  
 Total number of participants through the venue = 5840  
 Total number of spectators through the venue = 11460  
 Total number of visitor nights due to events held at the stadium = 37070  
 Estimated Economic Impact due to stadium events = \$2,315,250

**B10.02: Event Management: Report on development and staging of Buskers Festival**   
 Many changes have had to be made due to the reduction in funding of the festival - the event is now being held in Brelsford Park during the day. Sponsorship has fallen, possibly due to the perception that council is not supportive of the event. The event will be shorter and smaller but will go on this year.



**LP LEARNING AND PROSPERING**

**LP2 We have a strong and diverse economy**

**LP2.1 Maximise opportunities for workforce participation**

**LP2.2 Encourage the provision of facilities and services which attract, create and support career opportunities for young people**

**LP2.3 Develop and support sustainable village and rural enterprises and commercial ventures**



**Actions**

- Workforce Participation

**Progress Comments** **Status**

**B07.19: Economic Development: Report 6-monthly on Workforce Participation Statistics for LGA**



Waiting for the next report.

Data from most recent report:

- Unemployment Sep 2013: 6.7%
- Comparison Sep 2012: 5.6%
- Comparison Port Macquarie 5.6%
- Comparison National Figure 6.0%
- Participation rate Sep 2013 = 60.4%
- Comparison as at Sep 2012 = 59.2%
- Comparison Port Macquarie = 54.1%
- Comparison National Figure = 65.0%







- LP LEARNING AND PROSPERING
- LP3 Our city centre is a place where people can live, work and play
- LP3.1 Establish and maintain a balanced mix of commercial and residential opportunities
- LP3.2 Develop the city centre as a social and cultural focus for Coffs Harbour



**Actions**

- Coffs Harbour Economic Strategy
- City Centre Prosperity Plan - Infrastructure planning and design

Progress Comments	Status
<p><b>B07.02: Economic Development: Report on the delivery of projects and activities associated with the delivery of the Economic Strategy</b></p> <p>Projects identified in the strategy are being activated and those that are underway are on track and doing well.</p>	
<p><b>B30.01: Design: Report on the development and implementation of Coffs Harbour City Centre Prosperity Plan works</b></p> <p>Key City Centre Masterplan projects completed or underway are:</p> <ul style="list-style-type: none"> <li>• Castle Street car park lift project - Design, cost estimates and Development Application finalised. Lift cars procured and delivered to site. Construction work scheduled to commence late May 2014.</li> <li>• Castle Street car park roof project – Concept design and Development Application finalised. Re-design to match budget completed. Construction work scheduled to commence June 2014. Solar power options being investigated.</li> <li>• Riding Lane toilet upgrade – Upgrade options assessed and Castle Street car park amenities concept plan adopted. Development Application currently being assessed.</li> <li>• City Centre Transport plan – Workshop on City Centre Public Transport Hub and submission of draft plan to NSW Transport.</li> <li>• Coffs Harbour City Centre Place Coordinator appointed to implement community engagement initiatives and assist with project delivery.</li> <li>• City Centre Parking – Recommendations to Traffic Committee on changes to timed parking in the CBD.</li> <li>• City Centre tree pruning and solar lights installation.</li> </ul> <p>Key City Centre Marketing projects completed or underway:</p> <ul style="list-style-type: none"> <li>• City Buzz newspaper column.</li> <li>• Development of Facebook and website presence.</li> <li>• Liaison with Coffs Local Area Command on security and amenity in the CBD.</li> <li>• City Square activities/promotions:.</li> <li>• Popup shops.</li> <li>• Saturday Makers Market</li> </ul> <p>Christmas Activation – Main Street decorations and Christmas boxes. City Square Redevelopment - Design competition and Design Brief</p>	



- LP LEARNING AND PROSPERING
- LP4 We are recognised as a model of sustainable living
- LP4.1 Promote Sustainability programs and policies



**Actions**

- Corporate Sustainability Policy
- Corporate Sustainability Strategy

Progress Comments	Status
<p><b>P09.01: Environmental Management: Report on progress in developing Corporate Sustainability Policy</b>                      The Sustainability Policy was adopted by Council on 28th November 2013. This action is now completed.</p>	
<p><b>B09.02: Environmental Management: Report on Corporate Sustainability Action Plan Activities</b>                      The actions from this plan have been fully integrated into the new Sustainability Section Business Plan 2014 - 2018. A 2-day per week grant funded resource is being used to implement these actions (previously on hold due to funding considerations). The S Team has been reinvigorated and the inclusion of sustainability clauses in all Position Descriptions is under way.</p> <p>A three bin waste collection system has been introduced in Rigby House. Site visits have been undertaken to review the feasibility to introduce similar waste diversion measures throughout Council's remaining facilities.</p>	



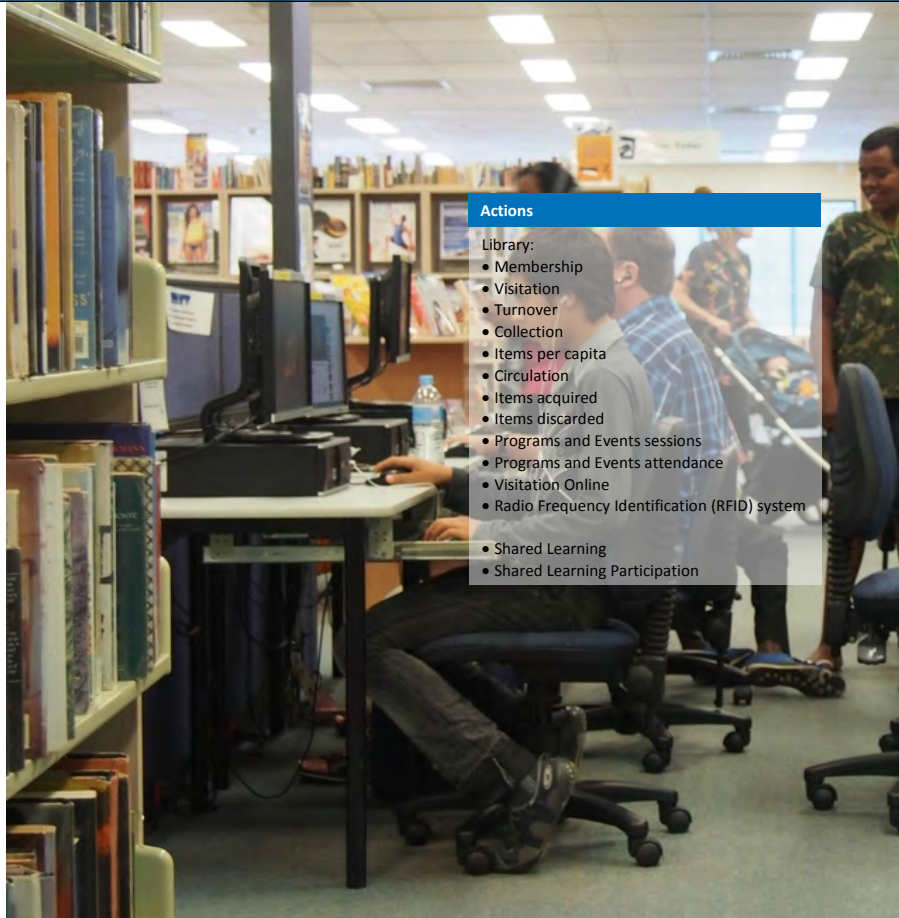


LP LEARNING AND PROSPERING

LP5 We share the aspirations, knowledge, skills and history of all in our community

LP5.1 Promote and support a culture of lifelong learning

LP5.2 Facilitate and promote shared learning across generational and cultural groups







- Actions**
- Library:
    - Membership
    - Visitation
    - Turnover
    - Collection
    - Items per capita
    - Circulation
    - Items acquired
    - Items discarded
    - Programs and Events sessions
    - Programs and Events attendance
    - Visitation Online
    - Radio Frequency Identification (RFID) system
  - Shared Learning
  - Shared Learning Participation

KPI Performance	Achieved	Status
M15.20: Library: % of members against population. (NSW benchmark is 44%)	42.00%	
<i>The library's total registered members (30,629) represents 42% of the population of the LGA. In the last six months, 1,430 new members have joined the library service. The library continues to promote its services within its allocated resources.</i>		
M15.21: Library: Visitation per capita - all branches (NSW benchmark is 4.4)	4.6	
M15.22: Library: Turnover of stock (NSW benchmark is 3.46)	4.15	
M15.23: Library: Percentage of collection purchased in last ten years (NSW benchmark is 78%)	81.00	
M15.24: Library: Items per capita (NSW benchmark is 2.2)	1.30	
<i>The library's collections are not large enough to support the population it serves, this is a result of a very limited collections budget and undersized facilities (not enough shelf space). The items per capita result of 1.3 is well below the NSW Baseline Standard of 2.2.</i>		
M15.25: Library: Circulation per capita (NSW benchmark is 5.94)	5.26	
<i>The library provided 190,656 loans during the period which calculates to a circulation per capita of 5.26, a result just below the NSW Baseline Standard of 5.94.</i>		
<i>Despite an increase in visitation and good stock turnover results, a larger and more diverse collection is needed - with ongoing promotion and improved access for the community. Additional resources are needed to achieve this. The library is planning to apply for grant funds to develop the collection further in the short term, however a severe shortage of shelf space due to current size of facilities restricts our growth. An increase in recurrent funding for collection development and a larger central library facility are urgently needed.</i>		
M15.26: Library: # of items acquired during the period	4,811	
M15.27: Library: # of items discarded during the period	9,320	
M15.31: Library: # of programs and events in period (incl. storytime)	147	
M15.32: Library: Total attendance at programs and events in period (incl. storytime)	5,543	

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KPI Performance <i>Continued</i>		Achieved	Status
M15.33: Library: Online visits to Library Website and Catalogue (Local figures only – No NSW benchmark)	72,297		
Progress Comments			Status
<b>P15.01: Library: Implement RFID system to provide for greater automation, improved stock management and self-service facilities for library customers.</b>			
Project not started during the period. Start date will be July 2014. Project still achievable within timeframe.			
<b>B03.02: Community Services: Report on the number and nature of opportunities provided to promote shared learning across generational and cultural groups</b>			
<ul style="list-style-type: none"> <li>* Community services staff are currently involved in planning for the Ageing Well Expo 2014.</li> <li>* The continued provision of a range of community service directories in both hardcopy and electronic formats. In addition the ongoing administration of the Coffs Connect website/directory.</li> <li>* The continued provision of Council's What's On Arts and Cultural Newsletter which is distributed fortnightly and provides valuable information on cultural events and opportunities.</li> <li>* Events facilitated by the team for this period including Australia Day celebrations and Multicultural Harmony day have brought together diverse cultural groups and ages to engage, share and learn.</li> </ul>			
<b>B03.03: Community Services: Report on participation trends for shared learning activities</b>			
Participation numbers at CHCC events/activities from within the community services team have remained reasonably steady with growing attendance at major events such as Harmony Day, Japanese Festival and NAIDOC week.			





**LP LEARNING AND PROSPERING**

**LP6 Our education systems link strongly to the community and business**

**LP6.1 Develop strong and effective partnerships between business, the community, educational institutions and government**

**LP6.2 Support the provision of vocational education related to future need**

**LP6.3 Increase access to educational opportunities for all**



**Actions**

- Education and Skills

**Progress Comments**

**Status**

**B07.13: Economic Development: Report on the active involvement and participation of industry and business stakeholders (Report on Education and Skills Network projects facilitated by EDU and education partners) (C3)**



Work continues with Education and Skills Group.  
Enterprise Coffs designated convenor of Education and Skills - Project Team in May.  
Discussions held with members over May and June.  
Meetings held 16 and 30 June to progress Project Team.



**2030 THEME: LC    LOOKING AFTER OUR COMMUNITY**  
**Significant Achievements**

The Summer Nights Festival continued into January as a successful attraction for young people and a showcase for popular local bands, the free events co-ordinated by Council and local youth radio CHYFM.

Council and a team of dedicated volunteers made Coffs Harbour's 2014 Australia Day celebrations a standout success. The community festival event at the Botanic Gardens included the awards presentations, family fun games, an Aussie barbecue and tasty international treats, and performances. A total of 48 people from 17 countries - including Romania, Tanzania and Russia - became Australians in the annual citizenship ceremony.

In another coup for Council's Sports Unit, the Sydney Swans held a pre-season training camp in Coffs Harbour in January at the C.ex Coffs International Stadium; the 3-day program featured an AFL Superclinic for young local players.

The Coffs Harbour Regional Gallery:

- Hosted Coffs Harbour's very first 'Grand Piano Slam' in February to showcase a new nine foot Yamaha grand piano, donated by a very generous local supporter who insists on remaining anonymous. The piano was again the highlight of a fund-raising concert in May starring international concert pianist – and Music Patron of the Gallery - Roger Woodward.
- Continued with its successful 2013/2014 program, with exhibitions including the video installation 'Prayers of a Mother' by Sydney-based artist Kate Murphy; 'The Glass Depository' by nationally-recognised artist Suzanne Archer; a 20<sup>th</sup> anniversary showing of works by the Southern Highlands Printmakers group; the freeform basketry work of Tablelands Weaver Glen Wilkinson; and feature showings from the Gallery's collection.

The busy program at the Bunker Cartoon Gallery included shows by wildlife and heritage photographer, Rog Fryer; "Funnybone" by humorist, Ed McMahon; an international showing to celebrate 2014 as Chinese Year of the Horse; works by cartoonist and painter James Brennan, award-winning illustrator and cartoonist Anton Emdin, pen and water-colourist Dave Derrett and sculptor Ed Maguire; a 'Birds in the Backyard' workshop featuring international bird expert, Professor Gisela Kaplan; and the satirical favourite, the Bald Archy 2014 exhibition.

The North Coast Botanic Garden was the venue for the ever-popular Multicultural Harmony Festival in March, with an appearance by the MOSAIC Korean Traditional Dance Group one of the highlights of the packed schedule.

A qualified electrician appointed as Council's first ever female Trades Waste Officer – Kristie McLachlan – was recognised for her pioneering career choice at the 2014 Ministers' Awards for Women in Local Government at Parliament House in Sydney.

In April, Council awarded its first round of funding through its Community Capital Infrastructure Grants Program. A total of \$100,000 was shared between six local community groups for a variety of capital projects ranging from fire sprinklers to shade sails.

Council supported a packed calendar of events for Youth Week in April, including didgeridoo workshops, barista training, art and cartooning classes, free entertainment and performances, kayaking adventures and much more.

Council's Heritage Executive Committee staged a third series of heritage lectures in April, the free, full-day program featuring expert speakers across a range of interesting and informative heritage-related topics.

'Restoring Hope' was the theme of this year's Refugee Week in June, with performances, a short film presentation and a special community evening at the Cavanbah Centre to help focus on the contribution former refugees make to our community.

In May Council adopted a public consultation strategy to find out the community perception of the need for a purpose-built performance space, central library and regional art gallery in Coffs Harbour. The strategy also aims to establish a clear understanding by the community of the financial cost of building, maintaining and running such facilities, as well as how willing ratepayers are to contribute to the construction and ongoing operational costs.

A crowd of around 4,000 took advantage of excellent weather to enjoy the 2014 Japanese Festival of Children's Day at Coffs Harbour's Botanic Garden on 4 May; highlights included the Kizuna Gold Coast Taiko drummers, karate demonstrations, the flying of 200 Koinobori carp flag, bonsai displays and an array of Japanese food.

The redevelopment of the Coffs Harbour Regional Museum – at the Old Court House in Harbour Drive – made significant progress during the period. Council launched a campaign to attract a new intake of volunteers to help with the opening and operation of the new facility in the second half of 2014.



- LC LOOKING AFTER OUR COMMUNITY
- LC1 Coffs Harbour is a strong, safe and adaptable community
- LC1.1 Build pride and identity in Coffs Harbour as a community and a place



- Actions**
- Satisfaction with cleanliness of streets
  - Satisfaction with cleanliness of public toilets
  - Community Inclusiveness and Pride
  - Customer satisfaction
  - Gardens visitor growth
  - Street tree planting
  - Civic Activities

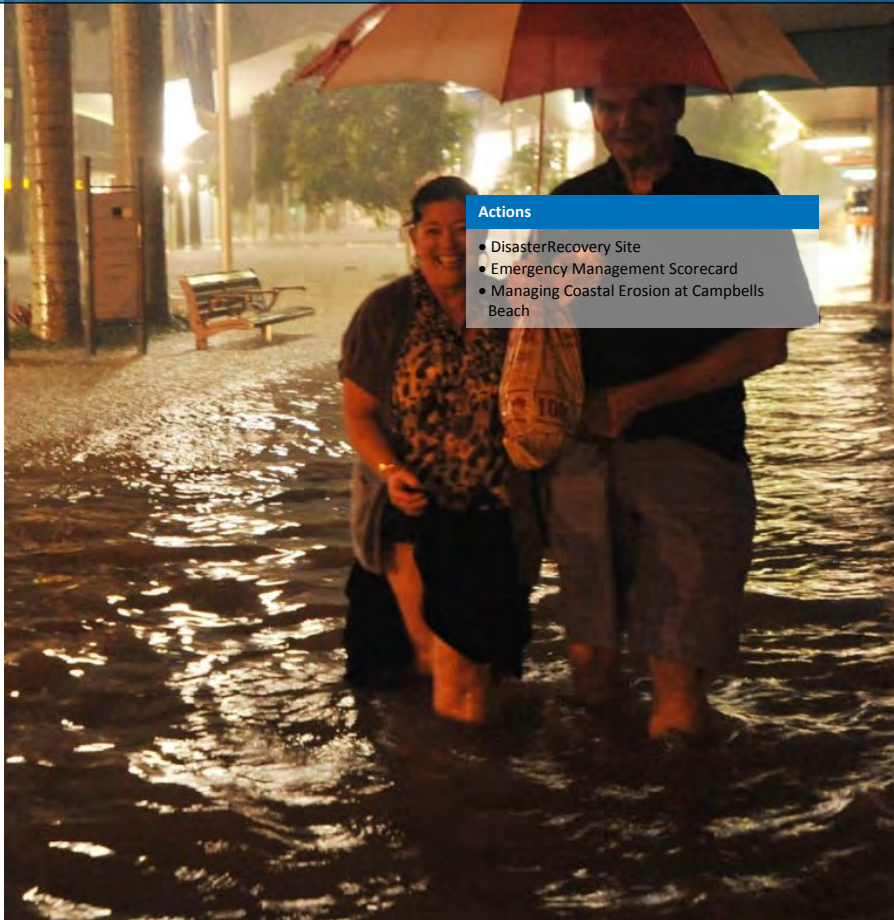
KPI Performance	Achieved	Status
M17.01: Parks and Facilities: Number of visitors to the Botanic Gardens (Annual Target 50,000)	40,985	<span style="color: green;">●</span>
M17.37: Parks and Facilities: Street tree planting schedule implemented as per annual program (90 street trees planted this period)	100%	<span style="color: green;">●</span>

Progress Comments	Status
<p><b>B02.01: City Image - Cleaning: Level of satisfaction with cleanliness of streets (Survey)</b></p> <p>Next community survey in August 2014. 2012 Community Survey showed: Satisfaction with Cleanliness of Streets: 3.67 (using a 1-5 Likert (i.e. sliding) scale, where 1 is very poor and 5 is excellent) Importance of Cleanliness of Streets: 3.9 (using a skewed 1-5 importance scale, where 1 = not important, 2 =important, 4 = very important and 5 = critical).</p>	<input type="radio"/>
<p><b>B02.02: City Image - Cleaning: level of satisfaction with cleanliness of public toilets (Survey)</b></p> <p>Next community survey in August 2014. 2012 Community Survey showed: Satisfaction with Maintenance of Public Toilets: 2.59 (using a 1-5 Likert (i.e. sliding) scale, where 1 is very poor and 5 is excellent) Importance of Maintenance of Public Toilets: 3.87 (using a skewed 1-5 importance scale, where 1 = not important, 2 =important, 4 = very important and 5 = critical)</p>	<input type="radio"/>
<p><b>B03.11: Community Services: The extent to which people feel part of the community (2030 Indicator and annual survey)</b></p> <p>On hold pending implementation of 2030 indicators survey/monitoring process (in 2014/15).</p>	<input type="radio"/>
<p><b>B17.02: Parks and Facilities: Customer satisfaction with roundabouts/reserves (Survey)</b></p> <p>Next community survey in August 2014. 2012 Customer Satisfaction Survey showed: Mean satisfaction with Parks/Reserves/Playgrounds = 3.81 Mean Importance with Parks/Reserves/Playgrounds = 3.92</p>	<span style="color: green;">●</span>
<p><b>B03.15: Community Services: Co-ordinate activities through the offices of the Mayor and General Manager to enhance civic relations (including citizenship ceremonies, Australia Day celebrations, civic receptions and Sister City functions).</b></p> <p>4 January – Pittwater to Coffs Yacht Race Civic Reception 26 January - Australia Day Citizenship Ceremony – 48 people from 17 countries 19 February – Australia Red Cross Centenary Civic Reception 16 March – Harmony Day Citizenship Ceremony – 38 people from 10 countries 15 April – Coffs Library 50th Birthday 4 May – Open Children’s Day Japanese Festival 17 June – Citizenship Ceremony – 72 people from 20 countries</p>	<span style="color: green;">●</span>






LC LOOKING AFTER OUR COMMUNITY  
 LC1 Coffs Harbour is a strong, safe and adaptable community  
 LC1.2 Develop community resilience, disaster preparedness and response mechanisms





- Actions**
- Disaster Recovery Site
  - Emergency Management Scorecard
  - Managing Coastal Erosion at Campbells Beach

**KPI Performance** Achieved Status

M08.01: Emergency Management: Aggregate of KPI % for Exercises, Plans, LEMC Meetings and Agency Participation 100% 

**Progress Comments** Status

**P28.03: Corporate Information Services: Identification and implementation of a disaster recovery site**   
 The disaster recovery site is commissioned. Minor works need to be addressed. A full test will be scheduled in August.

**P11.02: Flooding and Coastal Management: Option analysis on reducing coastal erosion hazards at Campbells Beach**   
 Royal Haskoning have completed a draft Investigation and Preliminary Design of an Option for Campbells Beach. Council undertook a 1-on-1 community engagement program to all properties within the Campbells Beach Precinct.



LC LOOKING AFTER OUR COMMUNITY  
 LC1 Coffs Harbour is a strong, safe and adaptable community  
 LC1.3 Promote a safe community



- Actions**
- Community safety
  - Rate of offences per population (Crimes against the person and Crimes against property)
  - Awning Response
  - Pool Response
  - Devt Complaint response
  - Rangers Response
  - Food Authority Standard inspections
  - Student participation
  - Patrol effectiveness
  - Compliance Response Framework

KPI Performance	Achieved	Status
M03.01: Community Services: Rate of offences per population (Police figures: thefts per 100,000 people. Last period: 3,639)	3,368	
M04.04: Compliance: Awning inspection program – % inspected against schedule (Register of awnings being compiled as planned)	50%	
M04.05: Compliance: Pool inspection program – number of inspections carried out within statutory timeframes (10 business days for requests for certificates and 72 hours for complaints)	90%	
M04.06: Compliance: Land Use compliance - % of development-related complaints responded to within 7 working days	95%	
M04.07: Compliance: Rangers compliance - aggregated KPIs: % of complaints responded to within timeframe (target 85%)	89%	
M13.16: Health: % of Premises Inspection program implemented against Food Authority Standard (Target 80%)	87%	
M16.01: Lifeguard Services: Participation of Yr4-10 students in the LGA in school beach safety programs (Target 2000 annually. Last period: 1,546).	746.00	
M16.02: Lifeguard Services: Number of drownings compared to number of preventable drownings.	0.00	

Progress Comments	Status
<b>B03.12: Community Services: Community perception of safety (2030 indicator - annual survey)</b> On hold pending implementation of 2030 indicator survey/monitoring process (in 2014/15).	
<b>P04.01: Compliance: Report on progress in the development and implementation of a cross-branch Compliance framework.</b> Report planned to be presented to Director of City Planning by 31st August 2014	





**LC LOOKING AFTER OUR COMMUNITY**  
**LC1 Coffs Harbour is a strong, safe and adaptable community**  
**LC1.4 Promote a caring, inclusive and cohesive community**






- Actions**
- Community Event Participation
  - Aboriginal Activities
  - CALD Activities
  - Community Capacity Building Programs
  - Report on operation of Coffs Connect website
  - Coffs Connect Reach
  - Coffs Connect Events
  - Coffs Connect Visitors
  - Coffs Connect Users

KPI Performance	Achieved	Status
M31.03: Digital e-leadership: Coffs Connect: % of active Community Organisations	100.00	
M31.04: Digital e-leadership: Coffs Connect: Increase in the number of community event listings for period	-23.00	
M31.05: Digital e-leadership: Coffs Connect: Number of unique visitors to site	8593.00	
M31.06: Digital e-leadership: Coffs Connect: Number of Coffs Connect users	541.00	

Progress Comments	Status
<p><b>B03.04: Community Services: Report on participation trends for community events</b></p> <p>CHCC community events occurring within this reporting period and attendance included</p> <ul style="list-style-type: none"> <li>* Youth Week held in April 2014. Council provided small grants to local organisations to host events during the week. Fourteen local organisations shared funding of \$5000 to conduct a range of activities including surf lessons, fishing workshops, barista training, didgeridoo workshops, doll making, radio broadcasts and a band night. Attendance across the week was approx 2000 young people.</li> <li>* Seniors Week- Council also provided small grants to local organisations to host events. Funding of \$5000 was shared by 12 local organisations and events included; fitness classes, kayaking, digital literacy classes, morning teas, indoor games and arts and craft activities. Attendance across the week was approx 2000 people.</li> <li>* Australia Day- again held at the Botanic Gardens consisting of Australia Day awards and entertainment, food and family friendly activities. Experienced attendance of approx 4000 people.</li> <li>* Multicultural Harmony Festival &amp; Refugee Week (details specified under our reportable on CALD programs)</li> <li>* Japanese Festival of Children's Day- had attendance of approx 5000 people with major performances from the Japanese Taiko drummers and a range of free activities available for children.</li> </ul> <p>During this period pre work was also undertaken for NAIDOC Week in early July.</p>	
<p><b>B03.08: Community Services: Details of programs which target Aboriginal communities.</b></p> <p>Preparations for NAIDOC Week (to be held 6 – 13 July 2014). Coffs Harbour City Council (and through Yandaarra Consultative Committee) continued to partner with Coffs Harbour Aboriginal Consultative Committee with planning and co-ordinating local events to promote events specifically for NAIDOC Week. Council provides assistance through financial and in kind support.</p> <p>Council had resources at other major events through involvement of Community Development Officer and Council Community assets. These included following events:</p> <ul style="list-style-type: none"> <li>•Coffs Harbour Jetty Memorial hosting the Deadly X Factor Talent Youth Competition (250 – 300 people) involved on the night.</li> </ul>	

*Continued next page.*



Progress Comments <i>Continued</i>	Status
<p><b>B03.08: Community Services: Details of programs which target Aboriginal communities (Continued).</b></p> <ul style="list-style-type: none"> <li>•Council attended the Who Ya Gunna Call Forum held at the Coffs Harbour Showground by way of partnership with CHASE Committee and MNCLHD Aboriginal Health with an estimation (1000 -1500+) in attendance. Council provided Coffs Harbour City Council and Yandaarra Aboriginal Consultative Council Grace Roberts Memorial Community Awards nights planning has commence given the event was well received and with (120) people attended at the awards night. Progress with council RAP Plan are ongoing, key milestone had occurred with initial discussion with Cultural consultants had provided advice to council that certain areas should considered.</li> </ul>	
<p><b>B03.09: Community Services: Details of programs which target Culturally &amp; Linguistically Diverse (CALD) communities. (Report details of programs provided)</b></p> <p>CALD activities for the 2013/2014 period included another successful Multicultural Harmony Festival in March which brings the whole community together to celebrate the City's growing cultural diversity. Over 4,500 people attended the events 8th year held in the Botanic Gardens. The Festival continues to grow in popularity and full fill its objective of promoting community unity, respect and harmony. Additionally the City celebrated Refugee Week in June. This initiative is a clear demonstration that the City acceptances and welcomes representatives of the refugee community. Council's Multicultural Reference Group continues to work towards the objectives of Council's 2030 Plan as its relates to multiculturalism and undertakes joint activities within the community to achieve this.</p>	
<p><b>B03.13: Community Services: Outline of details of programs for Community Capacity Building</b></p> <ul style="list-style-type: none"> <li>* In the area of Crime Prevention and in partnership with the local Liquor Accord and ETC shared funding has facilitated the installation of CCTV and additional lighting at the taxi rank outside ETC Pacific Hwy.</li> <li>* Attendance at consultation workshops with Department of Community Services and currently renegotiating and facilitating sign off of funding agreements for Community Builders subsidy funding to Council.</li> <li>* Continued support and liaison with Mid Coast Communities and the School for Social Entrepreneurs regarding the facilitation of their local social enterprise training program.</li> </ul>	
<p><b>B31.02: Digital e-leadership: Report on operation of Coffs Connect website</b></p> <p>Coffs Connect has taken another step forward with the creation of an improved events calendar component which will allow for Council and community organisations to use the calendar of events tool on their own websites. This will increase usage of the site. In the next quarter Council plans to use the Coffs Connect events calendar rather than using a separate calendar. This will make it easier for groups to promote their events as well as also keep the Coffs Connect website front and centre in the community.</p>	



- LC LOOKING AFTER OUR COMMUNITY
- LC1 Coffs Harbour is a strong, safe and adaptable community
- LC1.5 Support the vulnerable and disadvantaged
- LC1.6 Promote opportunities for all to fulfil their potential



**Progress Comments** **Status**

**B03.07: Community Services: Details of activities, projects or partnership initiatives undertaken to support the needs of the vulnerable and disadvantaged** ●

Initiatives for this period include

- \* Provision of seed funding and event support to the CEX Community Crew Sleepout held on the 26/6/14. This involved approximately 60 people from local organisations and community members participating in the sleepout. Individuals were sponsored and all funds raised went to local housing services that support those at risk of homelessness.
- \* Facilitation of local Refugee Week Activities (details reported under CALD initiatives/projects)

**B03.10: Community Services: Details of grant activity undertaken. Outcomes with grant funding secured.** ●

The community services team administers various grant programs as well as makes application to a range of grant opportunities. Activities relevant for this period include

- \* Provision of advice and support to community during the application period for the NSW Club Grants program.
- \* Preparation for the opening of the Small Arts and Cultural Grants Program.
- \* Negotiations with NSW Community Services regarding renewal of funding agreements for the Community Builders Council subsidy funding.
- \* Successful Youth Week Grant of \$1,800 from Community Services NSW
- \* Successful CDAT Grant of \$3,000 for NAIDOC week

In addition as part of this year's community information session for the Arts and Cultural Grants program staff have worked in partnership to develop a "How to get that grant" manual for provision to applicants to guide project planning and provide information on grant seeking.



- LC LOOKING AFTER OUR COMMUNITY
- LC2 We lead healthy lives
- LC2.1 Promote healthy living
- LC2.2 Seek to provide a full range of quality health care services for all



**Actions**

- Sewer - Licence compliance
- Water Quality

KPI Performance	Achieved	Status
M20.04: Sewer: % of tests complying with EPA licences	98.21%	
M25.06: Water: Percentage of tests complying with Drinking Water Quality guidelines	100%	



**LC LOOKING AFTER OUR COMMUNITY**

**LC3 We have strong civic leadership and governance**

**LC3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour**



Actions	Actions	Actions
<ul style="list-style-type: none"> <li>• Customer Satisfaction</li> <li>• Online Services</li> <li>• Commercial Asset Management</li> <li>• Airport - Non-RPT Opportunities</li> <li>• Develop Mobile Communication Strategy</li> <li>• Integrated Planning and Reporting</li> <li>• 2030 Community Indicators</li> <li>• On-line forms</li> <li>• Improved systems</li> <li>• NATA audits</li> <li>• Developer Contributions</li> <li>• Grants Management</li> <li>• Corporate Audit Schedule</li> <li>• Business Development</li> <li>• Plant Savings</li> <li>• Condition assessments</li> <li>• ECM Requests Response</li> <li>• Online transactions</li> <li>• Counter activity</li> <li>• Service requests &amp; forms lodged</li> <li>• Time in queue</li> <li>• DA processing</li> <li>• 149 Certificate applications processing</li> </ul>	<ul style="list-style-type: none"> <li>• Building certificates (formerly s172 ) processing</li> <li>• Plant supply</li> <li>• % increase in passenger traffic</li> <li>• Airport Business</li> <li>• Return on Private Works</li> <li>• Design Sign-off</li> <li>• Engineering plans</li> <li>• Laboratory budget</li> <li>• Statutory Financial reporting</li> <li>• Accounts paid</li> <li>• Outstanding Rates and Charges ratio</li> <li>• Code of conduct complaints</li> <li>• Code of conduct complaints finalisation</li> <li>• Policy adoption</li> <li>• Public Liability Claims accepted</li> <li>• Professional indemnity claims</li> <li>• Motor vehicle claims accepted</li> <li>• Property claims accepted</li> <li>• Holiday Parks Revenue</li> <li>• Growth in business levels</li> <li>• Business Operations Trading Profit</li> <li>• Workcover deadlines</li> <li>• Superannuation compliance</li> </ul>	<ul style="list-style-type: none"> <li>• Induction</li> <li>• Staff Certification</li> <li>• Subscriber Change</li> <li>• Social Media Subscriber Change</li> <li>• Web visit change</li> <li>• Preferred Suppliers</li> <li>• Supplier Rationalisation</li> <li>• Procurement Savings</li> <li>• Work Order Register</li> <li>• Telemetry/Telecommunications revenue and productivity savings</li> <li>• E-PLANNING</li> <li>• GIS Strategy</li> <li>• External Web Based Mapping</li> <li>• Implement Enterprise Search</li> <li>• Records Management Strategy</li> <li>• Property and Rating System Upgrade</li> <li>• CIS Strategy</li> <li>• Asset Management Solution</li> <li>• Develop Open Data Strategy</li> <li>• Spatially Enable Documents Strategy</li> <li>• Develop Process Automation</li> <li>• General Ledger re-structure</li> <li>• Procurement Roadmap</li> </ul>

KPI Performance	Achieved	Status
M05.01: Customer Service: Average response times (against timeframe) to Customer Requests in Electronic Content Management system (1829 of 1864 completed Customer Requests were completed in the specified time.)	98%	
M05.02: Customer Service: % of payment of transactions through an online channel (to total transactions)	86%	
M05.03: Customer Service: Cost per counter transaction (Service requests, form lodgement, payments and enquiries) - Data source review underway - measure to be reported on in 2014/15 Financial Year.	-	
M05.09: Customer Service: % of service requests and forms lodged through an online channel (to total) Response: 304 requests for building plans and sewer diagrams these were all completed within the required time frame.	100%	
M05.10: Customer Service: Average time in queue before call answered is less than 10 seconds. Response: 16,820 calls were received through Council's (02) 6648 4000. These were answered within an average time frame of 9 seconds.	100%	
M06.04: Development Assessment: % DAs processed within 40 days	77%	
M06.06: Development Assessment: % of 149 Certificate applications processed and issued within 5 days of receipt by Council	90%	
M06.07: Development Assessment: % building certificates (formerly s172 ) processed within 21 days	90%	
M17.09: Parks and Facilities: % saving on plants supplied to Council	10%	
M26.01: Airport: % increase in passenger traffic	5.7%	
M26.04: Airport: Profitability achieved in accordance with Forward Financial Plan	100%	
M27.01: Civil Contracting: Achieve a gross margin of 15% on all private works.	20.7%	
M30.01: Design: Sign-off for Design projects (in Job Tracking system) checked against Environmental assessment; Community consultation; Cost/budget assessment	100%	
M30.02: Design: % compliance in delivery of engineering plans to service works program	100%	
M32.01: Environmental Laboratory: % profit relative to turnover	22%	

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KPI Performance <i>Continued</i>	Achieved	Status
M33.01: Finance: Compliance with legislative requirements in relation to key dates <i>2012/13 Annual Financial Statements were not lodged until February 2014 when they had been due on 7/11/13. Inaccurate &amp; incomplete data from the Work Order Register was the cause of the delay.</i>	0.00	
M33.09: Finance: Creditor accounts paid within business terms	100%	
M33.13: Finance: Outstanding Rates and Charges ratio (Annual only) Target <7% Achieved 6.3%	100%	
M34.01: Governance: Number of code of conduct complaints received in period <i>One Code of Conduct complaint received in period.</i>	1	
M34.02: Governance: Number of code of conduct complaints finalised in period	1	
M34.03: Governance: Number of policies adopted	6	
M34.09: Governance: Number of Public Liability Claims accepted in period	40	
M34.10: Governance: Number of professional indemnity claims accepted in period	2	
M34.11: Governance: Number of motor vehicle claims accepted in period	22	
M34.12: Governance: Number of property claims accepted in period	7	
M35.02: Holiday Parks: Percentage Increase in Holiday Parks Revenue relative to previous financial year (target 5%)	8.3%	
M35.03: Holiday Parks: Percentage increase on room nights sold across all products (Target 1%)	7.1%	
M35.06: Holiday Parks: Trading Profit percentage achieved across holiday park operations (Target 28%)	30.2%	
M36.02: Human Resources: % of workers compensation deadlines for reportable incidents achieved (Target 100 %)	100%	
M36.05: Human Resources: # of fines due to superannuation legislation breaches (No fines incurred.)	100%	
M36.08: Human Resources: 100% of staff inducted according to the organisation's ethical standards and legislative requirements.	100%	
M36.09: Human Resources: Ensure the provision of certification programs to enable staff to carry out their tasks. (Staff Certification are current in 90% of cases)	100%	
M37.01: Media: % Change in online newsletter subscribers (7,037 CHCC Newsletter subscribers)	12.55%	
M37.02: Media: % Change in social media subscribers	23%	
<i>Continued Next Column</i>		

KPI Performance <i>Continued</i>	Achieved	Status
M37.05: Media: % Change in Website visitation (84,328 unique visitors to Council's website)	1.6%	
M39.09: Procurement: % of suppliers in Preferred Supplier Arrangements to total suppliers (Target 100%) <i>The current percentage of active suppliers in Preferred Supplier Arrangements is approximately 12%. We are still working on improving the reporting available for procurement and in particular Preferred Suppliers. We expect this percentage to improve in the next period when we undertake a data cleanse and deactivate creditors that are no longer required in the system.</i>	20%	
M39.10: Procurement: % of suppliers responsible for 80% of spend <i>In this reporting period 8% of suppliers are responsible for 80% of Councils spend. This percentage is expected to increase in the next period after a cleanse of supplier information and improved reporting functionality for procurement which is currently being undertaken.</i>	20%	
M39.11: Procurement: Savings measure to be developed via Procurement Roadmap	90%	
M40.02: Strategic Asset Planning: Handover a complete and accurate 2013/14 Financial Year Work Order Register from City Infrastructure Services to to the Asset Accountant by no later than 31/7/14.	95%	
M40.03: Strategic Asset Planning: Handover a complete and accurate 2014/15 Financial Year Work Order Register from City Infrastructure Services to the Asset Accountant by no later than 31 May 2015.	95%	
M41.01: Telemetry and Optic Fibre: Revenue generated according to projections (Target 100%)	100%	
M41.02: Telemetry and Optic Fibre: Value of productivity savings generated	>\$1M	
Progress Comments		Status
<b>B05.01: Customer Service: Customer satisfaction (data from exit survey - counter and online transactions)</b> Negligible complaints about Customer Service Counter staff.		
<b>B05.02: Customer Service: Transfer of transactions to online platforms.</b> Customer Service undertake their role in implementing online platforms in a timely manner.		
<b>B18.02: Property: Subject to adoption of Commercial Asset Management Strategy, commence implementation</b> The 2012 report regarding CBD commercial property is being reviewed and encompassed into a broader Commercial Property Asset Management Strategy for consideration and adoption.		
<i>Continued Next Page</i>		



Progress Comments <i>Continued</i>	Status
<p><b>B26.01: Airport: Report on development of opportunities for non-RPT revenue-generation at the airport.</b></p> <p>1. Car Parks Acquisition has been completed and is operating in accordance with our expectations. Revenue to 30 June was up 7.9% on previous year.                      2. Review of airport leases ongoing.                      3. Concept for development of GA precinct in progress.</p>	
<p><b>B28.01: Corporate Information Services: Investigate new mobile technologies and implement in the field</b></p> <p>A draft Mobility Strategy has been presented to the Executive Leadership Team.</p>	
<p><b>B29.02: Corporate Planning: Ensure compliance with legislated requirements for preparation, exhibition and adoption of Integrated Planning and Reporting documents</b></p> <p>The Integrated Planning and Reporting (IPR) framework has been developed in accordance with legislated requirements that aim to make NSW councils more responsive and accountable to their local communities. The framework integrates a Community Strategic Plan with Council's Resourcing Strategy, Delivery Program and Operational Plan (annual Budget); Six-monthly and Annual Reports help in the IPR review process.                      During the period, compliance was achieved on all timeframes, with the 2014/2018 Delivery Program (incorporating Operational Plan, Budgets and Fees and Charges) adopted on 22 May.                      The IPR framework is continually under review to improve its effectiveness in co-ordinating Council's strategic and operational planning. Recommendations within the Transformation to Sustainability report target the IPR framework (particularly in regard to integration and indicators) as an area for improvement.</p>	
<p><b>B29.04: Corporate Planning: Manage the Community Indicators for the 2030 Community Strategic Plan.</b></p> <p>During the period, work advanced on preparing a platform for those 2030 Indicators requiring data from a community survey. This is expected to be finalised in early 2014/2015, using the Online Survey Panel to generate baseline data. Resourcing for the overall management of 2030 Indicators is still to be resolved via the establishment of a permanent 2030 function within the new Directorate of Community Development.</p>	
<p><b>B31.01: Digital e-leadership: Development and Implementation of on-line forms</b></p> <p>Council has successfully trialled an online forms engine. We have since extended the use of these forms to other areas beyond the trial. This online forms engine has now been incorporated into the mobility strategy.</p>	
<p><b>B32.01: Environmental Laboratory: Report on productivity increases achieved due to client numbers and equipment updates</b></p> <p>Automated system purchased for titrations that allows larger volumes to be processed in shorter times. New projects underway for CVC, private consultants and CHCC.</p>	
<p><b>B32.04: Environmental Laboratory: Report on outcome of annual customer survey</b></p> <p>Survey conducted electronically, poor response so next survey will be quite brief and mailed and emailed as a lot of clients have now stated they would prefer a mailed copy.</p>	
<p><b>B32.05: Environmental Laboratory: Report on progress of preparation and finalisation of NATA audits</b></p> <p>Very successful audit with nil outliers and only a couple of minor recommendations to address. Next Technical Audit due September 2015.</p>	









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Progress Comments <i>Continued</i>	Status
<p><b>B33.09: Finance: Manage processes related to the annual Developer Contributions Program</b></p> <p>All aspects on track. End of financial year processes underway</p>	
<p><b>B33.10: Finance: Manage the grants system processing</b></p> <p>Available grants monitored &amp; referred to appropriate staff to apply. Milestones &amp; acquittals monitored in conjunction with Responsible Officers.                      Manual Note 3 Financials spreadsheet prepared &amp; maintained                      New electronic grant system tested for previous years, responsible officers trained &amp; grants input including historical data.                      Final certificates prepared for RMS grants                      Grant Policy &amp; Procedures commenced.                      79 Grant Applications lodged this year totalling \$19,756,120</p>	
<p><b>B34.05: Governance: Audit Reports – Completed according to Corporate Audit schedule.</b></p> <p>The annual audit schedule was 90% completed whereas the progress of the remaining 10% was hindered by staff shortage and end of the financial year tasks being experienced by the auditees.</p>	
<p><b>B35.01: Holiday Parks: Implement strategies as per the Sustainable Improvement Strategies for Park Beach Holiday Park, Sawtell Beach Holiday Park, Woolgoolga Beach Holiday Park and Lakeside Caravan Park</b></p> <p>Implementation of strategies for park development has progressed at all three locations. Substantial contracts have been awarded for the installation of new villas at Park Beach and Sawtell, new villas have been installed at Lakeside and all infrastructure works have been completed with the exception of final road works (scheduled July 14). New playground is completed and operational at Park Beach and detailed plans for electrical infrastructure upgrades at Park Beach and Sawtell are ready for competitive quoting and tender as required.</p>	
<p><b>B38.01: Plant and Fleet Management: Annual comparison of internal vs external plant hire costs. Projected savings for the coming year. Actual savings for the year completed.</b></p> <p>Completed to schedule. Completed for 2012/13 by September 2013. 2013/14 will be completed by September 2014.</p>	
<p><b>B40.04: Strategic Asset Planning: Asset condition assessments carried out in accordance with programs</b></p> <p>Condition assessments for roads complete and will be ready for revaluation in 2015</p>	
<p><b>P06.01: Development Assessment: Implement an electronic system to optimise available information for DAs, progress a system to enable the lodgement and processing of applications under the E housing project.</b></p> <p>The external funding associated with this project has now ended. The services delivered under the funding, however, are subject to ongoing refinements and management.                      The main achievements for the past 6 months include:</p> <ul style="list-style-type: none"> <li>Refinement of internal processes associated with development applications. Existing corporate software has now been configured for development and modification applications to:                             <ul style="list-style-type: none"> <li>Raise and receipt applications charges against the relevant application (instead of the general ledger)</li> <li>Guide an officer through the typical application milestones</li> <li>Allow for the automatic generation of documents; and</li> <li>Record processing times for each application.</li> </ul> </li> </ul> <p>These refinements have resulted in improved document quality, the efficient generation of documents and more accurate recording and monitoring of applications.</p>	

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Progress Comments <i>Continued</i>	Status
<p><b>P06.01: Development Assessment: E-Planning</b> <i>Continued from previous page</i></p> <ul style="list-style-type: none"> <li>Electronic lodgement service for development applications. A trial has commenced with regular applicants submitting development applications for single dwellings online via Council's ePlanning portal. Once any issues raised as part of the trial have been resolved the intention is to eventually expand the service to include other application types, all potential applicants and all relevant officers.</li> </ul> <p>This provides applicants with another option to lodge an application that is convenient and accessible 24 hours per day. This service also has efficiency gains for the organisation as the software used to facilitate the lodgement process preforms tasks previously completed by officers e.g. the software registers relevant documentation to the electronic management system and assessment officers will use electronic files only.</p>	
<p><b>P28.01: Corporate Information Services: Develop GIS Strategy</b></p> <p>A draft GIS Strategy has been prepared and will be adopted in July.</p>	
<p><b>P28.02: Corporate Information Services: Development of an external web based mapping system</b></p> <p>A specification is being prepared. Pricing has been supplied for the five solutions being considered. A decision is expected early August with implementation to be complete by October.</p>	
<p><b>P28.05: Corporate Information Services: Implement a search engine across all Council's databases and data shares.</b></p> <p>Not yet commenced.</p>	
<p><b>P28.06: Corporate Information Services: Develop a records and digitisation strategy</b></p> <p>Completed 8 July 2013.</p>	
<p><b>P28.09: Corporate Information Services: Upgrade the Property and Rating system</b></p> <p>Purchase orders for project scoping and minimum upgrade charge were completed on 26/6/2014. Scoping consultant scheduled to be on site 30/7/2014.</p>	
<p><b>P28.20: Corporate Information Services: Review existing CIS Strategy and produce CIS 2014-17</b></p> <p>An initial draft of the Corporate Information Services strategy has been prepared.</p>	
<p><b>P28.21: Corporate Information Services: Investigate holistic and integrated Asset Management Solution</b></p> <p>A budget contingency has been established should Council wish to further develop or move away from its existing software. Discussions have been held with our existing supplier as to the continued suitability of the product.</p>	
<p><b>P31.01: Digital e-leadership: Develop framework for implementation of Creative Commons licencing model.</b></p> <p>An approach has been made to AusGoal to assist with this project. AusGoal will work with Council around the implementation of a copyright strategy which will incorporate Creative Commons licensing.</p>	
<p><i>Continued Next Column</i></p>	

Progress Comments <i>Continued</i>	Status
<p><b>P31.02: Digital e-leadership: Develop framework to spatially enable Councils strategy documents.</b></p> <p>Documents on the Council website can now have an x,y coordinate attached. This will allow a map to be produced with 'pins' highlighting the spatial relevance of each document. A similar concept was used in the Woolgoolga WOW engagement project.</p>	
<p><b>P31.03: Digital e-leadership: Develop a strategy for automating business processs for deployment online</b></p> <p>Work is being done on an ad-hoc nature to reform business process. However there is not a corporate approach to reviewing processes.</p>	
<p><b>P33.01: Finance: Due for implementation 1/7/14 - consideration of integration to various sub systems i.e. assets, plant, projects.</b></p> <p>32 training session held over May/June with 500+ staff. New structure has gone live 1/7/14. Numerous phone and email requests have been actioned since live date with implementation continuing with minimal disruption to day to day operation as possible. Systems administrator continuing to duplicate the old reports in new system in order of how critical it is for organisation in measuring their performance. Transition will ongoing for several months into new financial year.</p>	
<p><b>P39.01: Procurement: Development of Procurement Roadmap</b></p> <p>The procurement roadmap project is an ongoing project that continues to progress. There has been a significant emphasis on category management during this period with all categories of suppliers being allocated a priority level. Those categories considered to be a high priority due to value or nature have been analysed to obtain a greater understanding of spends that are not currently under a preferred supplier arrangement with action plans developed for our top 20 categories.</p>	

**LC LOOKING AFTER OUR COMMUNITY**  
**LC3 We have strong civic leadership and governance**  
**LC3.2 Engage the community and other levels of government in securing outcomes**



- Actions**
- Community and Agency Engagement
  - Community Partnerships
  - External Funding (Government)
  - Sustainable business
  - Event Seed Funding approvals
  - Event Seed Funding Awarded
  - State of the Environment Report
  - C. ex Coffs Stadium Seating Upgrade

**KPI Performance** **Achieved** **Status**

M10.01: Event Management: # of applications approved by the Event Seed Funding Group during period (No approvals this period - Funding at capacity for 2013/2014)	0.00	○
M10.02: Event Management: Total amount of seed funding awarded during the period. (No approvals this period - Funding at capacity for 2013/2014)	0.00	○

**Progress Comments** **Status**

**B03.05: Community Services: Nature of networks attended or facilitated by the Community Development Team** ●

Attendance at or facilitation of community networks is a major tool for the Community Services Team to share information, develop partnership projects, facilitate coordinated service delivery, identify and respond to community needs and engage with the sector and broader community. The team continues to participate in a diverse range of Council and external networks as listed in the previous reporting period. Staff are also invited to attend various consultations facilitated by other government agencies undertaking local or regional planning. For this period it included attendance at a regional workshop providing feedback on the outcomes of the MNC Ageing Strategy and local consultations on changes for services funded under the Community Builders Program.

**B03.06: Community Services: Details of participation in any relevant partnership or sector initiatives.** ●

Relevant activities for this period included  
 \* Continued support and liaison to the School for Social Entrepreneurs training program.  
 \* Collaboration with the Coffs Area Men's Alliance to deliver an event in the city centre during Men's Health Week involving free basic health screening and information provision targeting men.  
 \* Ongoing participation in the local and regional Housing Forum and support of a community sleepout event to raise funds for local housing services.

**B21.02: Sport: Report on Number of grants applied for, value and success rate** ●

1. \$25,000 was awarded from the NSW Office of Communities Sport and Recreation Facility Development Program to assist with the upgrade of court surfaces at the Woolgoolga netball facility. This work is expected to take place later in 2014.
2. An application for \$1.127 million was lodged with the Clubgrants Category 3 funding program offered by the NSW Office of Liquor, Gaming and Racing. The application was for major upgrades of playing surfaces at five community sports grounds, inclusive of the Woolgoolga netball facility. The application was unsuccessful.

*Continued Next Page*



Progress Comments <i>Continued</i>	Status
<p><b>B24.05: Waste Services: Report on Waste Management as a sustainable business operation</b></p> <p>New staffing structure has been put in place and is bedding in. Strategic projects have begun in relation to preliminary discussions for the next Regional Collection Contract, as well as audits of existing services and trials of options for consideration. Landfill options, and regional cooperative options are getting off the ground.</p>	
<p><b>P09.04: Environmental Management: Report on progress in Preparation of the State of the Environment report - Data collection and collation 2013/14/15. Data collection and report preparation 2016 for adoption in November 2016. (Working with the Regional SOER Model developed during 2011/12)</b></p> <p>No action to report at this time noting that the State of the Environment report is prepared over a four year cycle.</p>	
<p><b>P21.01: Sport: Upgrade of seating at C.ex Coffs International Stadium (dependent on funding availability).</b></p> <p>Concept planning development approved for this project. Anticipated completion date for concept plan July/August 2014</p>	

LC LOOKING AFTER OUR COMMUNITY  
 LC4 We have many opportunities to enjoy life together  
 LC4.1 Support local artistic and cultural expression



- Actions**
- Expression, Growth and Enjoyment
  - Bunker attendance
  - Museum attendance
  - JMT capacity
  - Arts & Cultural Small Grants program
  - Arts & Cultural Small Grants program

KPI Performance	Achieved	Status
M01.01: Arts and Culture: % increase in attendance at Bunker Cartoon Gallery compared to same period last year (Attendance this period: 2,973; Attendance this period last year: 2,736)	8.7%	
M01.03: Arts and Culture: % increase in attendance at Regional Museum compared to same period last year <i>The Museum has been under redevelopment throughout the reporting period. Baseline attendance figures should be available at the end of the next reporting period.</i>	-	
M01.04: Arts and Culture: Achieving 65% capacity or more in attendance for available theatre sessions during period. (10,901 patrons this period. 8,368 patrons in Jan-Jun period 2013.)	70%	
M03.02: Community Services: % change in number of A&CSGP submissions from previous year (2014/15 grant round is due to open July)	0.00	
M03.03: Community Services: % change in value of A&CSGP allocations from previous year (2014/15 grant round is due to open July)	0.00	

Progress Comments	Status
<b>B01.01: Arts and Culture: Report on number and nature of opportunities for local artistic and cultural expression. Include participation numbers.</b> For this period relevant activities include ;* The provision of continued support to the Artside the Box -Coffs Harbour Traffic Signal Box Art Project. To date 3 traffic signal boxes have been completed by local artists. * Seed funding and advice was provided to a local community group to hold a "Call of the Surf" film festival at the JMT which will coincide with a major surfing carnival being held locally later this year. Further details to be provided next period. * Local refugee week, multicultural and NAIDOC activities facilitated.	





- LC LOOKING AFTER OUR COMMUNITY
- LC4 We have many opportunities to enjoy life together
- LC4.2 Support opportunities for artistic and cultural growth and enjoyment
- LC4.3 Support activities and events that help us celebrate our diversity
- LC4.4 Develop inclusive community, sporting and recreational events and activities



**KPI Performance** **Achieved Status**

M01.02: Arts and Culture: % increase in attendance at Regional Art Gallery compared to same period last year (6,532 people attended the Gallery in this period. 3,867 recorded for Jan-Jul period 2013.)	69%	
M21.01: Sport: Sport facility - % usage against capacity	100%	

**Progress Comments** **Status**

- P01.01: Arts and Culture: Carry out detailed design and construction works to refurbish 215A Harbour Drive as a new museum**   
 This project is completed with the contractor handing over the site on 23 June 2014. Arrangements underway for opening early in 2014/15.
- B03.01: Community Services: Report on number and nature of opportunities for cultural growth and celebration. Include participation numbers.**   
 For this period relevant activities include  
 \* The community services staff have continued to undertake activities in support of our Sister City Relationship with Sasebo. Staff have undertaken planning and pre work toward preparations for the Official Visit to Sasebo due to occur on 31/8/14. Preparations have also begun for the student exchange program which will also occur in August and involve a visit from a student delegation from Sasebo to Coffs Harbour hosted by John Paul College.
- B03.14: Community Services: Outline of activities funded and/or completed from the Cultural Plan**   
 For this reporting period the following activities have been undertaken in relation to the implementation of the Cultural Plan  
 \* Council's Cultural Reference Group continues to be supported and held its second meeting.  
 \* The Coffs Harbour Movie Club is continuing and highly successful. Current membership numbers are at 377 (an additional 84 members from last period). Screenings are now held monthly with average attendance of 120 people per event.  
 \* In conjunction with Youth Week in April 2014 a partnership project with Short Sharp Digital and the Conservatorium assisted young musicians to learn to develop their own video clips. A launch event was held at Coffs Central to kick off youth week with live performances by local youth bands and screenings of their music videos.  
 \* In conjunction with the Bellingen Readers and Writers Festival skills development workshops and a performance poetry event with Scott Snedden was delivered to local schools and the broader community with excellent feedback. As a result there are plans to invite this artist back to the LGA for further activities in partnership with local organisations later in 2014.
- B15.01: Library: Participation in artistic and cultural events compared to targets**   
 During the six month period the library delivered 79 storytime sessions for children, attended by 3,144 people (of which 1,824 were children). The library also delivered 68 other programs/events activities attended by 2,252 people.



## 2030 THEME: LE    LOOKING AFTER OUR ENVIRONMENT Significant Achievements

A total of 18 local schools and childcare centres were awarded funding for environmental projects under Council's 2014 Green Schools Sustainability Grants Program. The scheme allocates grants of up to \$1,500 per school, with funding made available through Council's Environmental Levy.

In May, Council added its voice to opposition to a NSW Government proposal to allow commercial netting in some of Coffs Harbour's creeks. Council argues the proposal threatens the future of Boambee Creek, Newports Creek, Bonville Creek and Pine Creek as popular recreational waterways, important fish-breeding areas and vital habitats for many species including turtles.

The Regional Botanic Garden again played host to hundreds of students from schools as far afield as Port Macquarie and the Clarence Valley with the staging of the eighth Australian Biota Study Day series featuring experts from Taronga Zoo and the Australian Museum. Coffs Harbour and Dubbo are the only venues for the Australian Biota Study Days program outside Sydney.

In June, Council invited residents to nominate specific local trees to be included in a proposed Significant Tree Register. The register is one of the tools outlined in Coffs Harbour's recently adopted Local Environmental Plan to help manage and protect significant trees in our local government area.

Also in June Council launched a new sustainability program called 'Living Lightly'. A partnership with the Coffs Regional Community Gardens, the series of monthly workshops will help householders reduce environmental impacts through energy initiatives, reducing waste, local food production and increasing biodiversity in backyards.



**LE LOOKING AFTER OUR ENVIRONMENT**

**LE1 We share our skills and knowledge to care for the environment**

**LE1.1 Identify and promote the region's unique environmental values**

**LE1.2 Develop programs to actively engage communities on environmental issues and solutions**

**LE1.3 Promote connection to the environment through learning in the environment**



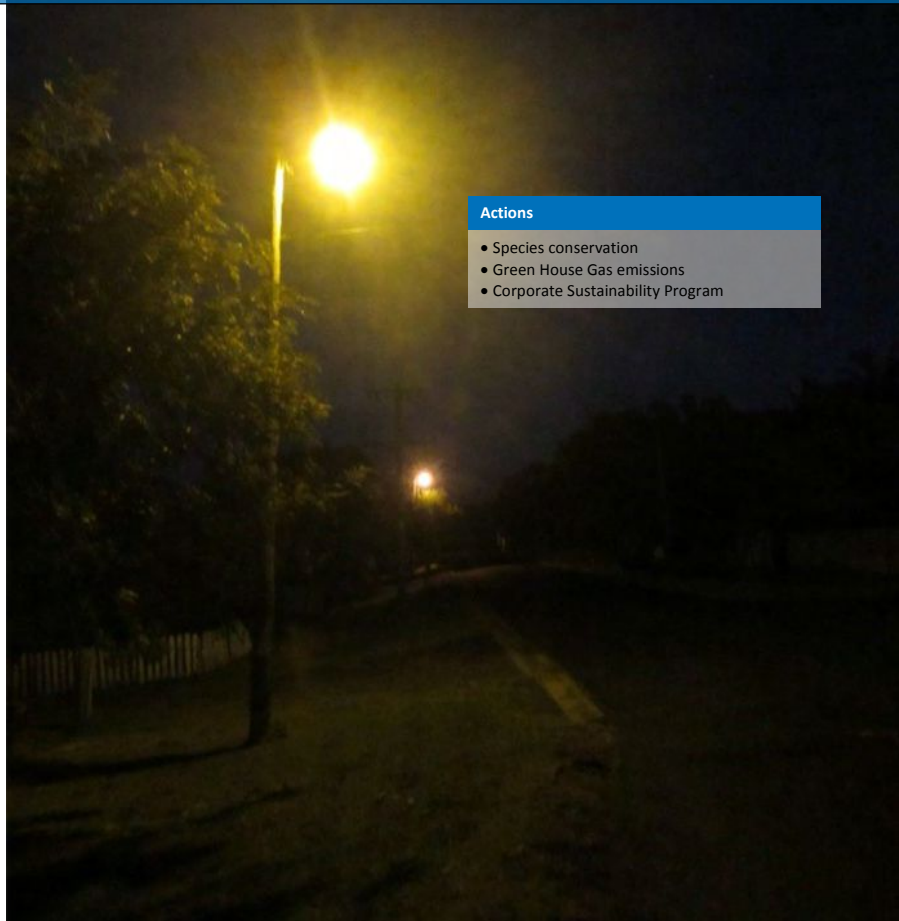
- Actions**
- Community Sustainability Education and Engagement Program
  - Gardens students
  - "Friends of Parks"
  - Volunteer hours - Botanic Gardens
  - Water consumption
  - Marketing Campaign Implementation
  - Environmental Sustainability Strategy
  - Community Sustainability

KPI Performance	Achieved	Status
M09.20: Environmental Management: Number of participants involved in sustainability education and engagement activities. (Additionally 1942 were reached through our ongoing social media educational campaigns under the banners of Our Living Coast and the Local Food Alliance.)	2,628	●
M17.03: Parks and Facilities: Number of school children utilising the Botanic Gardens for educational Experiences and participating in school programs (1,000 annually)	1,024	●
M17.19: Parks and Facilities: Number of participants actively supporting the "Friends of Parks" groups	18	●
M17.20: Parks and Facilities: Botanic Gardens - Number of volunteer hours	4,655	●
M25.01: Water: Average water consumption per property (yearly from report)	397kL	●

Progress Comments	Status
<b>B23.02: Tourism: Report on development and implementation of promotional campaigns (including media value and potential reach/audience)</b> Promotional plan and media deliver is on track. Key activity is the 2013 Wotif Campaign due for completion in August and reported in September. Media reporting is ongoing.	●
<b>P09.02: Environmental Management: Report on progress in developing Environmental Sustainability Strategy</b> The final Sustainability Section Business Plan 2014 - 2018 (previously Environmental Sustainability Strategy) has been completed. The Plan is contingent upon the availability of appropriate resourcing which will be subject to a further report to Council in the 1st quarter of 2014/2015.	●
<b>B09.03: Environmental Management: Report on sustainability education and engagement actions implemented</b> Green Schools and Ambassadors programs are progressing well, The new Living Lightly Community Sustainable Living workshop series (replacing Living Smart) was launched on June 5th for World Environment Day, as a partnership with the Regional Community Gardens. The section also were involved in the consultation and development of the new NSW state sustainability education plan, facilitating a workshop for stakeholders in Coffs Harbour.	●



**LE LOOKING AFTER OUR ENVIRONMENT**  
**LE2 We reduce our greenhouse gas emissions and adapt for climate change**  
**LE2.1 Maintain biodiversity in a changing climate**  
**LE2.2 Reduce our carbon footprint**



- Actions**
- Species conservation
  - Green House Gas emissions
  - Corporate Sustainability Program

KPI Performance	Achieved	Status
M09.06: Environmental Management: There are no species extinctions in the LGA	100%	
M09.21: Environmental Management: Council greenhouse gas emissions <i>Greenhouse gas emissions for all scopes (incl. electricity, fleet and street lighting) were approximately 10,657 tonnes CO2-e. The total GG emissions for the financial year 2013/2014 were 20,542 tonnes CO2-e. Just over 70% of the measured emissions from Council activities comes from electricity usage. Work is underway to establish a baseline figure for this measure.</i>	10,657	
M25.02: : Coffs Harbour Water: Annual Greenhouse gas emissions (from report to the Office of Water)	515	





**LE LOOKING AFTER OUR ENVIRONMENT**  
**LE3 Our natural environment and wildlife are conserved for future generations**  
**LE3.1 Manage land use to conserve the region's unique environmental and biodiversity values**



- Actions**
- Illegal clearing
  - Cautions
  - Penalty Infringement Notices
  - Corridor restoration
  - Environmental Zone Protection
  - Native Vegetation
  - Biodiversity Action Strategy 2012 - 2030

KPI Performance	Achieved	Status
M04.01: Compliance: # of illegal clearing of vegetation matters investigated	13.00	
M04.02: Compliance: Number of Cautions issued	4.00	
M04.03: Compliance: Number of Penalty Infringement Notices (PINs) issued	1.00	
M09.03: Environmental Management: Number of hectares restored within mapped corridors from 2013 baseline.	80.00	●
M09.04: Environmental Management: Area of land (hectares) protected by an environmental zone in a Local Environmental Plan. <i>A re-assessment of E2 and E3 zoned land in the Coffs Harbour LGA will be undertaken following finalisation of a new Priority Habitats and Corridors Strategy proposed for 2015. This strategy will inform a planning amendment to Local Environmental Plan 2013 to overhaul areas of high conservation value.</i>	0.00	●
M09.05: Environmental Management: No net loss of native vegetation based on 2013 baseline vegetation cover <i>This KPI is dependent on having a new up-to-date aerial photography of the entire Local Government Area to determine overall vegetation losses and gains. This will allow comparisons of the known 'vegetation footprint' flown in 2009. Council is dependent on receiving this information from the NSW governments Land and Property Information department.</i>	0.00	○
Progress Comments	Status	
<b>B09.01: Environmental Management: Report on actions within the Biodiversity Action Strategy 2012 - 2030</b> Council has continued to deliver on the key deliverables of the Coffs Harbour Biodiversity Action Strategy 2012 - 2030, in particular, the more strategic Essential Priority 1 actions. Activities for this period include the adoption of the High Value Habitats of the Coffs Harbour LGA; Commencement of the Significant Tree Survey of the LGA; Finalisation of the draft Coffs Harbour Corridors report and spatial consultation layer. Other key actions have been progressed through the Jaliigirr and Orara River Rehabilitation projects.		●



**LE LOOKING AFTER OUR ENVIRONMENT**

**LE3 Our natural environment and wildlife are conserved for future generations**

**LE3.2 Enhance protection of our catchments, waterways and marine areas**

**LE3.3 Recognise Aboriginal land and sea management practices in the development of environmental programs**



**Actions**

- Green Team involvement
- Coastal and estuary Management
- Coastal Management Planning

**KPI Performance**

**Achieved Status**

M09.01: Environmental Management: Increase Number of Aboriginal 'green teams' engaged in environmental restoration from a 2013 baseline. 2

**Progress Comments**

**Status**

**B11.01: Flooding and Coastal Management: Implement Coastal and Estuary Management Plans**

A draft Coffs Creek Coastal Zone Management Plan has been prepared and a detailed review of this plan has been undertaken  
Grant submissions have been made to implement beach scraping works at Woolgoolga Beach, Ecohealth and Arrawarra Creek Coastal Zone Management Plan

**P11.03: Flooding and Coastal Management: Develop better management tools for planning decisions**

Mike Svikius consulting (project managed by Sustainable Planning Strategic Planner) - has completed a final draft Coastal Hazards DCP, Planning proposal on Coastal Hazards, Finding Report, Coastal Management Report Guidelines, Coastal Risk Area Planning Policy and Section-149 Notations Advice.  
4 meetings have been held to discuss the direction of the above mentioned reports.  
Council has also sought legal advice on Coastal Hazards DCP, Section 149's and planning proposal  
A report to Council will be provided in August or September 2014





**LE LOOKING AFTER OUR ENVIRONMENT**

**LE3 Our natural environment and wildlife are conserved for future generations**

**LE3.4 Create environmental restoration programs through partnerships with the community**

**LE3.5 Develop and improve infrastructure to provide appropriate access to environmental experiences**



- Actions**
- Volunteer Hours - Landcare
  - Footpath work response
  - Footpath Work Orders
  - Beach accessway response
  - Beach accessway Work Orders
  - Weed notices
  - Bush Regeneration
  - Environmental Levy
  - Holiday Parks - Environmental Activities

**KPI Performance** **Achieved Status**

M09.02: Environmental Management: Number of volunteer hours spent on habitat restoration increasing 5% annually from 2013 baseline	2.00	<span style="color: green;">●</span>
M17.24: Parks and Facilities: % of requests responded to within 7 days relating to works on footpaths and boardwalks in reserves <i>There has been a further 118 defects identified through the Reflect inspections with 35 remaining to be accomplished. Only 1 of the 8 Customer Requests(CRs) is yet to be dealt with.</i>	88.00	<span style="color: yellow;">●</span>
M17.26: Parks and Facilities: % of Work Orders relating to footpaths and boardwalks completed within the period <i>With the CR's job cards and Reflect inspections 118 defects identified 36 remain unaccomplished</i>	71.00	<span style="color: yellow;">●</span>
M17.27: Parks and Facilities: % of requests responded to within 7 days relating to works on beach accessways <i>No Cr's received. Reflect inspections identified 14 defects with 5 still to be accomplished.</i>	65.00	<span style="color: yellow;">●</span>
M17.29: Parks and Facilities: % of Work Orders relating to beach accessways completed within the period <i>Reflect identified 14 defects and 5 job cards still to be completed</i>	65.00	<span style="color: yellow;">●</span>
M17.49: Parks and Facilities: Percentage change in number of weed notices issued compared to previous period. <i>Noxious Weed Notices issued for this period declined by 19. Total number issued for this period is 67. Last period 86. Noxious Weed Notices for this period declined due to unfavourable environmental conditions for certain weeds/growth, Owners/occupiers treating weeds, and being short of staff.</i>	19.00	<span style="color: yellow;">●</span>

**Progress Comments** **Status**

<b>B17.03: Parks and Facilities: Report on progress of bush regeneration program</b> Bush Regeneration program completed within budget and within timeframe	<span style="color: green;">●</span>
<b>B33.01: Finance: Manage the development and review of the annual Environmental Levy Program</b> 13/14 Funding - Monthly monitoring completed, quarterly Council report completed for March, final June reports requested from Responsible Officers. 14/15 Funding - Pre & scoring meetings held with Working Group, minutes recorded. Council report prepared with Working Group recommendations. Applicants advised in writing of their success or not. Report forms for applicants to use prepared.	<span style="color: green;">●</span>

*Continued Next Page*



Progress Comments *Continued*

Status

**B35.02: Holiday Parks: Report on implementation of environmental activities**



Roll out of environmentally beneficial business activities, products and services continues at all holiday parks. All park continue to work towards increasing Gumnut Awards (Caravan Park industry environmental awards) with Park Beach (silver), Sawtell (silver), Lakeside (silver) and Woolgoolga Beach (bronze). Eco accreditation for Sawtell and Lakeside has been put on hold until both achieve Gold Gumnut status





**LE LOOKING AFTER OUR ENVIRONMENT**

**LE4 We reduce our impact on the environment**

**LE4.1 Implement total water cycle management practices**

**LE4.2 Implement programs which aim to make the Coffs Harbour Local Government Area pollution free**

**LE4.3 Ensure the sustainable use of our natural resources**



- Actions**
- Reclaimed water consumed
  - Street Litter Complaints
  - Street Litter Collection
  - Onsite Sewage System Compliance
  - Onsite Sewage System Inspections
  - Pollution Incident response
  - Sewer Dry Weather Overflows
  - Water Abstraction compliance

KPI Performance	Achieved	Status
M20.01: Sewer: % of reclaimed water consumed against total treated ( 6-monthly) (Last period 21.18%)	25.46%	
M02.01: City Image - Cleaning: Number of complaints (Customer Requests) relating to street litter (Last period 53)	11	
M02.02: City Image - Cleaning: Volume of street litter collected (tonnes) (Last period 39)	29.20	
M09.07: Environmental Management: Percentage of inspected Onsite Sewage systems that comply (Last period 65%)	75%	
M09.08: Environmental Management: Percentage of scheduled inspections completed (Target: 100%) (Last period 88%)	100%	
M13.04: Health: % pollution incidents responded to within 2 days (Target: 100%) (Last period 78%)	81%	
<i>All but one of the 117 pollution incidents received during the quarter were of a minor nature that were subsequently prioritised and completed in due course. The one major incident noted during the period was investigated within the adopted 2 hr time frame from receipt. Total of 95 (81%) completed with the two-day timeframe.</i>		
M20.02: Sewer: Number of dry weather overflows (Last period 1)	5	
<i>The five reported dry weather sewage overflows during the period, were attributed to three incidents where fats were blocking the main, one incident of a rising main break and one incident of a pump station power outage.</i>		
M25.07: Water: % compliance with water abstraction licence conditions (Last period 100%)	100%	



- LE LOOKING AFTER OUR ENVIRONMENT
- LE4 We reduce our impact on the environment
- LE4.4 Implement programs which aim to make the Coffs Harbour LGA a zero waste community
- LE4.5 Develop renewable energy systems for the region
- LE4.6 Promote and adopt energy efficient practices and technologies across the community



KPI Performance	Achieved	Status
M24.01: Waste Services: # of warning stickers issued (Coffs Harbour)	286	
M24.02: Waste Services: Scorecard - testing against targets set by environmental protection licence	99%	●
M24.13: Waste Services: Volume of waste to landfill (tonnes) 15,682 tonnes reported in Jul-Dec	14,500	●
M24.14: Waste Services: Volume of material recovered (tonnes) 41,868.88 tonnes reported in Jul-Dec	25,250	●
M24.24: Health: Tonnage of park and street bin waste collected 231 tonnes reported in Jul-Dec	268.00	●
M24.25: Health: Tonnage of material recycled from park recycling bins. 1.7 tonnes reported in Jul-Dec	65.00	●
M09.09: Environmental Management: No net increase per capita electricity usage over baseline. <i>The Sustainability section is currently in the process of developing updated targets for energy usage. At present there is no baseline and therefore no reporting on this KPI is possible for this reporting round.</i>	-	○
M09.10: Environmental Management: Tonnes carbon abated through council initiatives <i>A system is under development as part of the Coffs Harbour Emissions Reduction Plan to ensure that this data will be available in the future to enable Council to monitor its progress in this area.</i>	-	○
M25.05: : Total operating cost per kilolitre (\$) – Water \$1.27 reported in Jul-Dec	\$1.46/kL	●



## 2030 THEME: MA MOVING AROUND Significant Achievements

Work was initiated to substantially improve traffic flow along the Pacific Highway near the Cook Drive and North Boambee Rd intersections, on the southern approach to the city. Funded by the NSW Government, the twelve-month, \$8.5 million upgrade is being undertaken by Coffs Harbour City Council's CityWorks and NSW Roads and Maritime Services.

The ongoing pressure for transport infrastructure renewal was highlighted in May when Council had to impose weight limits on Powiks Bridge on Central Bucca Road and Kelletts Bridge on Island Loop Road due to the deterioration in the condition of the two structures. Works programs have been adjusted so the two bridges can be replaced by the end of 2014.

Major upgrade works to Beach Street in Woolgoolga were undertaken during the period. The \$310,000 improvements included upgraded drainage, new kerb and guttering, road surface renewal and the construction of a shared pathway/cycleway on the south side of Beach Street.

As part of its ongoing focus on road safety Council sponsored a free workshop in March aimed at helping to keep motorcycle riders safe on Coffs Harbour roads. The program was made possible thanks to an NRMA Motoring and Services grant.

A council campaign to reduce the accident rate on a notorious stretch of Coramba Road/Orara Way west of Coffs Harbour received a significant boost with the Federal Government announcing a \$402,000 road upgrade through its national Black Spot program.





**MA MOVING AROUND**

**MA1 We have an integrated, accessible and environmentally-friendly mixed mode transport system servicing the region**

**MA1.1 Plan for new transport infrastructure**

**MA1.2 Improve the effectiveness of the existing transport system**





- Actions**
- Transport Infrastructure
  - Bitumen Seal - Asphalt Resurfacing
  - Gravel Re-Sheet
  - Rehabilitation
  - Bridges - Works
  - Airport Works
  - Transport Planning

**Progress Comments** **Status**

<p><b>B30.07: Design: Report on new transport infrastructure Design projects</b></p> <p>Focus has been on development of plans for Coffs Harbour CBD Transport hub. Consultation and design workshops have been held with stakeholder groups. Coordination with CBD Masterplan Committee on-going. Concept design and estimates for \$860,000 grant submission to be completed 31 July 2014.</p>	
<p><b>B19.01: Roads and Bridges: Report on implementation of Bitumen Seal - Asphalt Resurfacing program in period</b></p> <p>Works completed</p>	
<p><b>B19.02: Roads and Bridges: Report on implementation of Gravel Re-sheet program in period</b></p> <p>Works completed within budget.</p>	
<p><b>B19.03: Roads and Bridges: Report on implementation of Rehabilitation program in period</b></p> <p>Works completed.</p>	
<p><b>B19.04: Roads and Bridges: Complete planned bridge works for the year.</b></p> <p>1) Reconstruction of Secombs Bridge on the Dairyville Road Upper Orara. Secombs is a three span , single lane timber bridge. Secombs bridge connects the western Dairyville properties to the Orara valley it also serves as an alternate route for the Eastern Dorrigo Plateau. No issue encountered.</p> <p>2) Reconstruction of Davies Bridge on Upper Bobo Road Eastern Dorrigo. Davies is a four span , single lane timber bridge. Davies bridge provides the only all-weather access to Eastern Dorrigo Way for southern residents of Upper Bobo Road. Difficulty was encountered with driving the timber piles due to variations in bedrock depth.</p> <p>3) James Small Drive footbridge Korora. Located on James Small Drive it is a fibreglass and steel structure providing access pedestrians including school children using James Small Drive. No difficulties on-site contact with community very encouraging as all responded with appreciation to the footbridge replacement.</p> <p>4) Replacement of the timber deck on the Bobo Bridge, Lower Bobo Road Eastern Dorrigo. Bobo bridge provides access for the Eastern Dorrigo communities. No difficulties where encountered with the re-decking of the Bobo Bridge.</p> <p>5) Cathodic protection of Harry Jenson Bridge on Hogbin Drive Coffs Harbour. Program was implemented to reduce the risk associated with concrete in aggressive location by reducing corrosion of the concrete reinforcement. Difficulties encountered with the electricity service were resolved through consultation.</p>	

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Progress Comments <i>Continued</i>	Status
<p><b>B26.02: Airport: Report on progress of airport works</b> Airport Rescue &amp; Firefighting project has commenced and should be operational by January 2015. Runway Upgrade completed. Terminal Upgrade completed.. Eagle Copters development in final design stage. Earthworks for stage one should commence by end of July. Bureau of Meteorology relocation project completed.</p>	
<p><b>B30.10: Design: Implement Transport Working Group Action Plan</b> Coffs Harbour Liquor Accord CCTV project progressed for Pacific Highway facilities. Coffs Cup transport management plan completed.</p>	

**MA MOVING AROUND**

**MA1 We have an integrated, accessible and environmentally-friendly mixed mode transport system servicing the region**

**MA1.3 Promote increased public transport, pedestrian and cycle usage and reduced car usage**

**MA1.4 Integrate cycle way and footpath networks including linking schools, shops and public transport**



- Actions**
- Roads and Bridges - Pavement standard
  - Public Transport
  - Footpaths - Works Program
  - Sustainable Planning - Cycle way / Footpath provisions
  - Pacific Highway Cycleway South
  - Bonville School

**KPI Performance** Achieved Status

M19.02: Roads and Bridges: Report % of pavement with defects identified against the total pavement (Last period 5.5%) 3.6%

**Progress Comments** Status

**B30.08: Design: Implement recommendations of Public Transport Working Group**   
 Regular meeting held to discuss issues. Minor changes to infrastructure implemented or programmed in accordance with budget. Liaison and consultation in relation to Coffs Harbour CBD Transport Hub completed.

**B12.01: Footpaths and cycleways: Prepare and implement works program for footpaths, cycleways and bus shelters**   
 Cycleway works to the Cunningham's to Stadium Drive segment, have been undertaken, completing a missing link. Planning is currently being undertaken for the replacement of numerous bus shelters to a new standard of Bus Shelter within the 14/15 Financial Year. The bus interchange works have been completed at East Bonville Road, enabling safer transfer of students between buses. Pedestrian Fencing works have been undertaken at Woolgoolga High School, assisting with the safety of students at the bus bay. Pedestrian access improvement works have been undertaken at the intersections of Mastracolas and Arthur Streets with the Pacific Highway as well as at Bray Street Pedestrian Crossing. Major repairs have been undertaken to both the footpath and cycleway networks.

**B14.07: Sustainable Planning: Report on the integration of cycle way and footpath networks in Sustainable Planning projects**   
 All relevant Sustainable Planning projects (rezoning of land and Development Control Plans preparation for residential precincts) integrate cycle ways and footpath networks to an appropriate standard to service and facilitate access for the community.

**P12.02: Footpaths and cycleways: Hospital South to Stadium Drive (grant funded)**   
 Grant funded works completed by 30th June 2014. Project requires final restoration & audit by RMS. Project is on track for final completion by the 1st August 2014.

**P12.03: Footpaths and cycleways: Bonville School (RMS funded)**   
 All works at the Bonville School Bus interchange have been undertaken to minimise disruption to School activities, The concrete footpath and Kerb and channel were constructed during the end of term 1 school break whilst the pavement upgrade was undertaken during the Term 2 school break. Preparations are under way to apply the final asphalt wearing surface expected to be complete by end July 2014





**MA MOVING AROUND**

**MA2 We have a system of well-maintained and safe roads for all users**

**MA2.1 Ensure adequate maintenance and renewal of roads, footpaths and cycleways**

**MA2.2 Facilitate safe traffic, bicycle and pedestrian movement**

**MA2.3 Reduce the impact of the highway on our community**



- Actions**
- Footpath / Cycleway Pavement standard
  - Roads and Bridges - Maintenance Program
  - Traffic Committee
  - Road Safety

**KPI Performance** **Achieved Status**

M12.01: Footpaths and cycleways: Report % of pavement with defects identified against the total pavement (Last period: 2.9%)	2.9%	
M19.01: Roads and Bridges: Report % complete of annual routine maintenance program	100%	

**Progress Comments** **Status**

- B30.09: Design: Implement Traffic Committee Recommendations**
- Traffic Committee recommendations implemented or programmed depending on works required and funding arrangements.
- B30.11: Design: Implement Road Safety Strategic Plan using current Safe Systems methodology**
- Nightrider service ran on Saturdays from Coffs Harbour to Woolgoolga from Easter Saturday to the June long weekend. Courtesy Buses were also promoted from licensed venues, and Plan B resources were distributed.
  - Coffs Harbour hosted the inflatable "Fatality Free Friday" car in City Square. Members of the public were asked to promise to drive safely on Friday 30 May and sign the car.
  - The Slow Down program focussed on crash zones in Coramba Road: media; courtesy speed checks and police enforcement
  - Child restraint workshops held in Coffs Harbour Pre-school; vouchers distributed to parents for free child restraint check
  - New speed zone installed in Butlers Road and Bucca Road.
  - Development of new road safety component for RRISK program
  - Traffic management planning with local schools
  - Installation of pedestrian fence in Woolgoolga High bus bay and re-organisation of buses to improve safety. (RMS Safety Around Schools funding)
  - Pedestrian Safety talk to "Stepping On" program (seniors)



**MA MOVING AROUND**

**MA3 We have developed integrated regional freight hubs**

**MA3.1 Increase rail freight services**

**MA3.2 Examine opportunities for the integration of road and rail freight services**

**MA3.3 Develop maritime freight transport opportunities**



**Actions**

- Traffic Committee
- Road Safety

No reporting necessary for this 2030 Objective

Activities reported elsewhere in the Moving Around theme capture Council's role as Advocate in helping to achieve this 2030 objective.



## 2030 THEME: PL PLACES FOR LIVING Significant Achievements

After completing an intensive community consultation process, Council applied to the Independent Pricing and Regulatory Tribunal (IPART) for a three-year, staged rate rise to meet a funding shortfall for infrastructure maintenance and renewal. IPART's decision to approve the rate rise for only 2014/2015 means Council will have to again review its level of services into the future.

Construction began in June on Stage 1 of the long-awaited Jetty4Shores Plan, with work on a new carpark next to Jordan Esplanade. The \$1.44M Stage 1 also includes the Jetty4Shores Walkway, incorporating a four-metre wide walkway, new lighting and landscaping, as well as decorative elements including artworks, seating and signage.

In February, Council launched a comprehensive community engagement process to help develop the Woolgoolga Town Centre Masterplan. The ongoing consultation has included a Community Vision Night, a Business Confidence Survey and an interactive WoolgoolgaWow website to help locals have a strong say in the future of their town.

Construction of the new Skate Plaza in Brelsford Park progressed significantly, including the completion of a skate bowl to rival some of the best in the country. The Skate Plaza and Community Space development is on track to be officially opened by the end of July.

During the period, Council secured a \$1.9m grant from the NSW Government to assist with the construction of the Spagnolos Road flood detention basin as part of the city's ten-year Flood Mitigation Program. The detention basins work by capturing the water runoff created during a storm event and then releasing it slowly into the watercourse so it reduces the impact of the deluge downstream.

A lighting upgrade was carried out at Sportz Central, with the installation of state-of-the-art induction lights which are brighter and more energy-efficient than the old system. A total of 148 induction lights have been set up over the four main basketball courts. With a life span of up to 20 years, the new lights are expected to save around \$6,000 a year in electricity costs.

In May, property-owners, residents and businesses in Woolgoolga were invited to participate in a new stage of the development of the town's Floodplain Risk Management Study and Plan. They were asked to complete a short questionnaire, seeking information on flood damages and costs experienced by property-owners or tenants within the floodplain.

A Draft Plan of Management that aims to make Woolgoolga Beach Reserve and Holiday Park more attractive to locals and visitors, open up more public open space and provide better community facilities was placed on exhibition for public consultation at the end of June. Council is Corporate Manager of the Trust for Woolgoolga Beach Reserve under the auspices of the NSW Government's Crown Lands division.



- PL PLACES FOR LIVING
- PL1 Our infrastructure and urban development is designed for sustainable living
- PL1.1 Promote higher densities in our urban centres



**Actions**

- Urban Density provisions

**Progress Comments** **Status**

**B14.08: Sustainable Planning: Report on urban density provisions in Sustainable Planning projects** 🟢

Appropriate urban density provisions are being incorporated into relevant Sustainable Planning projects such as Urban Release Area Projects (North Boambee Valley) and the review of the Urban Growth Management Strategy (Stage 1 - Land Capacity Audit) and Planning Proposals.





PL PLACES FOR LIVING  
 PL1 Our infrastructure and urban development is designed for sustainable living  
 PL1.2 Provide infrastructure that supports sustainable living and is resilient to climatic events



- Actions**
- Operating cost (sewer)
  - Network efficiency
  - Floodplain Management
  - Land Acquisitions for Detention Basins
  - Sewer Infrastructure Works
  - Sewerage performance
  - Rate Funded Floodworks
  - Reticulated Water Infrastructure
  - Asset Management Strategy Council-wide
  - AMS Actions
  - Infrastructure Strategies
  - Coffs Harbour Boat Ramp Design
  - Coffs Harbour Boat Ramp Works
  - Coffs Creek Flood Study Review
  - Boambee - Newports Creek Floodplain Risk Management Study and Plan
  - Woolgoolga Creek Floodplain Risk Management Study and Plan
  - Park Beach Major drainage Augmentation design
  - Sawtell Sewerage Treatment Works Decommissioning
  - Flood Detention Basin
  - Main Duplication
  - Coramba Water Main

KPI Performance	Achieved	Status
M20.03: Sewer: Total operating cost (Sewer) per kilolitre treated (yearly report)	\$1.99	
M25.04: Water: Network efficiency - water loss as % of total water processed	12%	

**Progress Comments** Status

**B11.02: Flooding and Coastal Management: Implement Floodplain Management Plans**

Bennett's Rd detention basin construction completed.  
 Funds obtained for construction of Spagnolos Rd detention basin.  
 Projects progressing, see progress reports.

**B18.03: Property: Finalisation of all land acquisitions for Flood detention Basins**

All land acquisitions required for Detention Basins under the original flood mitigation program are now complete apart from RMS land at Spagnolos Road, for which a license and agreement is in place, with acquisition to be undertaken once details of the highway bypass are finalised.

**B20.01: Sewer: Report on progress of sewer infrastructure works in relation to time, budget, and quality**

The duplication of the 375 dia reclaimed water pipeline between Woolgoolga WRP & Moonee is progressing with about 10km of 11.5km of pipeline being completed to date. Upgrades at Pump Stns 1003 Mildura St, PS14A & PS31 valve pit & odour control system at PS33 are completed. Rehabilitation of sewer manholes within Catchment No.1 Corindi & No.32 Coffs Harbour has been completed.  
 Negotiations are progressing with Council & LFHJV regarding maintenance access to the mains along the highway.

**B20.02: Sewer: Progress on preparation of yearly data for NSW Water Supply and Sewerage Performance Monitoring Report.**

Ongoing, collection of relevant data on track.

**B22.01: Stormwater: Report on status of implementation of Approved Loan-Funded and 2010 Rate Variation-Funded Floodworks.**

Works about to commence on the 3rd detention basin at Spagnolos Road








- PL PLACES FOR LIVING
- PL1 Our infrastructure and urban development is designed for sustainable living
- PL1.3 Create balanced pedestrian friendly communities with a mix of residential, business and services
- PL1.4 Create affordable housing options
- PL1.5 Encourage innovative developments that embrace our climate and local environment




**KPI Performance**

**Achieved Status**

M14.01: Sustainable Planning: House / Land Monitor Statistics - review the Housing Monitor figures, 80%   
 on an annual basis, as released by the DOP  
*The development of Coffs is progressing at about 80% against potential - ie achieving about 80% of releases of land identified in the strategy. This is mainly due to external/prevaling market factors/forces rather than Council management/practices/processes or procedures.*  
*An increase has been experienced in the last financial year in the enquiry rate and application rate for Planning Proposals (land re-zonings) in the Coffs LGA.*

**Progress Comments**

**Status**

**B14.01: Sustainable Planning: Report on residential proximity to services as per 2030 Indicators (GIS and Asset Management-assisted)**   
 Meeting project obligations and time frame according to NSW Planning and Environment requirements.  
 All new urban release area projects incorporate provisions in Development Control Plans to:-  
 1. achieve the majority of households to be within 400metres of a bus route  
 2. achieve a high percentage of households to be within 800metres of a business zone (LEP 2013 incorporates neighbourhood shops as a permissible use in residential zones)  
 3. achieve the majority of households being within 400m of a playground.



**PL PLACES FOR LIVING**  
**PL1 Our infrastructure and urban development is designed for sustainable living**  
**PL1.6 Reinforce the unique identity of villages and communities**



**Progress Comments** **Status**

- B07.01: Economic Development: Report on the roll-out of "Love Our City" projects targetting villages and communities (A6)** ●

Economic Strategy Launch Tuesday 25 March  
 Advocate co-creators front wrap around (8 pages) Sat 29 March  
 The Story Tree Tour collecting "love notes to the city" in various locations across the LGA  
 Preparation for Peter Kageyama Tour (19 - 23 July)
- B07.03: Economic Development: Report on festivals / events which celebrate what we love about our special place (A5)** ●

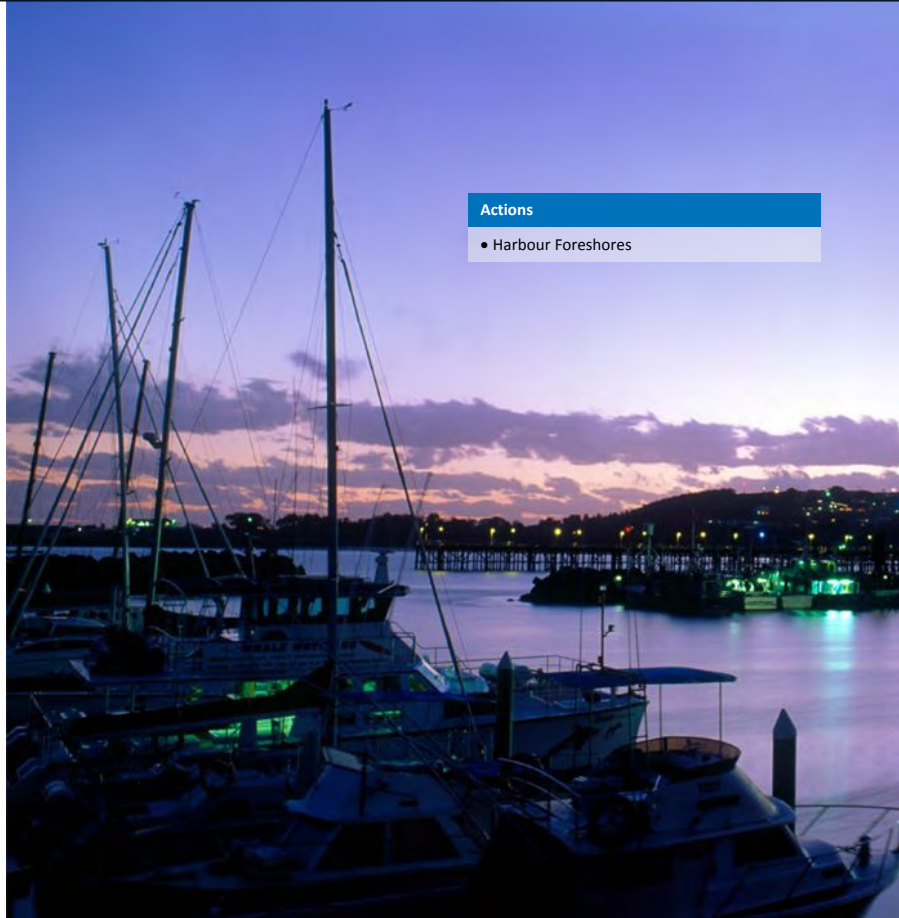
Council's Place Making and Events Program continued to support local community projects including Woolgoolga Curryfest, Emerald Beach Fair and Sawtell Chillifest. The program is currently working with the Offshore Powerboat Series to deliver another successful Powerboat race in August and have also been working with CBD landlords and new start-ups on a Pop-Up program to help activate the CBD.
- B14.02: Sustainable Planning: Report on Sustainable Planning Placemaking projects** ●

A Town Centre Masterplan is currently being undertaken for Woolgoolga, with expected delivery of a draft document to Council by end 2014.  
 A Precinct Planning / Placemaking exercise will be commenced within the Jetty Foreshores / Coffs Harbour Jetty area by end 2014.  
 The CBD Masterplan is being implemented.  
 Stage1 of the Jetty4Shores Project has commenced construction in June 2014, with expectations construction will be completed in April 2015.
- B30.04: Design: Report on Landscape and Urban Design projects** ●

Continued development of Jetty4shore concept design plans and detail planning for Jetty4Shore Stage 1 works has been the focus of Landscape and Urban Design resources. Implementation of Brelsford Skate Plaza plans, City Square Design competition and Design Brief also completed.



PL PLACES FOR LIVING  
 PL2 Our public spaces are enjoyed by all our people  
 PL2.1 Develop the harbour and foreshores as the focal point for our Local Government Area



**Actions**

- Harbour Foreshores

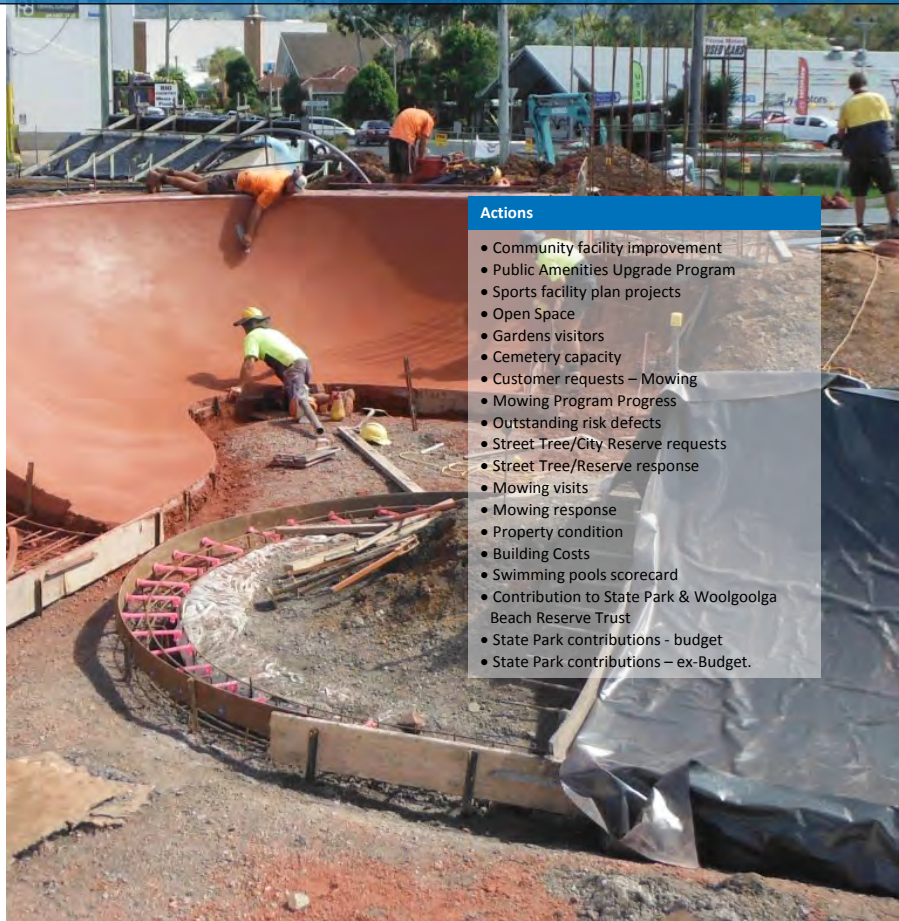
**Progress Comments** **Status**

**B30.02: Design: Report on implementation of Foreshores Masterplan (subject to funding)** ●  
 Detail design and environmental assessment for Jetty4Shore Stage 1 car park completed.  
 Works commenced 30 June 2014.  
 Stage 1 walkway detail design on-going.





PL PLACES FOR LIVING  
 PL2 Our public spaces are enjoyed by all our people  
 PL2.2 Provide public spaces and facilities that are accessible and safe for all



- Actions**
- Community facility improvement
  - Public Amenities Upgrade Program
  - Sports facility plan projects
  - Open Space
  - Gardens visitors
  - Cemetery capacity
  - Customer requests – Mowing
  - Mowing Program Progress
  - Outstanding risk defects
  - Street Tree/City Reserve requests
  - Street Tree/Reserve response
  - Mowing visits
  - Mowing response
  - Property condition
  - Building Costs
  - Swimming pools scorecard
  - Contribution to State Park & Woolgoolga Beach Reserve Trust
  - State Park contributions - budget
  - State Park contributions – ex-Budget.

KPI Performance	Achieved	Status
M17.02: Parks and Facilities: Number of visitors attending events in the Botanic Gardens	11,200	🟢
M17.06: Parks and Facilities: Maintain cemetery capacity to serve the community in a timely and professional way	100%	🟢
M17.17: Parks and Facilities: Number of Customer Requests regarding mowing	94	🟢
M17.18: Parks and Facilities: Percentage area mowed in period against program <i>Mowing is difficult to report on given there are 5 separate services provided with CHCC plant. The 77% is an average of the Actual cuts vs the scheduled cuts for the various council properties mown and of course some a service level to other managers. The Tractor Reserves reached 2 cuts from scheduled 3, Interstater 3 from four and 7 from 7 in Cemeteries; Outfronts team 1 achieved 8 from 9 reserves and 8 from 9 Sewer/Water properties; Outfront team 2 reached 5 from 6 Coastal/Gen /State pks and Outfront town /Coastal reached 17 from 12.</i>	77%	🟡
M17.21: Parks and Facilities: Number of outstanding risk defects (>70) <i>Reflect inspections identified 761 defects Jan1 to June 30 with 161 not yet accomplished Outstanding BBQs x 8, Playgrounds x 36, Furniture x 9, Shower fittings x 3, Bch access x 5, Bins x2, Boardwalk x 5, fences x 13, Park lights x 3 Retaining walls x 4 Rock pool x 1 Walkways unsealed x 14, Walkways sealed x 11 Shelters x 8, signs x 6, Stairs x 3, Tap fittings x 1, Gdns x 2, Native Bushland x 3 and compromised Tree x 12. It is highly common for many Defects listed as job cards to be carried over as resources don't allow completion of all and the most urgent are treated first and progressed to the least risk to CHCC and public</i>	79	🟡
M17.38: Parks and Facilities: Number of customer requests regarding reserves and street trees (<6)	18	🟢
M17.39: Parks and Facilities: Tree complaints responded to in a timely manner (as per risk category)	100%	🟢
M17.59: Parks and Facilities: Number of visits per total mowing programs (outfront, tractor contractor)	50	🟢
M17.60: Parks and Facilities: % of requests responded to within 7 days relating to mowing programs	95%	🟢
M18.01: Property: % Of buildings/property assets at satisfactory or above (PENDING DEVELOPMENT OF ASSET CONDITION REPORTING FRAMEWORK) <i>The development of the broader condition assessment reporting framework continues. Staff have commenced proactive periodic condition assessments of leased properties.</i>	0.00	🟢

Continued Next Page



KPI Performance Continued	Achieved	Status
<p>M18.04: Property: % Of cost recovered on community buildings (pending development of community building cost recovery policy and framework)</p> <p><i>The measurement of cost recovery on council building assets is an integral part of the asset management effort and the focus on the sustainability of the building assets which facilitate the delivery of a broad range of community and council services. The proposed community Building leasing and licensing policy will determine the basis of the % cost recovery metric.</i></p>	-	
<p>M18.13: Property: Swimming pools - review benchmark/scorecard - attendance, satisfaction, revenue</p> <p><i>Council's four public swimming pools are all operating satisfactorily and lessees are largely complying with lease conditions. It is intended to continue with efforts to establish a performance benchmark scorecard as a means of reporting on overall pool operations. As previously reported Council will need to consider long term replacement and/or improvement of the Sawtell and Woolgoolga facilities as population growth and aging infrastructure compromise the current level of service provided by the facility. Similarly it has been previously reported that the Nana Glen pool pumping, filtration and chemical dosing system is not a commercial grade installation and will likely require major repairs or replacement within the near future.</i></p>	100%	
M35.01: Holiday Parks: Percentage of budgeted Holiday Park contributions provided to Coffs Coast State Park Trust and Woolgoolga Beach Reserve Trust	100%	
M35.04: Holiday Parks: % of state park contributions relative to program budget	100%	
M35.05: Holiday Parks: \$ value of contributions within State Park not included in program budget	\$16,476.87	
Progress Comments		Status
<p><b>B18.01: Property: Upgrade public amenities according to program of works.</b></p> <p><i>Council has an annual allocation for capital renewal of public amenity projects and has identified the following priority projects</i></p> <ul style="list-style-type: none"> <li>· Diggers Beach – New Facility and Sewer Connection to replace existing</li> <li>· Ocean Parade, Macauleys – substantial refurbishment</li> <li>· Brelsford Park - New Facility to replace existing</li> <li>· Hills Beach Norman Hill Drive Korora – substantial refurbishment of existing facility</li> </ul> <p><i>The works program will be finalised pending further consultation with the Coffs Coast Regional Park Trust, when a new board is appointed, and in conjunction with the Regional Park Master plan (when adopted).</i></p>		
<p><b>B21.01: Sport: Report on status of sports facility plan projects (according to funding in LTFP)</b></p> <p><i>None funded/commenced for this period</i></p>		
Continued Next Column		

Progress Comments Continued	Status
<p><b>B03.16: Community Services: Details of improvements undertaken to develop or enhance facilities.</b></p> <ul style="list-style-type: none"> <li>•Nana Glen Equestrian Centre-completed website design &amp; development, flood repairs ongoing from Disaster relief fund of \$70,000.</li> <li>•Sportz Central-completed energy efficient court lighting upgrade.</li> <li>•Bayldon Community Centre – improved furnishings and new carpet.</li> <li>•Woolgoolga Community Village – improved signage.</li> <li>•Ayrshire Park Business Plan drafted.</li> <li>•Communication Northern Beaches Interagency.</li> <li>•Seniors Week - Festival of Activity completed.</li> <li>•Fees and budgets all submitted to Council and approved.</li> <li>•Ongoing assistance with business operation of facility management committees FMC.</li> <li>•Bayldon Community Centre FMC provides a space for social interaction, community focal point/hub, community activities &amp; access to local services. Hirers include Enriched Health, Church of Christ, Galambila Aboriginal Health Service, NSW Police, Coffs Revival Centre, Toormina Preschool, Drug Rehabilitation, Mission Australia, Nursing workshops and functions. The Centre's revenue exceeds expenditure resulting in no operational subsidy required from Council.</li> <li>•Sportz Central transition of licence to NSW Basketball. Sportz Central provides a space for social interaction, sporting community hub, community activities and a place for health and wellbeing. Hirers include Basketball, Volleyball, Roller Derby, schools, Questacon etc. The Stadium's revenue predominantly covers expenditure resulting in a Council operational subsidy of \$30,000 spent towards maintenance.</li> <li>*Nana Glen Equestrian Centre FMC provides a community recreation space for equestrian sports. Hirers include Polocrosse, North Coast Equestrian Club, Pony Club, Eventing NSW. The Equestrian Centre's revenue covers expenditure, however Council is responsible for mowing services.</li> <li>•Woolgoolga Village FMC provides a community space for social interaction, hub for local social services and community activities. Hirers include Meals on Wheels, Neighbour Aid, Family Playgroup, etc; no operational subsidy required from Council.</li> </ul>	
<p><b>B30.05: Design: Report on implementation of Open Space Strategy</b></p> <p>Continuing liaison with Crown Lands and Local Government Review Panel on changes to Land management policy. Draft Park naming policy commenced. Progress on Stage 2 and Stage 3 additions to Coffs Coast Regional Park. Facilitated decommissioning of playground identified as surplus in Open Space strategy. Draft Plan of Management for Coramba Rec. Ground completed. Planning for Woolgoolga Community Garden completed. West Woolgoolga playing fields Stage 1 works completed. Draft Bush regeneration strategy completed.</p>	



PL PLACES FOR LIVING  
 PL2 Our public spaces are enjoyed by all our people  
 PL2.3 Provide safe and accessible play spaces for our children within each community



- Actions**
- Playground equipment condition
  - Playground Design

**KPI Performance** **Achieved Status**

M17.13: Parks and Facilities: % of playground equipment with a condition rating above satisfactory 100% ●  
 (Last period 89%)

**Progress Comments** **Status**

**B30.03: Design: Report on Playground Design projects** ●  
 Designs completed in accordance with program. Concept designs and estimates for Ayrshire Park and Diggers Beach Reserve playgrounds completed







COFFS HARBOUR CITY COUNCIL  
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## NOTICE OF DRAFT POLICY TO BE PLACED ON PUBLIC EXHIBITION - COUNCILLOR EXPENSES AND FACILITIES POLICY

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### **Purpose:**

To advise Council and the community of the public exhibition of the draft Councillor Expenses and Facilities policy.

### **Description of Item:**

The purpose of the Policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred by Councillors. The Policy also ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable and meet the expectations of the local community.

### **Sustainability Assessment:**

- **Environment**

This is not applicable to this report.

- **Social**

This is not applicable to this report.

- **Civic Leadership**

The purpose of Council policies is to ensure transparency and accountability in local government. The implementation enables Council to identify and respond to the community. This is consistent with the *Coffs Harbour 2030 Community Strategic Plan strategy LC3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour.*

- **Economic**

The budget includes allocations to account for the expenses included within the policy. If Council requires any amendments to the Policy relating to payment of expenses, the impact of these changes on the 2014/15 adopted budget will need to be considered.

### **Broader Economic Implications**

There are no broad economic impacts associated with the implementation of the recommendations.

### **Delivery Program/Operational Plan Implications**

The ongoing development and review of Council policies and plans are accommodated within Council's budget structure. This expenditure is monitored through Council's monthly and quarterly budget reviews.

### **Risk Analysis:**

This is not applicable to this report.

**Consultation:**

The purpose of this report is the notification of public exhibition period to allow no less than 28 days for submissions.

**Statutory Requirements:**

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

In accordance with Section 253(5) of the Act if the changes are other than minor, the policy is to be advertised allowing for at least 28 days for public submissions.

Section 253 of the Act states:

*253 Requirements before policy concerning expenses and facilities can be adopted or amended:*

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*
- (2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.*
- (3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.*

**Issues:**

The following amendments have been made to the Councillor Expenses and Facilities Policy as adopted 20 November 2013.

<b>Reference</b>	<b>Amendment</b>
12.7	Update to the amounts payable for accommodation and meals as per latest tax determination TD 2014/19.
22.2	As above.
Appendix A Part 6 22.2 & 23.1	As above.
Appendix A Part 5 17.1-17.4	Update to the rate per kilometre allowance for use of a motor vehicle as per latest Australian Taxation Office (ATO) rates per business kilometre.
Appendix A Part 4 16	Increase to hourly rate (from \$18.50 to \$19.50) and per annum limit (from \$2200 to \$2340) for carer expenses

Councillors may also wish to make amendments/submissions to the policy. The draft policy will be advertised according to legislative requirements.

**Implementation Date / Priority:**

Implementation for public exhibition is immediate.

**Recommendation:**

- 1. That in accordance with Section 253(5) of the Local Government Act 1993, Council gives public notice of its intention to adopt the Councillor Expenses and Facilities Policy as attached and allow at least 28 days for the making of public submissions.**
- 2. That following the exhibition period, Council considers a further report including a summary of any submissions received.**

Locked Bag 155, Coffs Harbour, NSW 2450 ABN 79 126 214 487	<b>COFFS HARBOUR CITY COUNCIL</b>	
<h2 style="margin: 0;">Councillor Expenses and Facilities Policy</h2>		
<p><b>Policy Statement:</b></p> <p>Councillor expenses and facilities policies allow for Councillors to receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties as elected representatives of the residents and ratepayers of the City of Coffs Harbour. All expenses incurred by Councillors are to relate to the performance and carrying out of their civic duties.</p>		
<p><b>Director or Manager Responsible for Communication, Implementation and Review:</b></p> <p>General Manager</p>		
<p><b>Related Legislation, Division of Local Government Circulars or Guideline:</b></p> <ul style="list-style-type: none"> <li>• <i>Local Government Act 1993</i></li> <li>• <i>Local Government (General) Regulation 2005</i></li> <li>• <i>DLG 'Guidelines for the payment of expenses and the provision of facilities to mayors and Councillors'. October 2009</i></li> <li>• <i>Code of Conduct Policy</i></li> <li>• <i>ICAC publication 'No excuse for Misuse'</i></li> </ul>		
<p><b>Does this document replace an existing policy?</b></p> <p>Councillors Expenses and Facilities Policy                  As adopted by Council 20 November 2013</p>		<p><b>Yes</b></p>
<p><b>Other Related Council Policy or Procedure:</b></p> <p>Nil</p>		
<p><b>Application:</b></p> <p>It is mandatory for all Councillors to comply with this policy.</p>		
<p><b>Distribution:</b></p> <p>This policy and guidelines are available on Council's website under Council policies. Copies distributed to all Councillors.</p> <p> <input checked="" type="checkbox"/> Internet                       <input checked="" type="checkbox"/> Intranet                       <input type="checkbox"/> Email                       <input type="checkbox"/> Noticeboard                       <input checked="" type="checkbox"/> ECM                 </p>		
<p><b>Approved by:</b></p> <p><b>Executive Team:</b></p> <p><b>Council :</b></p> <p><b>Resolution No: GM</b></p>	<p><b>Signature:</b></p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p><i>General Manager</i></p>	
<p><b>Council Branch Responsible:</b>  <b>Governance &amp; Legal Services</b></p>	<p><b>Date of next Review: September 2015</b></p>	



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## **PART 1 - PRELIMINARY**

### **1. Objective**

The purpose of this policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred, or to be incurred by the Mayor and Councillors.

To ensure that the fees paid, civic expenses reimbursed and facilities provided to the Mayor and Councillors are appropriate and reasonable to the importance of the Office.

To ensure that the Mayor and Councillors do not suffer financial hardship by meeting their Civic responsibilities as a member of the governing body of the Council or as an elected person.

### **2. Introduction**

In accordance with the provisions of the Local Government Act 1993, the Council is required to adopt a policy concerning the payment of fees and expenses and the provision of facilities to the Mayor and other Councillors in relation to their roles as elected persons and members of the governing body of the Council.

Councillors, in carrying out their civic responsibilities, are required to attend a variety of functions in their capacity as a representative of Council i.e., Council meetings, Committee meetings, and as delegates.

Councillors will also be expected to attend a variety of functions in a capacity where they may not directly represent Council, but attendance is relevant to their effectiveness as Councillors, i.e., attendance at community functions.

### **3. Legislative Provision**

The *Local Government Act 1993* recognises this obligation and makes provision (Division 5 of Chapter 9) for payment of fees (s.248 and s.249); payment of expenses (s.252) and provision of facilities (s.252).

### **4. Basis of Providing Facilities**

Unless otherwise provided, the facilities which may be provided to the Mayor and Councillors under this policy, shall be provided without reduction of the annual fees payable to the Mayor and Councillors, as determined by the Council, under Section 248-254A inclusive of the Act.

### **5. Reporting Requirements**

Clause 217 of the Local Government (General) Regulation 2005 requires Council to include detailed information in its Annual Report about the payment of expenses and facilities to Councillors.

An annual report is to include the following information:

- Details (including the purpose) of overseas visits undertaken during the year by Councillors, Council staff or other persons while representing the Council (including visits sponsored by other organisations).

- Details of the total cost during the year of the payment of the expenses of, and the provision of facilities to Councillors in relation to their civic functions (as paid by the Council, reimbursed to the Councillor or reconciled with the Councillor), including separate details on the total cost of each of the following:
  - The provision during the year of dedicated office equipment allocated to Councillors on a personal basis, such as iPads and mobile telephones (including equipment and data plan costs but not including call costs).
  - Telephone calls made by Councillors, including calls made from mobile telephones provided by Council and from landline telephones.
  - The attendance of Councillors at conferences and seminars.
  - The training of Councillors and the provision of skill development for Councillors.
  - Interstate visits undertaken during the year by Councillors while representing the Council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses.
  - Overseas visits undertaken during the year by Councillors while representing the Council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses.
  - The expenses of any spouse, partner (whether of the same or the opposite sex) or other person who accompanied a Councillor in the performance of his or her civic functions, being expenses payable in accordance with the *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW* prepared by the Director-General from time to time.
  - Expenses involved in the provision of care for a child of, or an immediate family member of, a Councillor, to allow the Councillor to undertake his or her civic functions.

Council's Annual Report must also incorporate a copy of this policy.

## 6. Misuse of Council Resources

Councillors should have a clear understanding of their responsibilities in using Council's resources. Councillors must:

- Not use his or her official position to accept or acquire an unauthorised personal profit or financial advantage (other than of a token kind as defined by Coffs Harbour City Council's Adopted Code of Conduct).
- Not use Council resources for private purposes unless such use is lawfully authorised and proper payment is made where appropriate.
- Not convert to his or her own use any property of the Council.
- Not use Council's facilities, equipment and services to produce election material or for any other political purpose.
- Ensure that council property, including intellectual property, official services and facilities are not misused by any other person or body.

Additional guidance can be found in Council's Code of Conduct, the Independent Commission Against Corruption publication "No excuse for misuse - preventing the misuse of council resources" and the Department of Local Government's 'Guideline for the Payment of Expenses and the Provision of facilities to Mayors and Councillors' for Local Councils in NSW.

## 7. General Expense Allowances

In accordance with clause 403 of the Regulation there is no provision for a general expense allowance for Councillors. A general expense allowance is a sum of money paid by council to a Councillor to expend on an item or a service that is not required to be receipted and/or otherwise reconciled according to a set procedure and within a specific timeframe.

## 8. Approval and Dispute Resolution Processes

Approval arrangements for the payment of expenses for Councillor attendance at conferences will be:

- (a) The Council, through resolution duly passed at a Council Meeting;
- (b) The Mayor and General Manager, where such conferences are in accordance with this policy (Part 4, section 5);
- (c) If the Mayor requires approval, this can be done jointly by the Deputy Mayor or another Councillor and the General Manager.

The Mayor, in consultation with the General Manager, is responsible for authorising payment of expenses and the provision of facilities (not relating to attendance at conferences as above) in accordance with this policy.

The Deputy Mayor, or another Councillor, and the General Manager are responsible for authorising payment of expenses and the provision of facilities for the Mayor in accordance with this policy.

Should a dispute arise about the provision of expenses and facilities, or when an expense claim is not approved by the Mayor and General Manager, then the disputed decision is to be reviewed by the external members of the Governance and Audit Committee.

## 9. Monetary Limits

Monetary limits are mentioned throughout this policy. (Appendix A) provides a table listing all monetary limits.

Any expenses incurred in excess of the limits within this policy should be reported to Council and approval obtained, where possible, prior to the expenses being incurred.

## 10. Private Benefit

Councillors (incl Mayor) should not obtain private benefit from the provision of equipment and benefit from the provision of equipment and facilities, nor from travel bonuses such as 'frequent flyer' schemes or any other loyalty programs while on council business. It is acknowledged that incidental use of council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment back to council. Anything other than incidental private use should be reimbursed to council at the recognised cost.

**PART 2 - FACILITIES FOR MAYOR AND COUNCILLORS****11. Councillors**

To assist the Councillors, including the Mayor in carrying out the duties of their office, they are if they request such, entitled to receive the benefits of the following facilities for use in connection with their civic duties, without reduction (unless otherwise stated) of the fees payable under Section 248 of the Act:

- 11.1 A copy of the Electoral Rolls for the whole Council area and access to Council policies, relevant Acts and Regulations.
- 11.2 Access to a Councillors' Room in the Coffs Harbour City Council Administration Building, suitably equipped with access to telephone, computer terminal connection, copying and printing facilities.
- 11.3 Secretarial service including typing, photocopying, printing and postage for the following purposes:
  - 11.3.1 Initiating correspondence to, and answering correspondence received from, residents/ratepayers, Members of Parliament, Government Departments, statutory authorities/bodies, other local authorities, other Councillors, local government related bodies and organisations, the media or the general public in relation to the business of the Council or local government subject to a response to petitions received by Councillors will only be made to the principal person who lodges the petition and not all signatories.
  - 11.3.2 Replying to invitations to attend functions/gatherings received in their capacity as a Councillor;
  - 11.3.3 Communications to Councillors and Council's staff on official business;
 

Provided that under no circumstances will the Council permit the facilities provided to be used for the initiation or issue of circular type letters or election material / letters.
- 11.4 Suitable meals associated with Council and Council Committee meetings, and meetings of Councillors with Parliamentary representatives, visiting dignitaries and other delegations.
- 11.5 Suitable stationery supplies.
  - 11.5.1 Councillor business cards, name badges and Council promotional apparel, e.g., scarf, tie, cuff-links, etc.
  - 11.5.2 Stationery - use of Council letterhead and envelopes for Council business.
  - 11.5.3 Postage - official Councillor correspondence – This is to be directed through the Council's own mail system.



- 11.6 Access to Information - Councillors can obtain copies of Council information, if the information is required to enable a Councillor to undertake their role as defined under S232 of the Local Government Act 1993.

When seeking information on policy issues and day to day matters, in the exercise of their statutory role as a member of the Council, Councillors must contact the General Manager, Director, or an officer nominated by the Director.

- 11.7 Preparation of media material except material for an election campaign - professional advice and assistance from officers in preparing media material (other than election campaign material) relevant to the Councillor's role subject, in each case, to the approval of the General Manager.

- 11.8 Recognition of Service - Council will provide a plaque and suitable gift as recognition of service to former Councillors and Mayors who have served a minimum of one (1) term.

- 11.9 Access to a suitable vehicle or vehicles (if available) provided by the Council for use on official duties connected with the office of Councillor. If required, Councillors are also issued with a cab charge card. Cab charge cards are for Council business, when a Council vehicle is not reasonably available to provide such transport, or the provision of a vehicle would not be economical in the circumstances.

- 11.10 Provision of four car parking reserved spaces at the Coffs Harbour City Council Administration Building for the specific use of Councillors on Council business during business hours.

- 11.11 The following furniture and/or equipment which shall remain the property of the Council, subject to the conditions specified and subject to the immediate return of such furniture and/or equipment to the Council in good operational order and condition upon ceasing to be an elected member of the Council:

11.11.1 Three (3) drawer filing cabinet if specifically required.

11.11.2 A mobile phone – with blue tooth installed in the Councillor's private vehicle if required.

- An appropriate call plan will be entered into, whereby Council meets the cost of the monthly service and access fees and individual Councillors meet the cost of any additional private calls.
- The Councillor's business mobile phone number is to be made available to the public.
- Council's current telecommunication plan covers Council related calls and includes 1GB of data
- Councillors will receive an email notification when data usage reaches 80% of the allowable.
- The cost (as charged by Council's provider) of personal calls and data in excess of 1GB is to be reimbursed by the Councillor.

11.11.3 An iPad or other form of electronic system and software to enable processing of correspondence and access to Council business papers, minutes, policies and other Council records if such are distributed to Councillors in electronic data form.

- Computer software training - Councillors will be provided with computer software training where necessary to undertake Councillor duties. Course fees and software will be met by Council.
- Council's current telecommunication plan includes 4GB of data
- Councillors will receive an email notification when data usage reaches 80% of the allowable.
- Council's telecommunication plan provider issues warnings to the user advising that usage is approaching data limits.
- The cost (as charged by Council's provider) of data in excess of 4GB is to be reimbursed by the Councillor.

11.11.4 Security Key - Councillors are to be provided with a security key for access to building and a key to access the Councillors Room.

11.11.5 Corporate clothing and protective clothing and equipment when required.

## 12. Additional Facilities for the Mayor

The Mayor shall, in carrying out the duties of that office, be entitled to receive the benefit of the following facilities without reduction of the fees payable under Section 248 and/or 249 of the Act:

A similar facility shall be available to the Deputy Mayor at any time he or she is required to act as the Mayor in accordance with Section 231 of the Act.

- 12.1 Suitable furnished office accommodation within the Coffs Harbour City Council Administration Building.
- 12.2 Secretarial services including typing, photocopying, printing, postage, email, facsimile and telephone facilities.
- 12.3 Administrative assistance associated with any Council function, meetings, publications and the like.
- 12.4 Office refreshments for entertainment purposes.
- 12.5 The provision of a suitable and appropriate vehicle fully serviced and maintained for both civic and private use. In the event of the vehicle being used for private use Council shall set any contribution level from time to time. The current contribution rate is nil, subject to the following clause:

A fuel card is provided for refuelling from Council authorised facilities, however, during periods of private use any refuelling occurring outside a 200km radius from the Council administrative centre, must be paid for by the Mayor.

At any time the Deputy Mayor is required to act as the Mayor, in accordance with Section 231 of the Act. "the provision of a suitable and appropriate vehicle fully serviced and maintained for use for all official, executive and social duties connected with the office shall be made available."

12.6 The provision of an allocated parking space at Council's Administration Building.

12.7 The provision of expenses and facilities for the Mayor and/or partner to attend on behalf of Council in the office of the Mayor on official or legal occasions. As a guide the amounts payable for accommodation and meals will be the maximum reasonable travel and meal expense amounts determined by the Australian Taxation Office (ATO), as stated on the ATO website, currently TD2014/19 – Table 3. (see link at 22.2)

If the Mayor is attending a conference and accommodation is available at the conference venue, Council will pay for a standard double room at the venue. Council will pay for the night before and/or after the conference where this is necessary because of travel and/or conference timetables.

12.8 Mobile/car communication technology, including charges for rental, calls, etc related to civic duties. Any calls of a personal nature are to be reimbursed to council.

12.9 Stationery, including Mayoral letterhead, envelopes and stationery generally.

12.10 If the Mayor so chooses, provision of a corporate purchase card to be used for official Council business and expenditures provided under the annual allocation for discretionary expenditure for the office of Mayor. The corporate purchase card is to be used in situations where it is not reasonably possible to go through the Council's normal procedures for the ordering and/or payment for goods or services.

12.11 Ceremonial clothing including Mayoral robes and Chain of Office.

### **PART 3 - REIMBURSEMENT AND ACQUISITION OF EQUIPMENT**

#### **13. Reimbursement**

13.1 Councillors will receive a regular copy of their mobile phone account. Calls not used for council business are to be reimbursed to Council.

13.2 Postage of official Councillor correspondence - Councillors will be reimbursed where expenses can be verified and where it is impractical to use the Council's own mail system.

- 13.3 Councillors seeking reimbursement for sustenance expenses should provide receipts in accordance with Goods and Services Tax (GST) requirements.

#### **14. Acquisition of Equipment**

Upon ceasing the position of Councillor or Mayor all equipment must be returned to Council or Councillors may purchase equipment at either trade-in-value or the price Council would obtain for its disposal or particular items may be purchased at current written down value.

### **PART 4 - EXPENSES FOR COUNCILLORS**

#### **15. Payment of expenses for spouses, partners and accompanying persons.**

There may be limited instances where certain costs incurred by the Councillor on behalf of their spouse, partner or accompanying person are properly those of the Councillor in the performance of his or her functions (hence they are properly incurred by, and reimbursable to the Councillor). An accompanying person is a person who has a close personal relationship with the Councillor and/ or provides carer support to the Councillor.

As a consequence, meeting the reasonable costs of spouses and partners or an accompanying person for attendance at official council functions that are of a formal and ceremonial nature, is considered appropriate when accompanying Councillors within the local government area. Such functions would be those that a Councillor's spouse, partner or accompanying person could be reasonably expected to attend. Examples could include but not be limited to, Australia Day award ceremonies, Citizenship ceremonies, civic receptions and charitable functions for charities formally supported by council.

Limited expenses of spouses, partners or accompanying persons associated with attendance at the Local Government and Shires Associations' annual conferences could be met by councils. These expenses should be limited to the cost of registration and the official conference dinner. Travel expenses, any additional accommodation expenses, and the cost of partner/ accompanying person tours etc. should be the personal responsibility of individual Councillors.

Consideration should also be given to the payment of expenses for the spouse, partner or accompanying person of a mayor, or a Councillor when they are representing the mayor, when they are called on to attend an official function of council or carry out an official ceremonial duty while accompanying the mayor outside the council's area, but within the State. Examples could include charitable functions to which the mayor has been invited and award ceremonies and other functions to which the mayor is invited to represent the council.

The above circumstances should be distinguished from spouses, partners of accompanying persons who accompany a Councillor at any event or function outside the council area, including interstate and overseas, where the costs and expenses of the spouse or partner or accompanying person should not be paid by council (with the exception of attendance at the Local Government and Shires Associations annual conferences, as noted above).

The above examples should also be distinguished from circumstances where spouses, partners or accompanying persons accompany Councillors at seminars and conferences and the like. In these situations all costs, including any additional accommodation costs, must be met by the Councillor or the spouse/ partner/ accompanying person.

The payment of expenses for spouses, partners or accompanying persons for attending appropriate functions as permitted above should be confined specifically to the ticket, meal and/ or the direct cost of attending the function. Peripheral expenses incurred by spouses, partners or accompanying persons such as grooming, special clothing and transport are not considered reimbursable expenses.

## 16. Care Expenses

- 16.1 Council will reimburse Councillors for the cost of care services incurred while on authorised Council business. This includes childcare, eldercare, disability care and care of ill or injured relatives when provided by a registered carer. Expense claims for reimbursement are to be accompanied by an itemised receipt and a maximum of \$18.50 per hour per caree applying. This will be paid to a maximum of \$2200 annually.
- 16.2 Council will give consideration to the payment of other related expenses associated with the special requirements of Councillors with disability and access needs, including reasonable transportation provisions for those unable to drive a vehicle, to allow them to perform their normal civic duties and responsibilities. Costs could include accommodation, meals and travel expenses for carers, accompanying a Councillor where required.



## **PART 5 - TRAVEL COSTS - USE OF COUNCILLORS PRIVATE VEHICLES**

### **17. Councillors**

17.1 Councillors, subject to the Councillor's private vehicle being currently registered and covered by Compulsory Third Party Insurance, may claim a kilometre allowance for use of private vehicles when used to travel (including return) between their place of residence and:

17.1.1 Attending Council, Committee or Sub Committee meetings as a Councillor or delegate of the Council, engagements, appointments and attending to the transaction of Council business;

17.1.2 Inspections listed on the Council Meeting Agenda, undertaken in compliance with a resolution of the Council or at the request of a resident;

17.1.3 Attending public meetings and civic functions convened by the Council or other community meetings where a Councillor has been invited to attend;

Any conference as defined in the policy.

17.2 Kilometre rates for such travel will be paid at the rate set by the 'ATO cents per kilometre rates' at the date of travel. Such rate shall be deemed to cover and include any claims for accidental damage or repairs to the Councillor's own vehicle, and any loss of no claim bonus and any excess not covered by insurance.

17.3 Payment is subject to a formal claim on the prescribed voucher form being lodged by the Councillor not later than three (3) months after the travel occurred.

17.4 Costs of traffic or parking fines incurred while travelling in vehicles on Council business are the responsibility of the driver.

## **PART 6 - CONFERENCES HELD IN AUSTRALIA**

In this part Conference means conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training sessions, events, etc related to the industry of local government and held within Australia.

### **18. Who may attend Conferences:**

- 18.1 Any Councillor may be nominated and authorised to attend conferences.
- 18.2 The Mayor may authorise a substitute Councillor to attend any conference in lieu of the Mayor.

### **19. What Conferences may be Attended:**

The conferences to which this policy applies shall generally be confined to:

- Local Government Association (LGA) and Australian Local Government Association (ALGA) Conferences.
- Special "one-off" conferences called or sponsored by or for the LGA and/or ALGA on important issues.
- Annual conferences of the major Professions in Local Government
- Australian Sister Cities Conferences.
- Regional Organisation of Council's Conferences.
- Conferences, which further training and development efforts of the Council and of Councillors, or which relate to or impact upon the Council's functions.
- Any meetings, conferences, organisations or bodies on which a Councillor of the Council may be elected, or appointed to be, a delegate or member of the Council or the LGA.

### **20. Councillors' Attendance**

- 20.1 That Councillors attending either conferences or seminars funded by Council be required to attend at least 90% of scheduled sessions.
- 20.2 That, other than in the most exceptional circumstances, where Councillors fail to comply with this policy, they be required to show cause why they should not reimburse any Council costs incurred.

### **21. Local Government and Shires Association Councillor Professional Development Program and Other Local Government Conference and Seminar Programs**

- 21.1 That the Mayor and General Manager be delegated the right to approve Councillors' applications to attend any workshop sessions or seminars as part of the Local Government Professional Development Program and other affiliated programs.
- 21.2 That Councillors report in writing within one month of attendance to an open session of Council on the outcome of Local Government program sessions.

## 22. Conference Costs

The following shall apply for Councillors authorised and/or appointed as delegates under this policy to attend Conferences (as defined above):

### 22.1 Registration

The Council will pay all normal registration costs for Councillors/delegates which are charged by organisers, including those relating to official luncheons, dinners and tours/inspections which are relevant to the interests of the Council.

### 22.2 Accommodation and Meals

As a guide the amounts payable for accommodation and meals will be in line with the maximum reasonable travel and meal expense amounts determined by the Australian Taxation Office, as stated on the ATO website, currently TD 2014/19 table 3.

<http://law.ato.gov.au/atolaw/view.htm?docid=TXD/TD201419/NAT/ATO/00001>

Excerpt taken from table 3 shown below:

	<b>Accommodation and Meals \$</b>
<b>Sydney</b>	<b>265.00</b>
<b>Breakfast</b>	<b>32.55</b>
<b>Lunch</b>	<b>46.10</b>
<b>Dinner</b>	<b>64.60</b>

If accommodation is available at the conference venue, Council will pay for a standard double room at the venue. Council will pay for the night before and/or after the conference where this is necessary because of travel and/or conference timetables.

### 22.3 Travel

22.3.1 All reasonable travel costs for Councillors/delegates to and from the conference location and venue will be met by the Council. Where appropriate, travel will be provided by air (economy class). Depending upon the location or circumstances, it may be more appropriate for travel to be undertaken by car or train.

22.3.2 Where trains are used the Council will provide first class travel, including sleeping berths where available.

22.3.3 Where travel by motor vehicle is used it should be undertaken by Council vehicle where available, or by private vehicle subject to prior approval of the General Manager.

22.3.4 Councillors using private vehicles in accordance with this policy may claim the "kilometre" allowance at the date of travel as per Clause 3.2, but subject to such cost not exceeding economy class air fares to and from the particular destination.

- 22.3.5 Costs of vehicle hire, taxi fares and parking which are reasonably required and incurred in attending conferences, will be reimbursed by the Council.
- 22.3.6 Costs of traffic or parking fines incurred while travelling in private or Council vehicles on Council business are the responsibility of the driver.

### **23. Conference Costs - Incidental Expenses**

- 23.1 So that Councillors, as delegates of the Council attending conferences are not financially disadvantaged, each Councillor attending in pursuance of a Council resolution or Mayoral authority, shall be entitled to reimbursement of incidental expenses.
- 23.2 The amount of the payment under Clause 9.1 shall be equal to reasonable costs substantiated by a tax invoice receipt or statutory declaration to the effect that the expenditure was incurred, subject to daily limits specified in Appendix A.
- 23.3 Such payment shall be made to cover all incidental expenses associated with the conference attendance such as:
  - 23.3.1 All telephone or facsimile calls. Council will meet the cost of telephone calls from the delegate to his/her family and to Council during the period of the conference. Other telephone expenses are to be paid for by the delegate;
  - 23.3.2 Laundry - Council will meet the cost of reasonable laundry or dry cleaning services, if necessary;
  - 23.3.3 Any optional activity in a conference program;
  - 23.3.4 Gifts taken - If it is appropriate that gifts be required for presentations, Council will provide items as determined by the General Manager;
  - 23.3.5 Gifts received - Council's Code of Conduct should be adhered to at all times. Any gifts received should be declared on return.
- 23.4 The following Incidental expenses will not be met by Council:
  - 23.4.1 Bar fridge – Council will not meet the cost of any expenses incurred from the use of the bar fridge provided in the hotel room.
  - 23.4.2 Bar service – Council will not meet the cost of any expenses incurred at the bar located within the hotel other than where special guests have been invited for drinks at the request of the Mayor or leader of the Council's delegation.
- 23.5 A cash payment for incidental expenses under this clause may be paid to a Councillor in advance, subject to any portion being refundable to the Council within seven (7) days of the conclusion of the conference if the actual period of attendance is less than that upon which the allowance was assessed.

**24. Conference Costs - Payment in Advance**

24.1 The Council will normally pay registration fees, accommodation costs and airline/train tickets direct to conference organisers/travel agent in advance. Where this is not appropriate or possible a cash allowance or cheque equivalent thereto may be paid in advance to the attendee for payment to the appropriate party.

24.2 Any advance payments must be properly accounted for on the prescribed voucher form within one (1) month after such conference.

**25. Conference Costs - Councillors'/Delegates' Accompanying Person**

25.1 Where the Councillor is accompanied at a conference all costs for, or incurred by, the accompanying person, including travel, breakfast, meals, registration and/or participation in any conference programs, are to be borne by the Councillor/accompanying person and not by the Council. Accompanying person's registration, or accompanying person's program fees, is to be paid to the conference organiser, etc. and paid at the time of registration. The Council is prepared to receive such registration and payments and to forward them on to the conference organiser, etc with any Council delegates' registration.

25.2 Where the Council meets, on account, any expenditure or cost on behalf of an accompanying person attending a conference, such expenditure must be repaid to the Council by the Councillor/accompanying person within seven (7) days of being invoiced for such expenditure following the conclusion of the conference.

Note: Reference should also be made to section 2.14 Payment of Expenses for spouses, partners and accompanying persons.



**PART 7 - CONFERENCES OVERSEAS****26. Attendance at Overseas Conferences**

Proposals for overseas travel by Councillors and staff on Council business will be documented in the annual Operational Plan, outlining the direct and tangible benefits to Council and the community for the proposed trip. The plan will be widely circulated in the community. Community input about the proposed visit can therefore be considered as part of the Operational Plan review and budget finalisation process.

Overseas travel must be approved by a meeting of the full council prior to a Councillor undertaking the trip. Travel must be approved on an individual trip basis. Retrospective reimbursement of overseas travel expenses is not permitted, unless prior authorisation of the travel has been obtained.

Travel proposals should be included in the council business papers. The use of a mayoral minute to obtain council approval for travel is not appropriate as it is not consistent with principles of openness and transparency.

A detailed report should be given in the Annual Report for the year in which the visit took place, outlining how the objectives were met and what quantifiable benefits will flow into the community.

Overseas conferences, seminars and courses - reimbursement of costs associated will be in accordance with the conditions applying for conferences held in Australia except:

- 26.1 The terms "conference" and "delegation" as occurring in this policy include visits of cultural exchange between Council and other Local Government areas as part of Council's Business of Local Government;
- 26.2 Accommodation expenses incurred for conference and/or other travel/delegation etc. will be paid, including for the night prior to and following such conference or delegation, depending upon travel schedules, as expressly authorised by Council prior to such travel being incurred.
- 26.3 Accommodation that may be required in transit to overseas conferences should equate to an Australian 4 star ranking.
  - 26.3.1 Travel costs for both air and ground charges will be met by Council as follows:
  - 26.3.2 Airfares will be at business class standard if flight is more than ten hours
  - 26.3.3 Any travel by train will be first class, including sleeping berths where necessary
  - 26.3.4 Road transport will be by taxi or hire car having regard to distance and the constraints of time.

**PART 8 - LEGAL ASSISTANCE FOR COUNCILLORS****27. Legal and Representation Costs - Enquiries, Investigations, Hearings, etc**

That in the event of:

27.1 Any enquiry, investigation or hearing by any of:

- the Independent Commission Against Corruption;
- the Office of the Ombudsman;
- the Department of Local Government;
- the Police;
- the Director of Public Prosecutions; or
- the Local Government Pecuniary Interest Tribunal,

Into the conduct of a Councillor; or

27.2 Legal proceedings being taken against a Councillor, arising out of or in connection with the Councillor's performance of his or her civic duties or exercise of his or her functions as a Councillor, Council shall reimburse such Councillor, at the conclusion of such enquiry, investigation, hearing or proceeding, for all legal expenses properly and reasonably incurred, given the nature of the enquiry, investigation, hearing or proceeding, on a solicitor/client basis, PROVIDED THAT:

27.2.1 The amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis;

27.2.2 The Councillor's performance or exercise of the civic duty or function was in the opinion of Council bona fide and/or proper, and the Councillor acted in good faith as required under Section 731 of the Local Government Act.

27.2.3 The amount of such reimbursement shall be limited to the extent that only fees charged at a rate equivalent to the average hourly rate then being charged by Council's Solicitors will be paid, i.e., any portion of the expenses representing any hourly charge rate higher than the hourly charge rate of Council's Solicitor will not be reimbursed;

27.2.4 For proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the Tribunal or investigative body makes a finding substantially favourable to the Councillor

27.2.5 If a Councillor is defending an action in defamation the statements complained of were made in good faith in the course of exercising a function under the Act

27.2.6 The Council is not the plaintiff in the action; and

27.2.7 The proceedings were not initiated by the Councillor

- 27.3 Legal advice relating to a pecuniary interest, conflict of interest or matter governed by the Code of Conduct which in the opinion of the General Manager is necessary to clarify the particular Councillor's responsibilities in the performance of his/her duties as a Councillor will be provided and paid for by Council.
- 27.4 Council will not meet the costs of a councillor (or council employee) seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
- 27.5 Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of his or her functions under the Act should be distinguished from expenses incurred in relation to proceedings arising merely from something that a councillor has done during his or her term in office. An example of the latter is expenses arising from an investigation as to whether a councillor acted corruptly by using knowledge of a proposed rezoning for private gain. This latter type of expense would not be covered by council.

If there is doubt as to whether the matter was a result of a Councillors duty or function under the Act, the matter would be referred for initial assessment to council's legal or insurance representatives to determine. When this determination is received it should then be reported to Council.

**PART 9 - INSURANCE AND HEALTH MAINTENANCE AND ASSESSMENT PROGRAMS**

**28. Insurance - Councillors**

The Council will insure, or will provide for the insurance of Councillors for:

28.1 Personal Accident and Travel

28.1.1 Personal injury whilst ever engaged in or on any Council activity, worldwide, covering bodily injury caused by accidental, violent, external and visible means up to a sub-limit for death determined by the Council and also covering permanent disablement, temporary total disability and temporary partial disability. The cover does not include medical expenses as medical expenses cannot be included due to the provisions set down in the Health Act. The Council shall determine the distribution of any benefits arising from such insurance to the Councillor or his/her beneficiaries.

28.1.2 Councillors are to receive the benefit of insurance cover for:

Personal Accident and Travel

<b>Benefits</b>	<b>Cover</b>
Death Benefit	Elected Members \$500,000
Weekly Benefits	<ul style="list-style-type: none"> <li>▪ 100% of average weekly income up to a maximum of \$4000 per week</li> <li>▪ Aggregate Period - 156 weeks</li> <li>▪ Temporary Partial Disablement benefits shall be limited to 75% of average weekly income up to a maximum of \$3000 per week, indexed annually by CPI from the date of claim.</li> </ul>
Personal Liability	\$10,000,000
<i>Note: Full details of coverage available on request.</i>	

28.2 Professional Indemnity/Public Liability

28.2.1 Public Liability.

28.2.2 Professional Indemnity - For matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors provided the performance or exercise of the relevant civic duty or function is in the opinion of Council bona fide and/or proper and is carried out in good faith, as required under section 731 of the Local Government Act, BUT subject to any limitation or conditions set out in the policy of insurance, which is, at the direction of Council, taken out.

28.2.3 Professional Indemnity - For matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors, carried out in good faith BUT subject to any limitations or conditions set out in the policy of insurance which is, at the direct of Council, taken out.

28.3 To indemnify each insured person(s) (Councillors) for all costs, charges, expenses and defence costs **but** excluding **fines** and **penalties** incurred in relation to any **prosecution** (criminal or otherwise) of any insured person(s), attendance by any insured person(s) at any official investigation, examination, inquiry or other proceedings ordered or commissioned during the period of insurance by any official body or institution that is empowered to investigate the affairs of the Council by reason of any wrongful act wherever or whenever committed or allegedly committed by the insured person(s) in their capacity as insured person(s), BUT subject to any limitations or conditions set out in the policy of insurance which is, at the direction of the Council.

28.4 Councillors and Officers Liability - Councillors and Officers Liability Insurance provides limited financial protection to Councillors and staff in circumstances where they may be named as an individual to a claim, and the normal protections under the Local Government Act or Council's General and Professional Liability insurance are not available.

The protection provided covers the liability to pay civil damages, the claimants legal costs, and the Councillors or staff member's costs incurred in the claim (policy limit \$1million). The protection extends to the estate and heirs of a deceased Councillor or staff member.

The policy specifically excludes protection for claims brought by a Councillor or staff members against another.



**PART 10 - ANNUAL FEES - MAYOR AND COUNCILLORS****29. Fees Payable to Councillors**

Pursuant to Section 248 of the Act, the Council shall, prior to 30th June each year, set by resolution, the annual fees to be paid to a Councillor for the following year commencing 1st July, provided that such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal. Such payment shall be subject to Section 254A of the Regulations and any specific resolution of the Council under Section 254A.

**30. Fees Payable to the Mayor**

Pursuant to Section 249 of the Act, the Council shall, prior to 30th June each year, set by resolution, the annual fee to be paid to the Mayor for the following year commencing 1st July provided that such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal.

**31. Sacrificing Annual Councillors Fees to Complying Superannuation Funds**

In accordance with the Australian Taxation Office Interpretative Decision 2007/205, Council may enter into an arrangement with a Councillor under which the Councillor agrees to forego all or part of their annual fee in exchange for the Council making contributions to a complying superannuation fund on their behalf.

## Appendix A - MONETARY LIMITS FOR EXPENSES

Policy Ref No.	Expense Type	Limit Amount	Comment
Part 6	Attendance at workshops and training Courses	Enrolment fee, including official luncheons, dinners & tours.	
Part 6	Attendance at dinners and other civic related Functions	Cost of service/function	
Part 6 22.2	Accommodation - If accommodation is available at conference or training venue, Council will pay for a standard double room at the venue where the overnight cost exceeds current ATO guideline.	As per ATO guidelines for reasonable travel allowance expenses for current financial year, currently maximum amount (Sydney-\$265 per night)	As per ATO guidelines for current financial year and destination <a href="#">TD 2014/19</a> table 3
Part 6 22.2	Meals	Breakfast \$32.55 Lunch \$46.10 Dinner \$64.60	As per ATO guidelines for reasonable travel allowance expenses for current financial year <a href="#">TD 2014/19</a> table 3
Part 6 23.1	Incidental expenses associated with attendance at seminars and training courses	\$26.75 daily	Actual expense up to current ATO limit daily. Examples: car parking, road tolls.
Part 6 22.3	Air Travel	Actual Fare	
Part 6 22.3	Rail Travel	Actual Fare	
Part 6 22.3	Bus Travel	Actual Fare	
Part 5 17.1 – 17.4	Use of private motor vehicle	Per km allowance as defined by the ATO rates per business km + car parking at venue	Engine capacity Rate per km: Up to 1600cc \$0.65 1601 -2600cc \$0.76 2600cc & over \$0.77
Part 2 11.11.2	Telephone call costs and related expenses	Council's current telecommunications plan	Covers Council related calls and includes 1GB of data per month
Part 2 11.11.3	Internet Access	Council's current telecommunications plan	Up to 4 GB of data per month
Part 4 16	Carer expenses	Up to \$2340per annum	Hourly rate \$19.50.
Part 2 11.5.3	Postage	Reasonable postage – to be processed through Council's mail system	

Coffs Harbour  
City Council  
Locked Bag 155  
Coffs Harbour, NSW 2450  
ABN 79 126 214 487

**Coffs Harbour City Council  
Claim for Reimbursement of Expenses by  
Mayor / Councillors**



Name of Claimant: \_\_\_\_\_

**Travel Costs - Use of private vehicle while on official Council business** Engine capacity: \_\_\_\_\_ cc

Date	Purpose of Travel (e.g. to and from Council meeting)	Distance (km)

Total distance travelled : \_\_\_\_\_ km @ \_\_\_\_\_ cents per km **Total claim \$** \_\_\_\_\_  
(office use) (office use)

**Other Expenses**

(Must be approved by the Mayor and General Manager and relate to your role as a Councillor)

Date	Description of Incurred Expense	Claim amount

**Total claim \$** \_\_\_\_\_  
(office use)

**I attach the relevant receipts and declare that the above expenses were incurred by me and are payable under the provisions of Coffs Harbour City Council's Councillor Expenses and Facilities Policy.**

Signature of Councillor: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Office Use Only \_\_\_\_\_

**Total payable \$** \_\_\_\_\_

Payment Authorised : \_\_\_\_\_ General Manager Date: \_\_\_\_\_

Payment Authorised : \_\_\_\_\_ Mayor (if applicable) Date: \_\_\_\_\_

Title	Doc No	Version	Author	Reviewer	Approver	Approval Date
	FRM- 155					

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## TRANSFORMATION TO SUSTAINABILITY PROGRAM - NEXT STAGE - ORGANISATION STRUCTURE

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### **Purpose:**

To present to Council a proposed new organisation structure designed to align with the recent adoption of the Transformation to Sustainability Program (T2S) and essentially moving the organisation to a new operational framework, to assist in delivering a new way of thinking, working, managing and leading. Adoption of a new organisation structure is fundamental to achieving the operational savings identified in the business case for the T2S Program.

Ultimately, this report seeks Council's approval of the new organisation structure.

### **Description of Item:**

At its Ordinary meeting of 10 July 2014, Council considered the outcomes of the first stage of the T2S program, in which consultants LKS Quaero Ltd undertook an organisational diagnostic and produced a business case for a transformation to sustainability.

The Organisational Diagnostic concluded that whilst Coffs Harbour City Council is an improving organisation, a transformational 'step change' is required.

The business case identified the potential to generate \$3.37 million in annual operational savings over the three year period of the T2S project. The majority of this (\$2.62 million) was to be generated from 'business process re-engineering and structural change' which has been described as a new operational model: a new way of thinking, working, managing and leading.

Council unanimously resolved to adopt the program plan and implement the T2S project.

This report recommends the adoption of a new organisation structure, which is effectively the first stage in the move to this new 'operational model', a 'step change' that closes the financial sustainability gap that Council has for a number of years, been working to close.

Council's 2013-2024 Resourcing Strategy, adopted by Council 11 April 2013, set out "Council's unsustainable position" in particular:

- A widening gap between revenue and expenditure (an underlying operating deficit) estimated at \$1.8 million per annum.
- Deterioration of infrastructure (resulting from insufficient spending on maintenance, renewal and management) estimated at \$6.2 million per annum.

Four options to bridge the "financial sustainability gap" were identified, including:

- Productivity improvements (changing the way services are delivered)
- New revenue opportunities (eg commercialisation of Council services)
- Reductions in current levels of service delivery
- Additional rate income

Over the course of 2013, a community engagement project was formulated in order to address the latter two options whereby the community had an opportunity through the 'budget allocator' process to provide input, with regards to all services Council provides, as to whether they were willing to pay more in rates in order to maintain current levels of service, or were willing to accept a lower level of service as a means of avoiding rate increases.

The consensus from this exercise, confirmed via a second stage of the process specifically regarding a special rate variation to fund infrastructure maintenance and renewal, was that the community were willing to accept an increase in rates in order to maintain current levels of service, particularly with regards to infrastructure. Council's subsequent application for a \$6.2 million special rate variation to be implemented over three years was partially approved (first year only).

This process was described as progress on "the road to financial sustainability" in Council's 2014-2024 Resourcing Strategy. The Strategy went on, in the improvement plan, to identify the next steps in pursuit of this objective: specifically, the implementation of the T2S program that effectively focused on the first two of the options set out above to bridge the "financial sustainability gap", namely, productivity improvements and new revenue opportunities.

Whilst Council is able to review its organisation structure at any time, it is pertinent to address the question as to why a restructure is proposed only 12 months since the adoption of the current structure on 22 August 2013.

The objective of the current four-directorate organisation structure was to provide more capacity for leaders and managers to 'work on the business'. Fundamental to this was, of course, the grouping of like functions and addressing span of control. The additional capacity created by this structure enabled directors and managers to focus on the business and this has been a catalyst for improvements across the board.

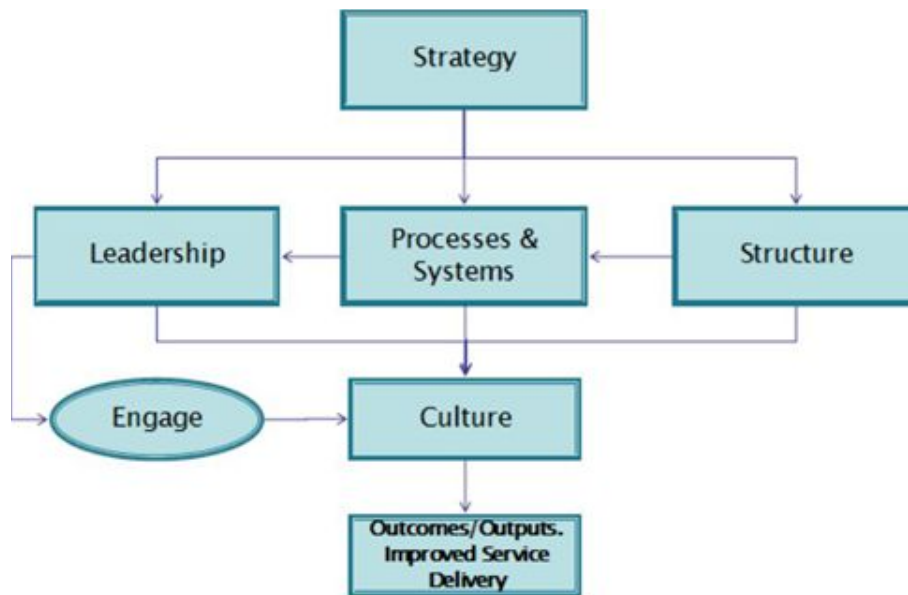
That said, the conclusion of the Organisational Diagnostic prepared by LKS Quaero Ltd was that whilst Council is an improving organisation, the rate of improvement is insufficient to bridge the financial sustainability gap (ie the remaining \$1.8 million, representing the underlying operating deficit). A step change is required that addresses the key findings:

- Accountability and the management of performance need improvement
- The 'golden thread' of Council vision, corporate strategies and delivery plans is not readily discernible
- The need to challenge the view, pervasive within the organisation, that improvement can only be achieved with additional resources
- Improvement initiatives perceived as 'balls in the air' need to be pursued through formal program planning and management control over change processes.

LKS Quaero Ltd formulated a total of 32 recommendations out of the Organisational Diagnostic in response to these issues. These recommendations then informed the Business Case which proposes a 'transformational' program to achieve a 'step change' in the way the organisation thinks, works, leads and manages.

The strategy informing the T2S program is a transformational one – 'revolution not evolution' – and as such it requires change in all fundamental areas of the organisational model that has informed strategic initiatives for a number of years:





To implement the transformational change strategy, a structural change is required along with business process re-engineering, supported by a leadership development program to achieve a fundamental change in culture: the way we think, work, lead and manage.

The design of the proposed organisation structure is based on the following principles:

- Delivery of the Community Strategic Plan, Coffs Harbour 2030 and the Draft Target Operating Model contained within the T2S Business Case;
- Positioning Coffs Harbour City Council as a potential regional player and leader in Local Government NSW;
- Functional and process coherence – grouping services which produce similar things, operate in a similar way or which should naturally work together within 'end-to-end' process to deliver service to the customer or community;
- Agility to respond to future change and opportunity;
- Best value in resource management.

#### **Sustainability Assessment:**

- **Environment**

There are no inherent environmental issues associated with this report.

- **Social**

As mentioned in the report to Council on 10 July 2014 regarding the T2S Program, any program that pursues a transformational culture change and re-engineers processes is likely to result in identifying excess staff capacity. The implementation of the T2S Program and the proposed structure will have at its foundation, strong consultative and engagement principles aimed at mitigating any negative social issues. In this regard a communication strategy has been developed as an internal working document to guide management in its deliberations as the new structure is implemented.

- **Civic Leadership**

Council has a responsibility to review and re-determine the organisation structure from time to time under the Local Government Act 1993. In doing so it is expected that Council will provide leadership to the community and demonstrate attempts to enable the key strategic driver for the community, namely Coffs Harbour 2030, to be achieved, noting of course the need to achieve financial and operational sustainability.

- **Economic**

**Broader Economic Implications**

As reported to Council on 10 July 2014, the identification of opportunities to generate savings and/or increase revenues is the primary outcome of the T2S Program. It has been estimated that following the three year implementation savings of \$3.2 million per annum could be realised. It was also identified that to yield these savings, an investment of some \$1.7 million is required over the three year implementation phase.

The costs associated with potential redundancies/staff rationalisation and the savings generated from these outcomes have been factored into the assumptions around the projected overall savings and investments required for the T2S Program.

**Delivery Program/Operational Plan Implications**

Once again as reported to Council on 10 July 2014, at the time of preparing the Delivery Program for 2014/15 – 2017/18 and Operational Plan for 2014/15, the draft outcomes of the T2S Program were known in a preliminary manner. Accordingly, the investment required and projected savings have been factored into the current Delivery Program and to a large extent reflect the changes that will occur resulting from the proposed new organisation structure.

Importantly should Council resolve not to support the proposed new organisation structure, it must be noted that the opportunity to yield the savings identified in the T2S Program will be compromised, resulting in not achieving the targeted financial savings for the overall program.

**Risk Analysis:**

The key risk of implementing such a transformational structural change is that the organisational capacity to deliver services will be reduced, even if it be temporary. Thus, it is critical that the change is undertaken in a timely manner, and is supported by investment in business process re-engineering and leadership development.

Some element of risk may occur during the implementation of the new organisation structure, however it is anticipated that this will be mitigated through the development of a detailed communications strategy/plan thus ensuring that all stakeholders will be engaged and consulted in accordance with the relevant provisions of the Local Government (State) Award 2014 and applicable legislation as the case may be.

### **Consultation:**

Extensive consultation has been undertaken across the organisation with Councillors and regular correspondence provided to unions in the context of the broader T2S Program. In particular, attempts were made to ensure that all staff within Coffs Harbour City Council had an opportunity over 2, 3 and 4 July 2014 to be informed directly by the General Manager and relevant Director as to the broad principles involved in the T2S Program. It was made clear that the outcomes of the process would be creating efficiencies through process re-engineering, thus creating excess staff capacity and obtaining stronger accountability and expenditure outcomes on Council's operational spend.

Council endorsed the broader T2S Program at its meeting on 10 July 2014. Since that endorsement, further communication has occurred with the Council's Consultative Committee and broader newsletter advice has continued to be provided to staff keeping them informed of progress. Additionally, Council's Executive Leadership Team has continued to meet with representatives of LKS Quaero Ltd with a view to refining the next stages of the process.

Specifically, in the context of the organisation structure elements of the T2S Program, the following consultation has occurred thus far, and will continue to occur;

- Monday 18 August 2014, briefing held with Councillors
- Tuesday 19 August 2014, further meeting with the Consultative Committee at Coffs Harbour City Council;
- Tuesday 19 August 2014, briefing provided for the broader Leadership Team;
- Tuesday 19 August 2014, opportunity provided for one-on-one meetings between consultants from LKS Quaero Ltd and individual Councillors;
- Wednesday 21 and Thursday 22 August 2014, General Manager accompanied by Manager Business Transformation and relevant Director met with staff across the organisation to provide an update on the next stage of the T2S Program and in particular the proposed organisation structure.
- Monday 25 August 2014, a Councillor briefing session on Business Paper for the business paper submitted for 28 August 2014 Council Meeting;
- Wednesday 27 July 2014, further workshop provided for questions and clarification regarding structure with Councillors.

Should Council adopt the recommendations contained at the conclusion of this report, the consultation and engagement does not cease. In accordance with the various Local Government (State) Award 2014 and legislative requirements, Council management will be required to continue to engage with the relevant unions and the workforce of the organisation to keep them informed of the proposed implementation of the new structure. To assist in this regard, a communication strategy has been prepared to guide the communications within the organisation from the point of Council resolving to adopt the new structure.

### **Related Policy and / or Precedents:**

Council has reviewed the organisation structure from time-to-time, with previous reviews having been undertaken in August 2013, July 2006 and November 2002.

### **Statutory Requirements:**

Under the Local Government Act, Council must review its organisation structure within 12 months of an ordinary election, and may review this from time-to-time as required (Sections 332 and 333 of the Local Government Act 1993).

**Issues:**

The purpose of this report is to propose an optimum operating structure for Coffs Harbour City Council. There is no doubt that the T2S Program, ably supported by LKS Quaero Ltd consultants, has caused our organisation to consider the way it delivers its services, and this was a deliberate consequence of engaging an external peer review resource. It is proposed that the levels of service provided to the community will not ultimately be affected by adoption of the new organisation structure. The proposed organisation structure does challenge our organisation to think differently about the way we deliver services and doing so in a way that breaks down some of the traditional and functional base structure within the organisation. It has a strong end to end process approach, which should ultimately deliver better outcomes for the organisation and the community.

Attached to this report is a copy of a Draft Operating Structure dated August 2014 which has been prepared in consultation between the Executive Leadership Team of Coffs Harbour City Council and LKS Quaero Ltd consultants. This Draft Operating Structure document provides a solid overview of the proposed operating structure for Coffs Harbour City Council into the future. As pointed out on page 1 of the subject document, the success of the structure is very much dependent on how work is undertaken. The attached structure therefore does not seek to capture all positions and levels within the organisation, however it does articulate the Tier 2 (Director) and Tier 3 (Group Leader) levels. This will then allow for a focus on how best to ensure work processes undertaken are in line with the principles of the T2S Program.

Council's current organisation structure has a total of some 30 positions within Tiers 2 and 3, whilst the proposed organisation structure by comparison has some 16 positions within Tiers 2 and 3, an obvious significant reduction. Some of the resources currently within Tier 3 may indeed need to drop to a Tier 4 resource, however, this will become more evident as processes are re-engineered within the T2S Program.

Current processes will need to be re-engineered and emphasis placed on individual and team accountability for the delivery of services. This is about 'doing the right things' as well as 'doing things right'. All of this can only happen in an environment with strong leadership development and support. Restructures of this nature will impact on individuals within the organisation and of course Council will have Local Government (State) Award 2014 and legislative responsibilities in this regard.

It is proposed that the communications strategy developed to guide the restructure implementation will provide a solid reference for management and employees as its implementation unfolds. As mentioned in the T2S Program report submitted to Council on 10 July 2014 Council meeting, in summary, given Council's financial position we cannot afford to do nothing. The implementation of the T2S Program was identified as having potential to yield real savings and move Council towards financial and operational sustainability. The implementation of the proposed organisation structure is the first step in this process and is essential to enable projected savings to be realised.

**Implementation Date / Priority:**

Assuming Council adopts the organisation structure as submitted, one of the first steps will be to provide notification to the industry unions of a significant change in Council's organisation structure and this advice is to be provided consistent with the provisions of sub clause 39(i) of the Local Government (State) Award 2014. Essentially, this means that 28 days' notice of the proposed implementation of the new structure commencing and thereafter, further communication with the Directors and Managers will occur, as will further consultation throughout the organisation.

**Recommendation:**

1. That in accordance with Section 333 of the Local Government Act 1993, Council adopt the organisation structure identified within Attachment 1 within the attachments to this report;
2. That in adopting the structure, as outlined in (1) above, the positions within the organisation structure that are senior staff positions in accordance with Section 332 of the Local Government Act 1993 are: Director Business Services, Director Sustainable Infrastructure and Director Sustainable Communities;
3. That to facilitate the implementation of the restructure, Council management provides appropriate notification to industry unions and within the organisation in accordance with the Local Government (State) Award 2014 and other legislative responsibilities.

Attachment

LKSQUAERO

Commercial in Confidence

## Draft Operating Structure

August 2014



LKSQUAERO

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The purpose of this report is to propose an optimum operating structure for Coffs Harbour City Council.

Progressive culture and efficient processing are at the heart of high performing organisations. However, fixed or outdated organisational structures can lead to services that cannot be sustained in a changing environment. This is because an organisational structure can affect and influence how individuals work. For example, a functionally based structure can lead to “silos” where individual focus on their specialisation and their own goals rather than those of the organisation. Non-functional organisational structures can encourage individuals to develop a better understanding of the purpose and objectives of the wider organisation and place their personal goals in context.

Like culture and processes, organisational structures cannot remain static. It must change as the organisation develops to reflect the context and purpose of the organisation.

### Design Principles

The design of the proposed structure is based on the following principles:-

- delivery of the Sustainable Community Strategy 2030 and the draft Target Operating Model (Community Outcomes)
- positioning Coffs Harbour City Council as a potential regional player and leader in local government NSW
- functional and process coherence - grouping services which do similar things, operate in a similar way, or which should naturally work together within an “end to end” process to deliver service to the customer or community
- agility to respond to future change and opportunity
- best value in resource management

### The Benefits of the Operating Structure

This structure is dependent on changes to *how* work is undertaken. Current processes will need to be re-engineered and emphasis placed on both individual and team accountability for the delivery of services. This is about “doing the right things” as well as “doing things right”.

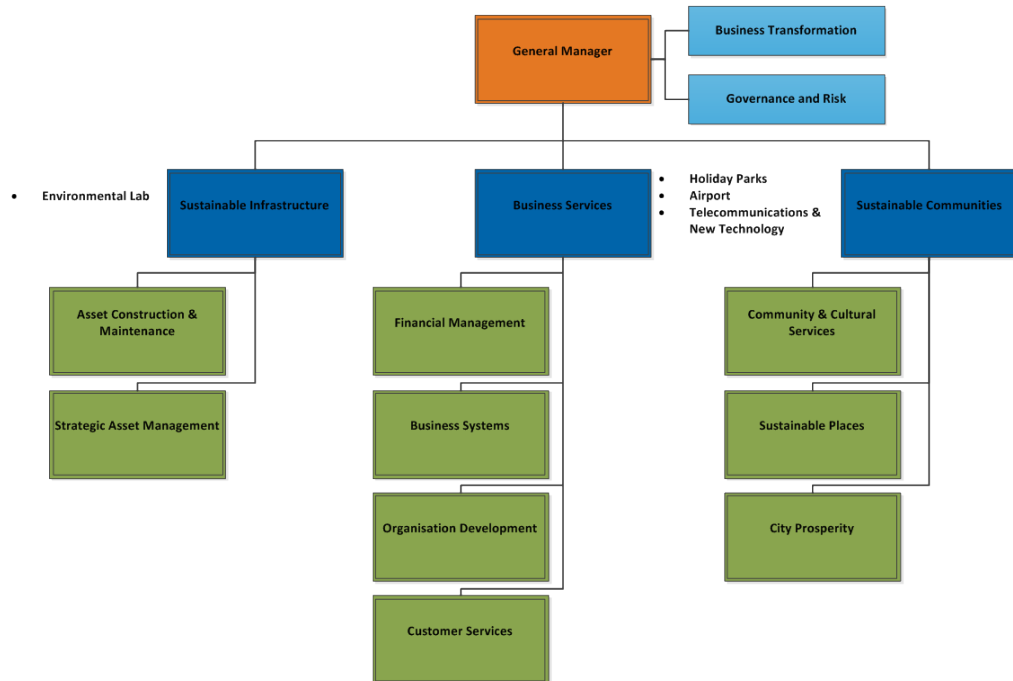
Successful implementation of this structure also requires improvement in the Administration’s leadership and management capability.

The proposed structure provides the Council with the following benefits:-

- Improved customer and community orientation resulting from greater focus on meeting customer expectations in service delivery, and engaging with the community in strategic needs assessment and service design
- Greater strategic capacity through greater delineation between strategy development and service delivery operations. It enables a “commissioning” approach to be taken where services are specified to meet established need at best value
- Integrating activities by function or process enables the benefits of streamlining and economies of scale. For example, grouping administrative services allows the streamlining of processes making administration quicker and cheaper. This gives better value to the internal and external customer
- Integrating functional and process activities fosters better team working and resource planning *within* teams. Staff reported that insufficient team working across “functions” was a feature of the current working culture. This structure enables improved working *between* teams as linkages can be more easily identified in “end to end” processes
- Integrating functional activities enables increased spans of control. This makes it easier for the leaders of these areas to influence and direct staff and activity to deliver specified community outcomes. Having genuine leadership competencies being exercised rather than being peripheral to technical expertise will enhance the organisation’s ability to drive direction and manage performance
- Integrating functional activity will enable work processes and practices in these functions to be re-engineered from “end to end”. This will yield cost reduction, and often improved satisfaction as staff report greater ownership over the policies and processes that determine their work. The reduction in process time and multiple handling of activity often results in improved satisfaction from both internal and external customers
- Functional business units that give the Council the opportunity to explore partnering or contestable options to promote long term sustainability
- Opportunities for scalability arising from adoption of alternative partnering, service delivery and governance models
- Realisation of cost savings

## The Proposed Operating Structure

The suggested structure is illustrated below.



The proposed structure consists of the following Directorates:-

### Sustainable Communities Directorate

A financially sustainable organisation requires a clear strategic focus in delivering a sustainable community. A sustainable community is one that is economically, environmentally, and socially healthy and resilient. It meets challenges through integrated solutions rather than through fragmented approaches that meet one of those goals at the expense of the others. A sustainable community requires a long-term perspective, one that is focused on both delivery in the present and planning for the future.

The purpose of the Sustainable Communities Directorate is to provide strategic focus by ensuring that long term planning informs the delivery of services that meet current economic, environmental and social needs. The functions within the Sustainable Communities Directorate must deliver integrated policy and action, informed by community and democratic engagement. Direct and high quality community and stakeholder engagement will be a core competency within every business unit within this Directorate. This Directorate will lead all strategic analysis of need, and will be



responsible for the corporate and strategic performance planning framework for the organisation. Delivery of Community outcomes via the Community Strategy focusses not just on those services for which the Council is directly responsible but also to be in a position to represent and advocate for all of the community's needs and contribute to meeting them. For example, health services, community safety.

The Directorate consists of the following business units:-

#### Community and Cultural Services

The purpose of this business unit is to deliver cultural services to the community and ensure that community needs and aspirations inform Council policy, service delivery and practice.

This business unit combines Community Services, Cultural Facilities, Library Services, the Jetty Memorial Theatre and Sports services within the current Community Services Directorate. The team structure within this business unit would distinguish between the strategic community needs assessment and service programming. Management of the facilities (the buildings) will be undertaken by Business Services to enable the Community and Cultural Services Business Unit to focus on the actual services. The strategic element of this business unit would set priorities and define for community services, effectively "commissioning" them. The community facility management element of this business unit would be ideally placed to take advantage of existing proposals to develop a major integrated cultural facility in Coffs Harbour.

#### Sustainable Places

The purpose of this business unit is to ensure that strategic spatial vision for Coffs Harbour is delivered through integrated spatial planning, spatial development (through assessment) and regulatory enforcement. It delivers the "place shaping" and "place making" function of the Council.

This business unit combines the existing services within the City Planning Directorate, however, with a greater emphasis on end-to-end service provision than that which currently exists. This structure would require re-engineering of all processes within strategic planning, development assessment and regulatory assessment. The team structures within this business unit will still allow for statutory division of responsibilities where appropriate.

#### City Prosperity

The purpose of this business unit is to drive the economic development agenda for Coffs Harbour. Leadership of economic strategy combined with commercial



disciplines will be applied to those activities whose main intent is to contribute to generating an economic benefit to the city.

This business unit will combine Coffs Coast Tourism and Marketing, Enterprise Coffs and the major events management element of Sports within the current Community Services Directorate, and all other major event management activity including City events. These may currently reside across various parts of the Council. The team structures within this business unit will differentiate leadership and facilitation of strategy with the management of commercial activity.

### Business Services Directorate

A progressive and sustainable organisation requires a strong and strategic corporate centre. The role of the Business Services Directorate is to enable and support customer focused service delivery throughout the organisation. These customers are internal to the organisation – the other Directorates, and external to the organisation – the community, other stakeholders and customers. The Directorate should be characterised by high quality advisory services, and streamlined responsive systems and processes which enable others to do their job more effectively. The Directorate should provide high quality business information and intelligence enabling leaders and managers to manage their services effectively. All this at best value to both internal and external customers.

This Directorate will also be responsible for overseeing the Commercial Business Units on behalf of the Council ensuring that they return the benefits to the Council and the community assigned to them.

The Business Services Directorate consists of the following business units.

### Customer Services

The proposed Target Operating Model for Coffs Harbour City Council places significance on superior and improved customer service.

The purpose of this business unit is to ensure that customer focus, and good customer service is embedded throughout the Council. This new business unit will promote improved customer relationship management through a “corporate front office” as the first point of customer contact either in person, on the phone or via the website. Re-engineered processes will aim to maximise query resolution or service fulfilment at first point of contact with the customer.

Centralisation of administrative functions within this business will provide opportunities for process redesign, rationalisation and economies of scale. The centralisation of administrative functions, including venue management (bookings, scheduling) could in the future form a scalable commercial service; being able to provide those services to other organisations such as adjoining Councils.





Much of the core activity within these functions is to service customer needs either through service delivery or through the provision of information. The customers include individuals, Elected Members, external organisations or the general public.

#### Organisation Development

Organisation development is the planned and systematic approach to enabling sustained organisation performance through the involvement of its people. This business unit replaces the current Human Resources and Organisational Development function with greater focus on establishing and maintain effective management systems and processes, and supporting the long term development of the workforce. In addition to the delivery of normal human resource practices utilising manager and staff self-service technology, this unit would provide greater strategic capability in leadership development, talent management and change management. Work Health and Safety and the management of claims will be undertaken by this team.

#### Financial Management

Sound and strategic financial management is essential to ensure resources are available to support priorities and improve services. It is an essential prerequisite to good corporate governance. It underpins service quality and improvement and is the basis of accountability to stakeholders for the stewardship and use of resources.

This business unit replaces the current Finance function in the Corporate Business Directorate. The team structure within this unit would require review to value for money, customer engagement and streamlined service delivery better utilising existing and new technology.

#### Business Systems

The provision of high quality unified data, information and intelligence is essential to the efficient and effective management of an organisation. Equally important is to remove the inefficiency arising from disparate data sources, duplicate storage and retrieval, and the lack of trust in the information that is available.

This business unit replaces the current Corporate Information function with greater strategic capability and improved customer engagement and focus. Provision of improved information technology policies, frameworks, strategy and standards will be used to enhance staff productivity throughout the organisation.

Management of the systems infrastructure (IT) and networks will also be a function of this business unit.



### Sustainable Infrastructure Directorate

The Council manages and maintains a substantial number of assets that underpin sustainable economic, social and community life. These include buildings, parks and gardens, roads, bridges, land, drains and other physical assets which must be managed and maintained to meet current and future demand.

This Directorate will be responsible for strategic asset planning, maintenance, and operational delivery in accordance with the strategic direction for Coffs Harbour set by the Sustainable Communities Directorate.

The Sustainable Infrastructure Directorate consists of the following business units:-

#### Strategic Asset Management

The purpose of this business unit is to manage the organising, planning, acquisition, care, refurbishment, and disposal of infrastructure assets to deliver a sustainable community in Coffs Harbour. It will take a “whole of life” asset management approach thereby integrating short, medium and long term perspectives in the management and utilisation of physical assets. Existing plans to improve asset planning will be enhanced through improved understanding and monitoring of asset performance, and stronger alignment to corporate goals. The business unit will also consider the most appropriate operational delivery model for each asset class or category and secure best value for the Council.

The scope of this business unit includes all physical community assets within Coffs Harbour. Accordingly, the business unit may consider the construction, management and maintenance of assets not owned by Coffs Harbour City Council, where these are consistent with the delivery of the Sustainable Community Strategy.

This business unit combines the existing Strategic Asset Management Planning, Infrastructure Programs, and Engineering Services functions in the Sustainable Infrastructure Directorate. It also includes the business development activity for Private Works in the City Works function.

The creation of this business unit completes the existing direction of travel in creating a “commissioning” approach which prioritises, directs, and manages the performance of operational service delivery in the construction, management, and maintenance of physical community assets.

#### Asset Construction and Maintenance

The purpose of this business unit is to construct and maintain physical assets in accordance with strategic and operational asset management plans.



It combines the existing asset Construction, Asset Maintenance and Recreational Services functions in the in the City Infrastructure Services Directorate. It will also combine all other asset maintenance functions with current reside in other Divisions in the Council.

#### Business Transformation (General Manager's Office)

This new fixed term function will provide additional change management capacity and capability within the organisation during the implementation of the business transformation program. It is envisaged that this function would be required for the term of the Transform to Sustainability Program (3 years) and would focus on:-

- Technical leadership of the internal change program
- Identification and facilitation of external partnerships promoting innovation in service delivery

In addition to program management oversight, this role would prepare the ground for Stage 3. Typically, the activities pursued in Stage 3 require considerable lead in times, and would engage with individuals of seniority within potential partner organisation. The role would also be responsible for ensuring that a continuous improvement framework was operational at the end of the transformation program.

#### Governance and Risk (General Manager's Office)

The primary focus of this role is to support the General Manager and co-ordinate those areas which requires direct General Manager oversight. This includes management of the services which support democratic processes and enable the Council to undertake its governing role. Management of corporate risks and the attendant internal audit functions are included within these services.

LKSQUAERO

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Attachment

LKSQUAERO

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## LANDLORD'S CONSENT FOR MORTGAGE OVER TENANT'S LEASE - GOWING BROS LIMITED

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### **Purpose:**

To seek Council approval to consent to the registration of a Mortgage on the Lease between Council and Gowing Bros Limited for the property known as the Airbridge, over Vernon Street, Coffs Harbour – Property No. 831800.

### **Description of Item:**

Consent to a Mortgage over the Lease by Lessee's Financier to enable provision of finance to the Lessee.

### **Sustainability Assessment:**

- **Environment**

Consent is sought only for a mortgage over the existing lease instrument with no further structural change necessary.

- **Social**

Consent for a mortgage over the lease will allow provision of finance to enable the Lessee to further develop their business. The ongoing development of Coffs Central is regarded as contributing significantly to the revitalisation of the City CBD.

- **Civic Leadership**

The Coffs Harbour 2011-2015 delivery program objective (OC1.1.6.2) is to pursue corporate business opportunities to generate income to support Council programs. The proposed consent to mortgage over the lease indirectly supports this objective.

- **Economic**

#### **Broader Economic Implications**

Gowing Bros Limited have displayed sound economic management in their dealings with Coffs Harbour with a positive focus on development of their business within the City Centre.

#### **Delivery Program/Operational Plan Implications**

With reference to Council's 2014/2018 Development Plan, consent for a mortgage over the lease sits under Property (S18) Commercial Asset Management.

### **Risk Analysis:**

The context of risk assessment in this matter is limited to the Lessee and the Lessee's ability to meet their financial commitments.

Council will not be exposed to financial risk as the charge is held over the instrument and not the asset.



The Deed of consent specifically provides that nothing in the Deed or the Landlord's consent of the Mortgage limits the rights of the Landlord under the Lease or increases the Tenant's rights under the Lease except to the extent expressly set out in this Deed.

Whilst it must be noted that the granting of consent incurs additional obligation on Council as Lessor, such obligation is limited to ensuring the Mortgagee is advised in the event the Lessor (Council) seeks to terminate the lease for breach of any of the lease covenants. This in turn allows the Mortgagee to take steps to redress breach issues where possible.

**Consultation:**

Lessee – Gowing Bros Limited.  
Legal Advisor – Fishburn Watson O'Brien.

**Related Policy and / or Precedents:**

Landlord's Consent for registration of a Mortgage over a Tenant's Lease is commonplace for Commercial Tenancies and Council has provided consent in previous instances.

**Statutory Requirements:**

Regulation 400(2) Local Government (General) regulation 2005 applies with respect to execution of documentation under Council seal.

**Issues:**

The request for consent to mortgage is a common request where Commercial Leases are concerned.

Legal advice has been sought to ensure protection of Council's interest.

**Implementation Date / Priority:**

The Deed of Consent is a priority by the Lessee and an expected timeframe would be by 30 September 2014.

**Recommendation:**

1. **The Council, as registered proprietor of the property known as the Airbridge over Vernon Street, Coffs Harbour, Property No. 831800, authorise Consent to Mortgage over the existing lease held with Gowing Bros Limited, ABN 000 010 471.**
2. **That the Consent to Mortgage over the existing lease held with Gowing Bros Limited, ABN 000 010 471 over the property known as the Airbridge over Vernon Street, Coffs Harbour, Property No. 831800, be executed under Common Seal of Council.**
3. **That the Lessee be responsible for and pay all of Council's legal costs arising from the grant of consent to the registration of Mortgage over the existing lease held with Gowing Bros Limited, ABN 000 010 471.**

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## LANDLORD'S CONSENT FOR MORTGAGE OVER TENANT'S LEASE - EAGLE COPTERS AUSTRALASIA PTY LIMITED

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### **Purpose:**

To seek Council's approval to consent to the registration of a Mortgage over the Lease between Council and Eagle Copters Australasia Pty Limited for the property at 79 Aviation Drive, Coffs Harbour – Lot 30 in DP 835497.

### **Description of Item:**

Consent to Mortgage over the Lease by Lessee's Financier to enable provision of finance to the Lessee.

### **Sustainability Assessment:**

- **Environment**

Consent is sought for a mortgage over the lease held. Finance is being provided to assist construction of the Hangar to house the business of Eagle Copters Australasia Pty Ltd.

The construction of the Hangar has been approved by Council – Development Consent 711/14DA.

- **Social**

Consent for a mortgage over the lease will allow provision of finance to enable the Lessee to further develop the business. As previously reported – refer Council Resolution 224 dated 26 September 2013 – Eagle Copters Australasia Pty Ltd proposes to employ up to 60 effective full time staff once fully operational.

- **Civic Leadership**

The Coffs Harbour 2011-2015 delivery program objective (OC1.1.6.2) is to pursue corporate business opportunities to generate income to support Council programs. The proposed consent to mortgage over the lease indirectly supports this objective.

- **Economic**

#### **Broader Economic Implications**

Eagle Copters Australasia Pty Limited has previously submitted their business plan as part of their initial approach to Council to operate on these premises.

As a new business to Coffs Harbour servicing and maintaining helicopters from around Australia, the projection is for significant work, employment and cash flow for the Local Government Area.

The Hangar is imperative for business operations.

### **Delivery Program/Operational Plan Implications**

With reference to Council's 2014/2018 Development Plan, consent for a mortgage over the lease sits under Property (S18) Commercial Asset Management.

#### **Risk Analysis:**

The context of risk assessment in this matter is limited to the Lessee and the Lessee's ability to meet their financial commitments.

Council will not be exposed to financial risk as the charge is held over the instrument and not the asset.

The Deed of Consent under Clause 9 specifically provides that nothing in the Deed or the landlord's consent of the Mortgage limits the rights of the landlord under the Lease or increases the tenant's rights under the lease except to the extent expressly set out in the Deed of Consent.

Whilst it must be noted that the granting of consent incurs additional obligations on Council as Lessor, such obligation is limited to ensuring the Mortgagee is advised in the event the Lessor (Council) seeks to terminate the lease for breach of any of the lease covenants. This in turn allows the Mortgagee to take steps to redress breach issues where possible.

#### **Consultation:**

Lessee – Eagle Copters Australasia Pty Limited  
Legal Advisor – Fishburn Watson O'Brien

#### **Related Policy and / or Precedents:**

Landlord's Consent for Mortgage over a tenant's Lease is commonplace for commercial tenancies and Council has provided consent in previous instances.

#### **Statutory Requirements:**

Regulation 400(2) Local Government (General) regulation 2005 applies with respect to execution of documentation under Council seal.

#### **Issues:**

The request for consent to the registration of mortgage on the registered lease is not an uncommon request where commercial leases are concerned.

Legal advice has been sought to ensure protection of Council's interest.

#### **Implementation Date / Priority:**

Formal consent will be provided to the Lessee upon Council endorsement.

**Recommendation:**

1. The Council, as registered proprietor of 79 Aviation Drive, Coffs Harbour described as Lot 30 in DP 835497, authorise Consent to a Mortgage over the existing lease held with Eagle Copters Australasia Pty Ltd ABN 52 150 018 894.
2. That the Consent to Mortgage over the existing lease held with Eagle Copters Australasia Pty Ltd ABN 52 150 018 894 over the property 79 Aviation Drive, Coffs Harbour, described as Lot 30 in DP 835497, be executed under Common Seal of Council.
3. That the Lessee be responsible for, and pay, all of Council's legal costs arising from the grant of consent to the registration of Mortgage over the existing lease of Lot 30 in DP 835497 held with Eagle Copters Australasia Pty Ltd ABN 52 150 018 894.

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## COFFS HARBOUR NETBALL ASSOCIATION - NEW LEASE OF VOST PARK

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### **Purpose:**

Seeking Council's endorsement of the lease of Vost Park to Coffs Harbour Netball Association Incorporated (CHNAI) expired on 31 December 2013. CHNAI now seek a further lease term of the existing netball facility.

### **Description of Item:**

Proposed is a new lease for a five year term with an option for a further five years of Vost Park Netball Facility, Murray Drive, Coffs Harbour described as Lot 10 in DP 828135 to existing tenants, the Coffs Harbour Netball Association Incorporated ABN 79 003 811 569.

Details of the agreed lease terms are listed in the Attachment marked Annexure "A".

### **Sustainability Assessment:**

- **Environment**

CHNAI are the existing occupiers of the property which has been developed as a fully operational netball facility. The facility encompasses netball courts, clubhouse, car park and grassed reserve area.

No changes other than maintenance and upkeep are proposed to the existing structure at this time, therefore no further impact on the environment is envisaged.

- **Social**

The existing facility provides a sporting service specifically for netball in the local community. This lease proposal will cover this use and as such there is no perceived change in regard to social sustainability and impact. The facility provides a valuable resource to help foster a sense of community and to promote healthy lifestyle choices.

Audited financials received from the CHNAI indicate a strong and viable Club with the capacity to continue to manage the facility.

- **Civic Leadership**

Council's 2030 Plan, establishes as an objective Develop inclusive community, sporting and recreational events and activities".

A further lease term over the Vost Park Netball Facility to CHNAI is consistent with this objective

- **Economic**

#### **Broader Economic Implications**

The recommendation does not give rise to any adverse economic outcomes, noting that whilst the tenure is granted at a subsidised rate, the responsibility for the ongoing maintenance and repair of the property (including structural repairs) rests with the Lessee.

### **Delivery Program/Operational Plan Implications**

Support of local clubs is in keeping with the 2030 Vision to provide each village with the services and facilities needed to maintain a sense of local community.

Further, the plan aims to develop inclusive community, sporting and recreational activities. Facilitation of the Vost Park Complex lease will work towards these operational goals.

### **Risk Analysis:**

The context of the risk assessment in this matter revolves around the likelihood of CHNAI not being able to fulfill its obligations under the lease and how this may impact on Council's use of the land.

It should be noted in this matter however that the lease effectively constitutes a ground lease only.

The lease agreement includes provision to mitigate the negative impact of a breach of lease conditions.

CHNAI has demonstrated proven capabilities as required to fulfill lease provisions.

Agreed terms of the proposed lease as per Annexure "A" cover exposure to this risk.

Further, it is agreed that maintenance and care of the large trees on the property surrounding the facility require specialist attention and skill and therefore, will be undertaken by Council.

### **Consultation:**

CHNAI  
Sports Unit

### **Related Policy and / or Precedents:**

Lease terms have been agreed upon as set out in Annexure "A".

### **Statutory Requirements:**

The land is classified as community land and categorised as a sportsground pursuant to section 36 of the Local Government Act 1993.

Section 46 provides that a lease, licence or other estate in respect of community land may be granted in accordance with an express provision in the plan of management and provided such tenure is consistent with the core objectives of the land categorisation.

The land is subject to the Sportsground Plan of Management which, amongst other measures, authorises Council to enter into lease and licences for the whole or part of the land.

The core objectives for management of community land categorised as a sportsground are:

- (a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and
- (b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.



Section 47 of the Act provides that Council must give public notice and consider submissions to the lease proposal prior to leasing or licensing the land.

Regulations 400(2) Local Government (General) regulation 2005 applies with respect to execution of the lease documentation under Council seal.

**Issues:**

The Current Lessee is operating on an expired lease as of 31 December 2013. Whilst the existing, expired lease continues to cover both parties (Council and CHNAI) the CHNAI has requested the certainty and security of a further lease term given their proposal to substantially refurbish the court surface.

**Implementation Date / Priority:**

New lease as sought will replace current, expired lease. Formal consent will be provided to the Lessee upon Council endorsement.

**Recommendation:**

- 1. That Council as the registered proprietor of Lot 10 in DP 828135 being Vost Park Netball Facility, Murray Drive, Coffs Harbour (“the demised premises”) give public notice, pursuant to Section 47 of the Local Government Act 1993, of the proposal to lease the Demised Premises to Coffs Harbour Netball Association Incorporated for an initial term of five years with an option for a further five years subject to the lease terms and conditions detailed in this report.**
- 2. That in the event there are no objections to the advertised proposed lease of Lot 10 in DP 828135 to Coffs Harbour Netball Association Incorporated that Council as registered proprietor of Vost Park being Lot 10 in DP 828135 (the Demised Premises) authorise the lease of the Demise Premises to Coffs Harbour Netball Association Incorporated for an initial period of five years and an option for a further period of five years and subject to the terms and conditions contained in this report.**
- 3. That any necessary documents required to give effect to the lease of Vost Park being Lot 10 in DP 828135 to Coffs Harbour Netball Association Incorporated be executed under the Common Seal of Council.**
- 4. That the cost of advertising the proposed lease pursuant to Section 47 of the Local Government Act 1993 and Council's reasonable legal costs in preparing and executing the lease be borne by the Lessee.**

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## WOOLGOOLGA REGIONAL COMMUNITY GARDEN

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### **Purpose:**

The purpose of this report is to:

- Seek Council approval to make a provisional offer of land to the Woolgoolga Regional Community Garden Association (WRCGA) for the purpose of establishing a Community Garden within the Nightingale St Reserve Woolgoolga.
- Seek Council approval to advertise proposed amendments to the Sportsground and Parkland Plans of Management, in accord with Division 2 of the Local Government Act 1993, to re categorise the proposed Community Garden site from Sportsground to Park.
- Seek Council approval to advertise the proposed license to the WRCGA for the purpose of establishing the Community Garden within the Nightingale St Reserve, Woolgoolga.
- Subject to the outcome of the public exhibition of the proposed Plan of Management amendments and license, enter into a license arrangement with the WRCGA for the use of the Nightingale St Reserve, Woolgoolga in accord with section 47A of the Local Government Act. 1993.

### **Description of Item:**

The Coffs Harbour Open Space Strategy 2010 recommended establishing community gardens in each major town in the Local Government area.

Coffs Harbour City Council has been approached by the Woolgoolga Regional Community Garden Association seeking a site to license for the purpose of establishing a community garden in Woolgoolga. Council has a demonstrated history of supporting community garden initiatives through the establishment of the highly successful Coffs Harbour Regional Garden on Council land at Combine St, and has adopted guidelines for the establishment of Community Gardens. This application for a site is consistent with these guidelines.

### **Sustainability Assessment:**

A sustainability assessment in respect to the proposed Nightingale Street Community Garden is provided as follows:

- **Environment**

The site will be developed to demonstrate best practice sustainable practices including closed loop waste systems (on-site composting and reuse), sustainable water management and transport access. The proposal will have no significant impact on the environment; to the contrary it will demonstrate urban land regeneration bringing increased diversity to an existing grass monoculture. It will also reduce the need for ongoing energy usage from ongoing mowing of the area.

An environmental management plan will be developed that will outline environmental controls around the use of chemical sprays, fertilizers, water use, noise, etc.

- **Social**

The community garden will provide a passive recreational and social community meeting space. As such it will support community well-being, community building and offer increased opportunities for members of the community to meet and exchange knowledge and experiences in a social environment. It is anticipated that the garden will be used by a variety of community members from different cultures and so the space will provide opportunities for cross cultural exchange and learning. A bush tucker garden will also offer learning around indigenous foods and culture.

### **Civic Leadership**

The Community Garden works towards achieving the outcomes identified with the Coffs Harbour 2030 Community Strategic Plan and is directly connected to the themes "Places for living" and Looking after our community".

Relevant Strategies include:

- Promote opportunities around renewable energy, sustainable tourism, sustainable agriculture and fisheries, local produce, creative and clean industries
- Promote Sustainability programs and policies
- Facilitate and promote shared learning across generational and cultural groups
- Promote a caring, inclusive and cohesive community
- Promote healthy living
- Support activities and events that help us celebrate our diversity
- Develop inclusive community, sporting and recreational events and activities
- Promote connections to the environment through learning in the environment
- Create environmental management and restoration programs through partnerships with the community
- Provide public spaces and facilities that are accessible and safe for all
- Provide infrastructure that supports sustainable living and is resilient to climatic events

### **Broader Economic Implications**

The community garden will act as a demonstration site for aspects of a sustainable economy. Local food is increasingly being seen as having a significant role to play in developing a strong local economy.

It is likely that Environmental Levy funding and other grants will be applied for to allow for ongoing educational workshops and other costs associated with the day to day running of the garden. In addition opportunities will be investigated for value adding around the local food produced in the garden.

### **Delivery Program/Operational Plan Implications**

There are costs to Council associated with the creation, organization and administration of licenses. These are estimated to be \$500 to establish and \$1,000 per annum. Establishment costs will be covered in the existing 2014/15 Operational Plan if the project is approved. Annual costs will need to be incorporated into future Operational Plans.

The Coffs Regional Community Garden currently licenses land from council for a peppercorn amount. In the absence of a formal Policy it is suggested that the license to the WRCGA should remain consistent with the CRCG license to allow for the gardens to develop policies for ensuring the gardens are sustainable into the future. It is suggested that any licence agreement entered into subsequent to the adoption of the Policy reserve the rights for Council to amend/ review the licence fees in accordance with the Policy, when adopted

**Consultation:**

Several meetings have been conducted with the WRCGA. They have expressed strong support for the Nightingale Street Reserve site. On this basis discussions have been conducted with the Woolgoolga and District Netball Association.

If Council supports the Community Garden proposal community consultation will be undertaken as per the recommendations in this report.

Consultation with various internal stakeholders (Recreation Services, Property and Sports Unit) has identified a number of considerations noted in Issues section.

**Related Policy and / or Precedents:**

The outcomes of this project will directly support several Council policies and strategies including:

- Community Vision 2030 and the Coffs Harbour 2030 Community Strategic Plan.
- Open Space Strategy 2010.
- Our Living City Settlement Strategy.
- Environmental Awareness Strategy.
- Waste Resource Action Strategy.
- The Peak Oil Action Plan.

**Statutory Requirements:**

The site is currently managed under the Sportground Plan of Management, prepared under the provisions of the Local Government Act 1993. The Community Garden proposal is not consistent with the Values and Management Objectives contained within this Plan of Management and the land will therefore need to be recategorised as Park. The Community Garden proposal is consistent with the Values and Management Objectives contained within the Parkland Plan of Management. This will need to be pursued in accordance with Division 2 of the Local Government Act 1993.

A public hearing and a minimum of 28 days is required for exhibition of the amendments and a minimum of 42 days must be allowed for submissions. A public hearing is also required.

The granting of a license to the WRCGA will need to be pursued in accordance with the provisions of Sections 46, 47 and 47A of the Local Government Act 1993. This will require public advertisement of the proposal to grant a five year licence to the Association. Written notification will also need to be sent to all adjoining owners as well as other owners in the near vicinity.

A minimum of 28 days is required for receipt of submissions from the public, and any objections will need to be considered by Council.

**Issues:**

Council and the WRCGA have evaluated a number of sites (see attachment 2) and determined that the Council owned land to the west of the Woolgoolga Netball courts (currently licensed to the Woolgoolga and District Netball Association) presents the best opportunity (see map 1). The site is not required by Netball, has good surveillance and has the advantage of adjoining an existing car park and amenity block, meaning that this infrastructure will not need to be duplicated. A number of other sites were considered however were ruled out due to issues with flooding, impacts on neighbours, lack of centrality and high establishment costs.

Several discussions have been held with the Woolgoolga and District Netball Association regarding the proposal. They currently use a portion of the site for two full size and two smaller grass courts. They have indicated, in writing, that they are prepared to accept reducing the number of grass courts from four to two in the short to medium term to facilitate development of the Community Garden. Council is investigating delivery of four new grass courts to the east but at this stage no funding has been secured to deliver these courts.

The development of four new grass courts to the east of the existing facility will provide a better overall outcome for Netball than the current poorly drained and uneven grass courts.

Once these new courts are developed the remaining two grass courts at the western end will be retired.

The site is currently categorised as Sportsground and managed under the Sportsground Plan of Management and is currently licensed to the Woolgoolga and District Netball Association. The land in question does not form part of any identified future facility upgrade or expansion as it has been determined that future expansion will be to the east of the existing asphalt courts.

The NSW Local Government Act has no provisions that would allow development or licensing of a Community Garden, considered to be a park related purpose, on land categorised as Sportsground. Any future development for a park related purpose will require recategorisation of the land from Sportsground to Park. See Attachment 1 for plan of the proposed recategorisation.

To enable the Garden to proceed the following steps need to occur:

- Consultation with near neighbours and the local community to gauge support for the Garden proposal at Nightingale Street.
- Recategorisation of the land from Sportsground to Park, and amendment of the relevant Plans of Management accordingly, in accord with the provisions of the Local Government Act 1993.
- Advertisement of Council's intention to enter into a license with WRCGA, in accord with the relevant provisions of the Local Government Act.
- Amendment of the current License with the Woolgoolga Netball Association to excise the area required for the establishment of the community Garden and to build in provisions regarding shared use of the amenities and car park.
- Establishment of a license with the WRCGA.

Council and the WRCGA have developed a draft concept plan for the Community Garden. It is intended to use this plan as the basis for consultation with neighbours and the wider Woolgoolga Community. See Attachment 3. A neighbourhood workshop is planned for 13 September 2014.

### **Purpose and Objectives of the Woolgoolga Regional Community Garden**

The Woolgoolga Regional Community Garden will have several roles but its primary role is educational – a community learning space around sustainable living concepts. The objectives of the garden are to:

- Serve as an educational space for the community including sharing of skills and knowledge around sustainable living.
- Serve as a community meeting and learning space including intergenerational and cross-cultural learning opportunities.
- Act as a highly visible demonstration of simple, everyday sustainable lifestyle options including showcasing best practice water and resource conservation, minimisation of chemical usage, urban biodiversity and productive urban land use.
- Actively involve the community in positive and productive solutions to sustainability.
- Raise awareness and understanding of the environmental, economic, social and cultural benefits of local food production and consumption, especially relating to climate change impacts.
- Link to the awareness raising and educational aspects of the Local Food Futures Project through workshops, skills sharing, etc.

### **Benefits to Council of the Woolgoolga Regional Community Garden**

Development of the Woolgoolga Regional Community Garden will have significant benefits for the Council including:

- The Gardens will address many actions directly identified by the community during the 2030 engagement process. Putting 'runs on the table' early will show strong commitment and leadership by Council to the Coffs Harbour 2030 Plan and Community Vision.
- It will strengthen Council's civic leadership role, including addressing sustainability issues, active community engagement, building partnerships with the community and the provision of informal community meeting spaces.
- Council's cooperation with community gardeners will improve relations with citizens and, by cooperating with each other, can improve organisational performance.
- The community gardens will actively demonstrate Council's policies on such things as waste recycling, water conservation and community development.





MAP 1 Nightingale Street Reserve, showing proposed location of Netball and the Community Garden

**Other Considerations**

*Space on Site for development of a playground*

The Nightingale Street site is considered an appropriate site for the Garden and would still provide sufficient area for development of a children’s play space, in line with the recommendations of the Open Space Strategy.

*Licence Conditions*

It is arguable that the minimum rent payable for tenure of community lands by community groups should be the cost of lease preparation and management costs, car parking, water usage, tree removal/trimming, etc.

Whilst this is not consistent with past leasing and Licensing practice, staff are now formulating a Policy for Council's consideration which will address a more sustainable, consistent and measurable approach to the grant of tenure over public land. The overall objective of the policy is to establish:

1. Consistency of charges to community groups.
2. A framework for subsidy rates where applicable
3. A means to measure the subsidy so that council can consider and compare the subsidised tenures on an apples for apples basis.

Should Council elect to extend tenure on the same terms as the Coffs Community Garden it is recommended that the license contain a condition which would enable a review of rent payable under the license in line with any policy adopted during the term.

*Space for Netball*

Netball have indicated that they are prepared to accept reducing the courts from four to two in the short to medium term to facilitate development of the Community Garden. Council is investigating delivery of four new grass courts to the east but at this stage no funding has been secured to deliver these courts.

The development of four new grass courts to the east of the existing facility will provide a better overall outcome for Netball than the current poorly drained and uneven grass courts.

**Community Garden Trends**

Community gardens are increasingly being recognised for their huge range of social, environmental and economic benefits. In Council and on other public land across NSW, Australia and indeed the world community gardens are springing up as alternative recreational and social spaces for the community where they can come together, young and old, to share their experiences and participate in a leisure activity that is both productive and fulfilling. Community gardens are about much more than growing food, they serve a core community development function and it is for this reason that leading councils are embracing them and both state and federal government departments are allocating increasing amounts of funding towards them.

**Implementation Date / Priority:**

Subject to Council's endorsement of the recommendations in this report the anticipated timetable for establishment of the Woolgoolga Regional Community Garden is as follows:

<b>Activity</b>	<b>Completion Date</b>
Consultation by Council and the WRCGA with surrounding neighbourhoods	September 2014
Advertisement of proposed amendments to the Sportsground and Parkland PoM's for a minimum 28 days	November 2014
Council to undertake public consultation regarding licence for minimum of 28 days	November 2014
Negotiate terms with WRCGA for a licence for the land.	December 2014
Amendment of the Woolgoolga Netball Association license	December 2014
Finalise outstanding matters & enter into licence arrangements.	January 2015

**Recommendation:**

**That Council:**

- 1. Make a provisional offer to the Woolgoolga Regional Community Garden Association (WRCGA) to use part of the Nightingale Street Reserve for the Woolgoolga Regional Community Garden,**
- 2. Approve the advertisement of proposed amendments to the Sportsground and Parkland Plans of Management, in accord with Division 2 of the Local Government Act 1993, to recategorise the proposed Community Garden site from Sportsground to Park for a period of no less than 28 days;**
- 3. Approve the advertisement of the proposed license to the WRCGA for the purpose of establishing the Community Garden within the Nightingale Street Reserve, Woolgoolga for a period of no less than 28 days.**
- 4. Subject to the outcome of the public exhibition of the proposed Plan of Management amendments and license, amend the Sportground and Parkland Plans of Management to recategorise the land and enter into a five year license arrangement, on the basis of a peppercorn rental, with the WRCGA for the use of the Nightingale Street Reserve, Woolgoolga.**





- \* Lights
- Land Boundaries
- Land for Recategorisation
- Land Categories:**
- Proposed Park
- Existing Sportsground
- Existing Natural Area

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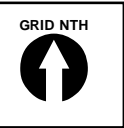
**WOOLGOOLGA NETBALL COURTS  
LAND RECATEGORISATION**

This map produced by GIS Section  
Coffs Harbour City Council  
User: amdamanda  
Last Modified: 24/07/2014

SCALE @A4 1:2000

0 25 50 100  
Metres

Coordinate System: GDA 1994 MGA Zone 56  
Projection: Transverse Mercator  
Datum: GDA 1994



**Attachment 2**

**Proposed Woolgoolga Regional Community Garden Sites**

A number of possible sites in Woolgoolga have been investigated. The criteria used to assess possible sites are identified below:

- high profile, centrally located area
- easy access to site (incl. public transport and bicycle)
- solar access (open, minimal tree coverage)
- water supply
- security of tenure (ideally a minimum tenure of 5 years)
- soil quality and drainage (ideally non-flood prone)
- adequate area (minimum 1000m<sup>2</sup>) to allow planting of a mixture of vegetables and fruit trees, a communal gathering area, a weather protected workshop area, garden shed and potentially individual plots (allotments)
- neighbourhood surveillance

Based on these criteria a short-list of possible sites was developed. These sites have now been evaluated as outlined below and the preferred site has been identified as Nightingale Street Reserve.

Potential sites for Woolgoolga Regional Community Garden	Assessment of sites in order of Rank		Comments
	Pros	Cons	
Nightingale Street	<ul style="list-style-type: none"> <li>• Central to Woolgoolga residential areas</li> <li>• Larger area of land with greater potential for expansion over time</li> <li>• Land is owned by Council</li> <li>• Not encumbered by Native title, potential soil contamination, acid sulphate soils</li> <li>• Site can be serviced by the amenities and car parking associated with the Netball Courts</li> <li>• No flooding constraints so site can be built up over time</li> <li>• Good neighbor surveillance</li> </ul>	Site is relatively low lying	Good opportunity for shared use of infrastructure between Netball and the community garden. Site not required for current or future Netball.

Attachment 2

Potential sites for Woolgoolga Regional Community Garden	Assessment of sites in order of Rank		Comments
	Pros	Cons	
Shearer Drive	Space surplus to current and future formal open space requirements.	<ul style="list-style-type: none"> <li>• Limited suitable area available.</li> <li>• site part of a local wildlife corridor and suitable for additional revegetation</li> <li>• Flooding,</li> <li>• Lack of centrality and not within walking distance of the CBD</li> <li>• Possible issues of vandalism due to lack of neighbourhood surveillance</li> </ul>	Site now used as an offset location for revegetation works associated with the development of the West Woolgoolga Sportsfield.
Sare Street	<ul style="list-style-type: none"> <li>• Site across the road from public toilets in Apex Park</li> <li>• Central to CBD and residents</li> </ul>	<ul style="list-style-type: none"> <li>• Site flood prone.</li> <li>• Site bordered by residential rear yards on 3 sides</li> <li>• limited room for garden future expansion.</li> </ul>	Toilets may be removed in Apex Park as, due to highway bypass, Apex park will no longer function as a driver rest spot. Toilets at this location are not required for local recreational use.
Woolgoolga Works Depot	Site houses Woolgoolga Men's shed – possible synergy between men's sheds and community Garden	Site used by City Works and proposal not supported by management due to security concerns and requirement for the space for future expansion of the depot -	Not supported by CHCC management.





**Leased Plots:**  
Designed for growing vegetables and herbs. 1m wide beds with minimum 1m wide access path all sides. Generally accessible for wheelbarrows and trolleys. Most plots 8m long. Some variable sizes to ensure adequate access. Raised beds maximum 600 high. (Equiv. 3 x 200mm wide sleepers).

**Childrens' Gardens:**  
Placed centrally, in open area to ensure children are always supervised. Small, low beds easily accessed by children. Maximum 200mm high beds. Topsoil well cultivated to allow for imaginative play. Childrens' tools, seedlings, watering cans to allow children to 'garden'. 500 wide paths between beds reflect the size of the user.

**Accessible Gardens:**  
Central gardens include more space around beds. All gardens minimum 1m wide access, with wider areas to allow turning at the end of plots.

**Drainage:**  
All falls to allow drainage to water filtration area. Walkways to be gravel or similar permeable surface which allows water filtration while providing wet weather access. planted beds to include socked agricultural pipe and gravel in the base to ensure adequate drainage. Pipes linked to filtration area.

**Education Area:**  
Placed near the entry, looking over the entire site and accessible via the front pedestrian path or the vehicle access. Open space in front to allow for activities. Include hand washing area, emergency shower. Plumb these items to water tank, with option to use mains to top up tank as required.

**Storage Shed:**  
Close to education area, access road, potting area and hot and shade houses. Ample space in front for access. Centrally placed to access all planting areas.

**Hot house/ Shade House:**  
Place on N/S aspect, to maximise sunlight. Minimum 2m wide access all sides, with vehicle access to rear. Access to open both ends, for access and to allow breezes when necessary for cooling.

**Compost Bins:**  
Located centrally to gardens and potting area, four to allow adequate rotation of bins. Facing away from central area, with 2m wide access to front. E/W facing to minimise drying in summer.

**Water Tanks:**  
Placed at buildings, plumbed to provide water for shade house and gardens. Possible placement of water drums to allow easy access to water when gardening.

**Design Parameters:**

Vegetable plots placed away from existing trees to minimise shade and competition. All planting beds are on either a N/S or E/W aspect. 'Mandela' Themed shape for lease plot area including a 6m diameter central Meeting Place with outer beds laid in a square mosaic radiating from the centre. Straight sides to beds are more economic Bench seating on selected garden beds to provide seating areas. Hot and Shade houses positioned N/S, closer to creek to allow drainage away from the garden plots. Runoff to be filtered though filtration area before entering water way. Vehicle access to all buildings and structures is via a 3m wide access road. Road provides access to amphitheatre and orchard.







Place Making:  
Entry Statement



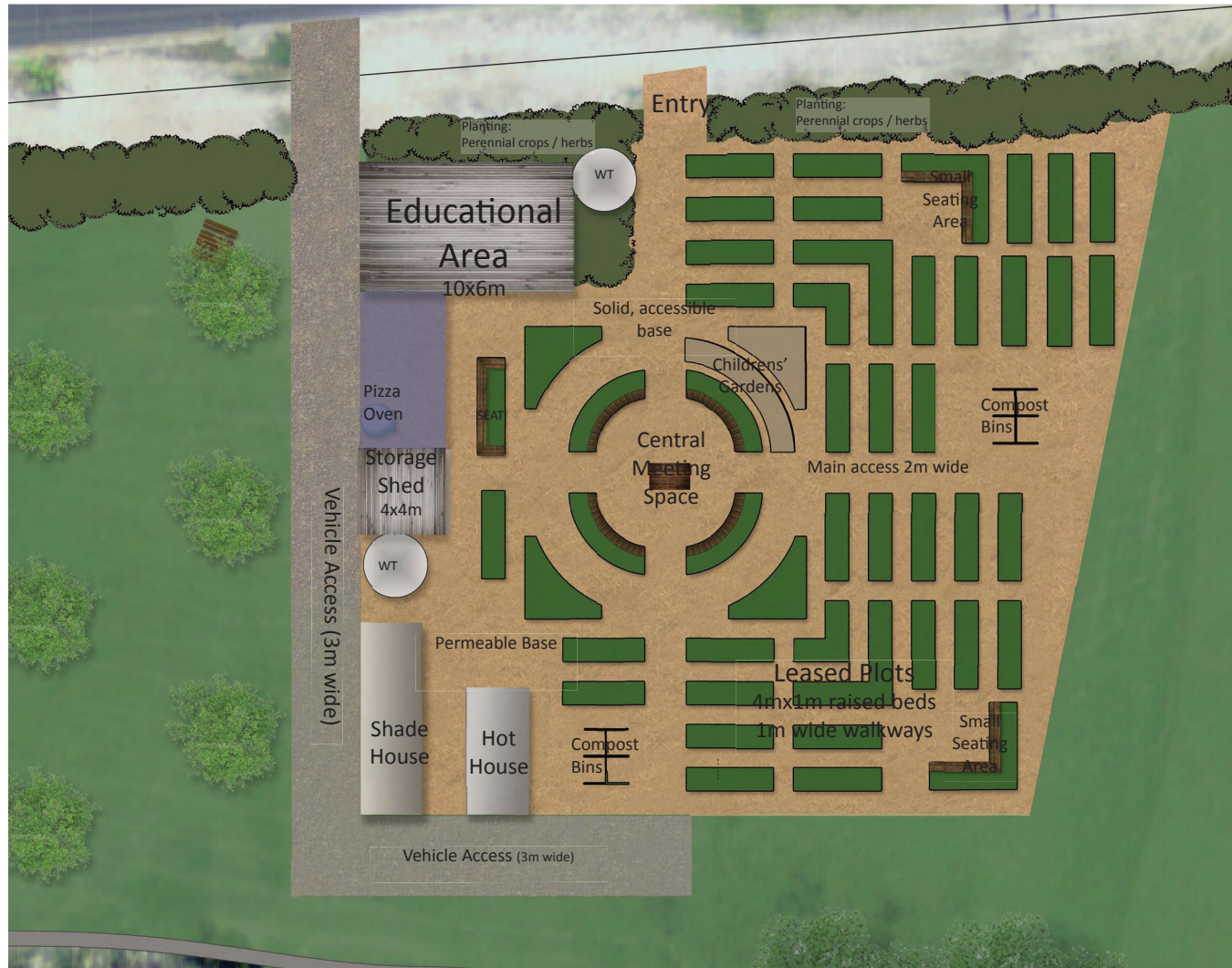
Place making:  
Art Elements



Seat Edges and  
Central Meeting Place



Childrens Garden



Attachment 3

**Educational Area**

Potting bays, tables for training sessions or get togethers. Pizza oven and other cooking facilities. Kitchen.

Potting bays separate to kitchen and eating areas to ensure no cross contamination.



**Vehicle Access**

Formal all weather access to all structures enabling ease of pick up and delivery. Spacing of main thoroughfares and tree plantings allows for informal vehicle access to most areas of the gardens.



**Orchard**

Tree cages using star pickets and reo bar protect seedlings from animals. Spacing allows for tree growth and for mowing between, or planting and paths.



**Compost Bins**

Simple timber bins, sets of four allow for: adding to compost, breaking down, and ready for use in one area.

**Lease Lots**

Garden bed set out is uniform to provide even lot sizes. Accessible lots with minimum 1m spacing between beds. Wider lots and turning areas at end of alleyways to improve accessibility. Raised beds vary in height, from single sleeper height suitable for childrens' beds to waist height. Walkways all weather surface.

Woolgoolga Community Gardens Masterplan

July 2014





Seat Edges and  
Central Meeting Place



Trellis over walk way



Storage shed and potting  
tables with shade over



Lease Plots in  
community gardens



Lease plot layout  
example



Lease plot layout  
example



Sculptural elements



Informal gathering  
place



Informal edge  
treatments



Art elements



Circular maze



High Beds

## CONTRACT NOS. RFT-667-TO & RFT-668-TO: CASTLE STREET CAR PARK ROOF

### Purpose:

To report on tenders received for two related contracts (RFT-667-TO, Structural Steelwork and RFT-668-TO, Roof Sheeting and Drainage) required to construct a roof over the top two levels of the Castle Street Car Park and to gain Council approval to accept two tenders.

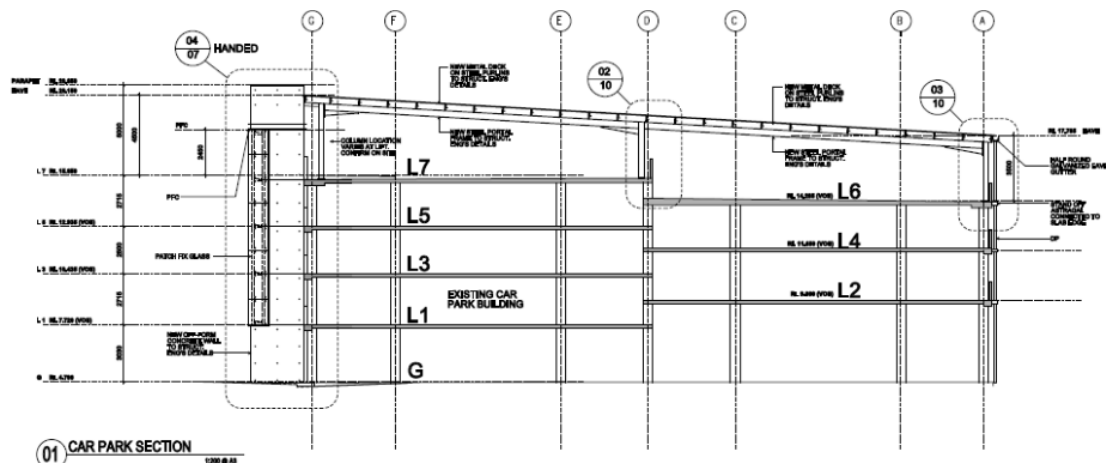
### Description of Item:

The tenders under consideration are in response to Council's resolution of 27 March 2014:

1. That Council declines to accept any tender for Contract RFT-603-TO Castle Street Car Park Metal Roof.
2. That the roof and lift to the car park be re-designed and re-estimated to determine the necessary budget to construct both.
3. That Council continues to carry out the lift construction works itself by direct management.
4. That pending the new estimate for the re-designed roof and lift being within the current allocated budget, Council proceeds with either recalling open tenders for the roof or carry out the requirements for the roof itself by direct management

Tenders for Contract RFT-603-TO have been advised that no tender was accepted.

The roof structure has been redesigned with a single pitch with no overhang as mooted in Option 2 of the 27 March 2014 report, viz:



A value management study and re-estimate has determined that 75% of the roof area (the distance from the lifts to the previously leased area to Cex) can be constructed in addition to the duplex lift within the available budget. The roof has been designed to allow for staged construction.

Direct management of lift construction has continued utilizing the management services of the Commercial Projects Group Pty Ltd (CPG). Construction commenced in July.

The value management study identified that recalling a single tender for a Head Contractor to construct the roof would result in a double up of establishment and overheads costs since CPG was already on site managing the lift for Council. These additional costs would be better spent by maximizing the roof area to be covered. Subsequently, Council will undertake the works itself by direct management using CPG to manage the sub-contract trades.

Tenders for the structural steel fabrication (RFT-667-TO) and roof sheeting and drainage (RFT-668-TO) were called and closed at 3:30pm on Tuesday 29 July 2014.

The following tenders were received for the structural steel fabrication (RFT-667-TO):-

1. AE Gibson and Sons Pty Limited
2. ARC Attack Engineering (non-conforming)
3. ATB Morton Pty Limited
4. EMA Consulting Engineers Pty Limited
5. H.F. Hand Constructors Pty Limited
6. KTR Engineering Pty Limited
7. Wicks & Parker

The following tenders were received for the roof sheeting and drainage (RFT-668-TO):

1. BJ Crowley
2. Ezi Installation Pty Limited
3. Nambucca Plumbing Pty Limited
4. Nanobuild Pty Limited

Tenders have been evaluated against the same criteria as previously used for the metal roof contract RFT-603-TO being:

- The Tenderer's financial capability and Tender conformity. These criteria were hurdles and were not scored. Only conforming Tenders and Tenderers with adequate financial resources were considered further.
- Tender Price
- Capability
- Relevant Experience
- Methodology
- Quality and Safety

**Sustainability Assessment:**

- **Environment**

Environmental issues were covered during the review of environmental factors as part of the DA process and following detailed design by an external Architect.

Structural allowance has been made in the design for future installation of solar panels to the southern three bays of the roof near the lift.

- **Social**

The proposed roof structure will provide sun and hail protection to shoppers and vehicles under 75% of the top levels of the car park. When coupled with improved access via the duplex lift, this will lead to increased use of parking throughout the complex and increase CBD patronage from both able bodied and persons with disabilities.

- **Civic Leadership**

The project will address themes in the Coffs Harbour 2030 Community Plan relating to Looking After Our Communities and Moving Around.

- **Economic**

**Broader Economic Implications**

The works form part of the City Centre Master Plan focused on improving commerce in the CBD.

**Delivery program/Operational Plan Implications**

Council at its meeting of 11 July 2013 resolved that:

*Council allocate \$1.25 million from funds held in reserve from the sale of 218 Harbour Drive for projects relating to car parking projects in the CBD to the Castle Street Car Park Lift and Shade Structures project.*

These funds are insufficient to roof the total area of the top floor levels of the car park.

**Risk Analysis:**

Working at heights, while maintaining public access to the car park, is the major risk to be controlled during construction. This risk has been ameliorated with the new design by making it safer to build but residual risk still remains. Having only one Principal Contractor on the site (CHCC), under the management of CPG, will allow greater control over the work force and public safety. Council will now be providing the scaffolding required for safe construction.

All these factors have resulted in significantly lower prices to build the roof than first tendered.

**Consultation:**

Considerable consultation has occurred between staff, design consultants and CBD committee members to produce a design that meets service requirements and budget.

The works are part of the City Centre Master Plan being delivered with the advice of the CBD committee. Representatives of the Committee were kept informed during the tender assessment and gave advice on design and management of the construction projects. They were not privy to any confidential tender information.

The assessment of tenders was carried out by internal staff assisted by CPG.



**Related Policy and / or Precedents:**

Tender procedures and analysis were carried out in accordance with Council policy, in particular the 'Tender Value Selection System' (TVSS).

Council's policy is that the tender with the highest weighted score becomes the recommended tender.

**Statutory Requirements:**

The calling, receiving and reviewing of tenders was carried out in accordance with Part 7 Tendering of the Local Government (General) Regulation 2005.

**Issues:**

Both tenders attracted sufficient competitive bids to give confidence in price and performance. One of the seven steelwork tenders was non-conforming due to unacceptable conditions in their offer. All other tenders were assessed to identify the preferred steelwork and sheeting tenders.

The preferred Tenderers were interviewed to clarify their methodology for moving materials on site and to determine whether economies could be achieved through sharing resources as both would require cranes and traffic controllers during construction. Both advised that no savings would eventuate due to timing and co-ordination issues.

Council is continuing to investigate the cost/benefit of inclusion of solar panels in the roof construction program.

**Implementation Date / Priority:**

Contracts can be awarded for the roof upon Council's resolution and work will progress in accordance with CPG's construction schedule to complete by December 2014.

**Recommendation:**

**That Council considers tenders received for Contracts Nos. RFT-667-TO and RFT-668-TO for the Castle Street Car Park Structural Steelwork and Roof Sheeting and Drainage and move the motion as detailed in the confidential attachment.**

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## **BANK BALANCES AND INVESTMENT FOR JULY 2014**

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### **Purpose:**

To list Council's Bank Balances and Investments as at 31 July 2014.

### **Description of Item:**

A copy of the state of Bank Balances and Investments as at 31 July 2014 is attached.

It should be noted that Council is required to account for investments in accordance with the Australian International Financial Reporting Standards. Term deposits are shown at face value and all other investment balances at the end of each month reflect market value movements which would be inclusive of accrued interest.

Interest when paid, say quarterly, would result in reductions in the market value of the investments.

The Investment Report reflects the above requirements and reflects the interest earned (or accrued) on each investment, based on the acquisition price. Interest income for 2013/14 is yet to be finalized and the figures presented in this report for interest income are preliminary only. A revised report will be provided when amounts have been audited later in the calendar year.

Reports written by CPG Research & Advisory Pty Ltd (Council's investment portfolio advisors), which examine economic and financial markets data for July 2014, and review the performance of Council's investment portfolio for the month ended 31 July 2014 and quarter ended 30 June 2014, are available in the Councillors' Resource Centre.

### **Sustainability Assessment:**

- **Environment**

There are no perceived current or future environmental impacts.

- **Social**

There are no perceived current or future social impacts.

- **Civic Leadership**

Council invests surplus funds to maximise investment income and preserve capital to assist with funding requirements for projects listed under the Coffs Harbour 2030 Community Strategic Plan.

- **Economic**

**Broader Economic Implications**

Council's investments are held according to the requirements stated within Council's investments policy and the returns are acceptable in relation thereto. In the long term earnings from investments can vary due to economic conditions and financial markets. Council constructs its investment portfolio with consideration of current conditions and to comply with the Office of Local Government (OLG) investment policy guidelines.

**Delivery Program/Operational Plan Implications**

For July 2014 it is noted that after deducting, from the total bank and investment balances of \$141,419,989 the estimated restricted General, Trust, Water and Sewerage cash and investments (\$141,285,109), the Unrestricted Cash is \$134,880.

**Risk Analysis:**

The likelihood of risks associated with New South Wales Local Government's investing funds is now remote due to the conservative nature of investments permitted under statutory requirements. The risk of capital not being returned in relation to each individual investment Council owns is indicated in the attachment.

The main risks for Council's investment portfolio are liquidity and credit risk, both of which are being managed under the advice of CPG Research & Advisory Pty Ltd. Liquidity risk is the risk that the investor is unable to redeem the investment at a fair price within a timely period and thereby incurs additional costs (or in the worst case is unable to execute its spending plans). Credit risk is the risk of loss of principal stemming from a financial institutions failure to repay that principal when that principal is due. Investors are compensated for assuming credit risk by way of interest payments from the financial institutions issuing the investment security.

Credit risk is rated by various rating agencies. Investment securities in Council's current portfolio are rated by either Standard and Poors or Fitch, with the majority of the portfolio rated by Standard and Poors. Standard and Poors credit ratings and an explanation of their ratings are as follows:

<b>Rating</b>	<b>Ratings Explanation</b>
AAA	Extremely strong capacity to meet financial commitments. Highest Rating.
AA	Very strong capacity to meet financial commitments.
A	Strong capacity to meet financial commitments, but somewhat susceptible to adverse economic conditions and changes in circumstances.
BBB	Adequate capacity to meet financial commitments, but more subject to adverse economic conditions.
BBB-	Considered lowest investment grade by market participants.
BB+	Considered highest speculative grade by market participants.
BB	Less vulnerable in the near term but faces major ongoing uncertainties to adverse business, financial and economic conditions.
B	More vulnerable to adverse business, financial and economic conditions but currently has the capacity to meet financial commitments.
CCC	Currently vulnerable and dependent on favorable business, financial and economic conditions to meet financial commitments.
CC	Currently highly vulnerable.
C	Currently highly vulnerable obligations and other defined circumstances.
D	Payment default on financial commitments.

Ratings from 'AA' to 'CCC' may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories.

Types of investment securities by credit risk ranking from highest to lowest are as follows:

- Deposits/Covered Bonds – these share first ranking
- Senior debt – Floating Rate Notes/Fixed Coupon Bonds.
- Subordinated debt
- Hybrids
- Preference shares
- Equity shares (common shares)

Subordinated debt, hybrids, preference and equity shares are not a permitted investment under the current Ministerial Order. Term deposits of \$250,000 or less per financial institution are covered under the Commonwealth Government Deposit Guarantee Scheme and therefore by default have the same credit rating as the Commonwealth Government i.e. AAA.

All credit unions, building societies and mutual banks are Authorised Deposit-taking Institutions (ADI's) and are regulated in the same way as all other Australian banks. ADI's are regulated by the Australian Securities and Investment Commission (ASIC) under the Corporations Act 2001, and by the Australian Prudential Regulatory Authority (APRA) under the Banking Act 1959.

**Consultation:**

Council's investment advisors, CPG Research & Advisory Pty Ltd have been consulted in the preparation of this report.

**Related Policy and / or Precedents:**

Council funds have been invested in accordance with Council's *Investment Policy* (POL-049), which was adopted on 22 August 2013.

**Statutory Requirements:**

Local Government Act 1993 – Section 625  
Local Government Act 1993 – Investment Order (dated 12 January 2011).  
Local Government General Regulation 2005  
The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) and 14C(2).

**Issues:**

Nil.

**Implementation Date / Priority:**

Nil.

Further details are provided as a note on the attachment.

**Recommendation:**

1. That 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 forty one million, four hundred and nineteen thousand, nine hundred and eighty nine dollars (\$141,419,989) as at 31 July 2014 be noted.
2. That the general fund unrestricted cash and investments totaling one hundred and thirty four thousand, eight hundred and eighty dollars (\$134,880) as at 31 July 2014 be noted.

BANK BALANCES AND INVESTMENTS AS AT 31 JULY 2014								
	Credit Rating at 31/7/14	Legal Maturity	Acquisition Price \$	Market Value as at 1/7/14 \$	Market Value as at 31/7/14 \$	Income Earned (net of fees) Financial Yr to Date \$	Annualised Monthly Return/ Current Coupon	Risk of capital not being returned
<b>OVERNIGHT FUNDS:</b>								
<b>Cash - Fair Value movements through profit &amp; loss</b>								
NAB - Bank Accounts	AA-			3,734,893	4,178,748	7,833	2.33	Low
UBS Cash Management Trust Members Equity Bank - Business Investment Account	AAA			3,345,891	74,596	(11)	1.61	Low
NAB Professional Funds Account	BBB+			72	73	0	3.25	Low
Delphi Bank - Cash M'ment Acc't	AA-			4,711,264	1,859,205	11,600	2.90	Low
Suncorp Business Saver	A+			99,212	107,084	175	1.75	Low
ANZ Negotiator Saver - Trust A/c	AA-			222	222	1	2.75	Low
Credit Union Australia Prime Access	BBB+			134,040	134,416	378	3.20	Low
Total				82	82	-	0.01	Low
				12,025,675	6,354,426	19,974		
<b>BENCHMARK RATE - 11 AM INDICATIVE CASH RATE</b>							2.50	
<b>BENCHMARK RATE - UBS BANK BILL INDEX</b>							2.74	
<b>Term Deposits - Fair Value movements through profit &amp; loss</b>								
Investec 17/11/14	BBB-	17/11/2014	8,000,000	8,000,000	8,000,000	51,163	7.53	Low
Investec 29/6/16	BBB-	29/06/2016	1,000,000	1,000,000	1,000,000	6,344	7.47	Low
Investec 8/7/15	BBB-	8/07/2015	1,000,000	1,000,000	1,000,000	6,124	7.21	Low
Investec 8/8/16	BBB-	8/08/2016	2,500,000	2,500,000	2,500,000	14,205	6.69	Low
Investec 6/6/17	BBB-	6/06/2017	2,000,000	2,000,000	2,000,000	9,241	5.44	Low
Investec 14/8/15	BBB-	14/08/2015	1,800,000	1,800,000	1,800,000	9,830	6.43	Low
AMP 24/5/16	A+	24/05/2016	5,000,000	5,000,000	5,000,000	31,212	7.35	Low
AMP 7/5/15	A+	7/05/2015	1,000,000	1,000,000	1,000,000	3,227	3.80	Low
Arab Bank 7/5/18	BBB-	7/05/2018	1,500,000	1,500,000	1,500,000	5,988	4.70	Low
Arab Bank 10/9/15	BBB-	10/09/2015	2,000,000	2,000,000	2,000,000	7,219	4.25	Low
NAB 9/3/15	AA-	9/03/2015	2,000,000	2,000,000	2,000,000	7,593	4.47	Low
NAB 12/3/15	AA-	12/03/2015	2,500,000	2,500,000	2,500,000	9,576	4.51	Low
NAB 4/3/16	AA-	4/03/2016	2,000,000	2,000,000	2,000,000	6,930	4.08	Low
NAB 13/5/16	AA-	13/05/2016	1,500,000	1,500,000	1,500,000	5,070	3.98	Low
Delphi Bank 29/1/15*	A-	29/01/2015	2,000,000	2,000,000	2,000,000	7,938	4.39	Low
Delphi Bank 5/8/15*	A-	5/08/2015	2,000,000	2,000,000	2,000,000	11,381	6.70	Low
Suncorp 11/8/14	A+	11/08/2014	3,000,000	3,000,000	3,000,000	16,052	6.30	Low
Bank of Queensland 4/9/17	A-	4/09/2017	2,000,000	2,000,000	2,000,000	9,597	5.65	Low
Bank of Queensland 5/2/18	A-	5/02/2018	3,000,000	3,000,000	3,000,000	13,122	5.15	Low
Bank of Queensland 5/3/18	A-	5/03/2018	2,000,000	2,000,000	2,000,000	8,663	5.10	Low
Bank of Queensland 17/5/17	A-	17/05/2017	1,000,000	1,000,000	1,000,000	3,949	4.65	Low
Bank of Queensland 20/2/18	A-	20/02/2018	1,000,000	1,000,000	1,000,000	3,992	4.70	Low
Rabo Direct 24/3/16	AA	24/03/2016	5,000,000	5,000,000	5,000,000	30,363	7.15	Low
Rabo Direct 10/8/15	AA	10/08/2015	1,000,000	1,000,000	1,000,000	5,690	6.70	Low
Rabo Direct 13/4/15	AA	13/04/2015	1,000,000	1,000,000	1,000,000	3,822	4.50	Low
ING 17/8/17	A-	17/08/2017	2,000,000	2,000,000	2,000,000	10,209	6.01	Low
ING 6/9/17	A-	6/09/2017	2,000,000	2,000,000	2,000,000	9,512	5.60	Low
ING 7/5/18	A-	7/05/2018	1,500,000	1,500,000	1,500,000	5,937	4.66	Low
ING 20/8/14	A-	20/08/2014	1,000,000	1,000,000	1,000,000	3,227	3.80	Low
ING 26/11/14	A-	26/11/2014	2,000,000	2,000,000	2,000,000	6,506	3.83	Low
ING 2/3/18	A-	2/03/2018	2,000,000	2,000,000	2,000,000	7,729	4.55	Low
Wide Bay 29/7/16	BBB	29/07/2016	1,000,000	1,000,000	1,000,000	41,238	7.10	Low
Wide Bay 8/8/16	BBB	8/08/2016	1,000,000	1,000,000	1,000,000	6,030	7.10	Low
ME Bank 18/2/19	BBB+	18/02/2019	3,000,000	3,000,000	3,000,000	12,867	5.05	Low
ME Bank 7/5/19	BBB+	7/05/2019	2,000,000	2,000,000	2,000,000	8,170	4.81	Low
ME Bank 3/6/19	BBB+	3/06/2019	2,000,000	2,000,000	2,000,000	7,899	4.65	Low
ME Bank 11/6/19	BBB+	11/06/2019	1,500,000	1,500,000	1,500,000	5,924	4.65	Low
ME Bank 2/6/17	BBB+	2/06/2017	1,500,000	1,500,000	1,500,000	5,287	4.15	Low
Police Credit Union 26/2/15	NR	26/02/2015	1,000,000	1,000,000	1,000,000	3,932	4.63	Low
Police Credit Union 17/5/16	NR	17/05/2016	500,000	500,000	500,000	1,915	4.51	Low
Police Credit Union 1/3/19	NR	1/03/2019	1,000,000	1,000,000	1,000,000	4,289	5.05	Low
Qld Police Credit Union 16/5/16	NR	16/05/2016	2,000,000	2,000,000	2,000,000	7,049	4.15	Low
WAW Credit Union 27/5/16	NR	27/05/2016	1,000,000	1,000,000	1,000,000	3,525	4.15	Low
BCU 2/6/17	NR	2/06/2017	1,000,000	1,000,000	1,000,000	3,610	4.25	Low
Bank of Sydney 4/3/15	NR	4/03/2016	1,000,000	1,000,000	1,000,000	3,312	3.90	Low
Bank of Sydney 14/10/14 - Regional Parks Trust	NR	14/10/2014	1,220,000	1,230,037	1,234,078	4,041	3.90	Low
CBA 16/5/16	AA-	16/05/2016	1,000,000	1,000,000	1,000,000	3,822	4.50	Low
CBA 17/5/16	AA-	17/05/2016	1,000,000	1,000,000	1,000,000	3,822	4.50	Low
CBA 23/5/16	AA-	23/05/2016	1,000,000	1,000,000	1,000,000	3,864	4.55	Low
CBA 30/5/16	AA-	30/05/2016	1,000,000	1,000,000	1,000,000	3,864	4.55	Low
CBA 6/6/16	AA-	6/06/2016	1,000,000	1,000,000	1,000,000	3,864	4.55	Low
CBA 29/10/17	AA-	29/10/2017	2,234,315	2,234,315	2,234,315	5,074	2.67	Low
Total			95,254,315	95,264,352	95,268,393	474,812		



	Credit Rating at 31/7/14	Legal Maturity	Acquisition Price \$	Market Value as at 1/7/14 \$	Market Value as at 31/7/14 \$	Income Earned (net of fees) Financial Yr to Date \$	Annualised Monthly Return/ Current Coupon	Risk of capital not being returned
<b>Floating Rate Notes:</b>								
<i>Fair Value through Profit &amp; Loss Accounting - movements through profits &amp; loss.</i>								
CBA	AA	24/12/2015	5,075,362	7,376,093	5,339,507	33,125	3.71	Low
NAB	AA	20/05/2019	1,500,000	1,509,915	1,516,350	6,435	3.53	Low
Macquarie Bank	A	9/03/2017	5,000,000	5,283,830	5,299,690	15,860	5.58	Low
Arab	BBB-	12/12/2014	5,000,000	5,010,345	5,028,160	17,815	4.16	Low
Bendigo Bank	A-	14/11/2018	1,010,690	1,014,670	1,023,020	8,350	3.98	Low
ME Bank	BBB+	28/11/2016	500,000	503,850	507,700	3,850	3.95	Low
Bank of China	A	15/05/2017	994,620	1,002,090	1,006,190	4,100	3.81	Low
Credit Union Australia	BBB+	20/03/2017	1,500,000	1,505,520	1,512,435	6,915	4.00	Low
<b>Total</b>			<b>20,580,662</b>	<b>23,206,313</b>	<b>21,233,052</b>	<b>96,450</b>		
<b>Capital Protected Notes</b>								
<i>Fair Value through Profit &amp; Loss Accounting - movements through profits &amp; loss.</i>								
Lehman #	D	15/06/2009	300,000	-	-	-	0.00	High
Lehman #^	D	15/06/2009	500,000	-	-	-	0.00	High
<b>Total</b>			<b>800,000</b>	<b>-</b>	<b>-</b>	<b>-</b>		
<b>Floating Rate Term Deposits:</b>								
Bank of Queensland	A-	26/02/2016	1,500,000	1,500,000	1,500,000	5,178	4.20	Low
ING	A	27/02/2015	2,000,000	2,000,000	2,000,000	6,904	4.20	Low
<b>Total</b>			<b>3,500,000</b>	<b>3,500,000</b>	<b>3,500,000</b>	<b>12,082</b>		
<b>Fixed Coupon Bonds</b>								
Heritage Bank	BBB+	20/09/2017	9,570,539	9,823,456	9,853,753	30,297	7.25	Low
CBA	AA-	31/10/2018	1,000,490	1,035,838	1,039,664	3,826	4.50	Low
<b>Total</b>			<b>10,571,029</b>	<b>10,859,294</b>	<b>10,893,417</b>	<b>34,123</b>		
<b>Covered Bonds</b>								
ANZ	AAA	16/09/2023	995,350	1,066,159	1,076,949	10,789	5.00	Low
NAB	AA-	11/03/2024	994,560	1,058,117	1,068,271	4,212	5.00	Low
<b>Total</b>			<b>1,989,910</b>	<b>2,124,276</b>	<b>2,145,220</b>	<b>15,001</b>		
<b>Floating Rate Transferrable Certificate of Deposit</b>								
Greater Building Society	BBB	15/04/2016	2,000,000	2,033,380	2,025,480	20,992	4.16	Low
<b>Total</b>			<b>2,000,000</b>	<b>2,033,380</b>	<b>2,025,480</b>	<b>20,992</b>		
<b>Other:</b>								
Southern Phone Company Shares	N/A	N/A	2	2	2	-	N/A	Low
Securities No Longer Held			1,000,000	1,000,000	-	(441)		
RFS Interest Deduction			-	-	-	-		
Contract Interest Deduction			-	-	-	-		
<b>Total</b>			<b>1,000,002</b>	<b>1,000,002</b>	<b>2</b>	<b>(441)</b>		
<b>GRAND TOTAL (before fees)</b>				<b>150,013,292</b>	<b>141,419,989</b>	<b>672,993</b>		
<b>Less Portfolio Fees (Advice &amp; Salary)</b>						<b>(14,186)</b>		
<b>GRAND TOTAL</b>				<b>150,013,292</b>	<b>141,419,989</b>	<b>658,807</b>		

# Capital Guaranteed at maturity, ^ Ex Infrastructure IMP, \* Fitch Rated

The dates quoted alongside the name of the product for FRN's and Fixed Bonds are first call dates.

First call dates for FRN's & fixed bonds are the likely date of maturity because the investment issuer is severely penalised if monies are not redeemed by that date, via damage in the market to their reputation, increased coupon rates and additional capital requirements by APRA.

Term deposits of \$250,000 or less per financial institution are covered under the Commonwealth Government Deposit Guarantee Scheme & therefore by default have the same credit rating as the Commonwealth Government i.e. AAA.

Income to Profit & Loss

\$ 658,807

TOTAL CASH & INVESTMENTS AS AT 31 JULY 2014

\$ 141,419,989

LESS ESTIMATED RESTRICTED EQUITY FOR WATER & SEWER FUNDS

Water Fund

\$ 31,680,575

Sewer Fund

\$ 49,608,045

\$ 81,288,620

GENERAL FUND CASH & INVESTMENTS

\$ 60,131,369

LESS TRUST FUND BALANCES AS AT 31 JULY 2014

\$ 1,465,655

LESS ESTIMATED RESTRICTED EQUITY FOR GENERAL FUND (\$94 contributions, grants, reserves).

\$ 58,530,835

ESTIMATED GENERAL FUND UNRESTRICTED CASH & INVESTMENTS AS AT 31 JULY 2014

Unrestricted Cash & Investments as at 30 June 2014

\$ 134,880

ESTIMATED GENERAL FUND UNRESTRICTED CASH & INVESTMENTS AS AT AS AT 31 JULY 2014

\$ 134,880

I hereby certify that Council's investments have been made in accordance with the Local Government Act 1993, Regulations and Council's Investment Policy.



Responsible Accounting Officer.

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## **DEVELOPER CONTRIBUTIONS PLAN REVIEW - MOONEE RELEASE AREA AND HEARNES LAKE / SANDY BEACH RELEASE AREA**

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### **Purpose:**

To present to Council a draft Moonee Release Area Developer Contributions Plan 2014 and a draft Hearnese Lake/Sandy Beach Release Area Developer Contributions Plan 2014. This report recommends that the draft Plans be placed on public exhibition for a period of 28 days.

### **Description of Item:**

Council currently has in place an adopted Moonee Release Area Developer Contributions Plan 2013 and an adopted Hearnese Lake / Sandy Beach Release Area Developer Contributions Plan 2013. These plans seek contributions towards the provision of infrastructure required to facilitate development in the release areas.

As a result of the upgrade of the Pacific Highway significant changes have occurred in the provision of infrastructure required which is the subject of contributions in the existing plans. The current review addresses the change in requirements and reviews the costings associated with other items included in the current adopted Plans. A detailed description of the amendments is included in the issues section of this report.

### **Sustainability Assessment:**

- **Environment**

Environmental issues are considered in the preparation of the Development Control Plans applicable to the relevant areas. Detailed environmental issues are assessed at the design stage for infrastructure works and at the time of assessment of development applications.

- **Social**

The completion of the works included in the draft developer contributions plan will have a positive effect on the future population of the release areas through improved provision of infrastructure for use by the residents.

- **Civic Leadership**

Final adoption of the draft Contribution Plans will provide a funding mechanism for Council to deliver relevant infrastructure required as a result of increases in demand within the individual release areas. Further it will assist in achieving the following relevant strategies in the Coffs Harbour 2030 Community Strategic Plan:

- LE 3.5 Develop and improve infrastructure to provide appropriate access to environmental experiences
- MA 1.1 Plan for new transport infrastructure
- MA 1.3 Promote increased public transport, pedestrian and cycle usage and reduced reliance on car usage

- MA 1.4 Integrate cycle way and footpath networks including linking schools, shops and public transport
- PL 2.2 Provide public spaces and facilities that are accessible and safe for all
- PL 2.3 Provide safe and accessible play spaces for our children within each community

- **Economic**

- **Broader Economic Implications**

The draft Contribution Plans provide a mechanism for the collection of funds to enable the provision of infrastructure required as a result of development. Future maintenance will ensue from the provision of the facilities, however funding for this is generally derived from increased general revenue resulting from additional urban development.

- **Delivery Program/Operational Plan Implications**

There are no immediate Delivery Program/Operational Plan implications associated with this report.

- **Risk Analysis:**

The current adopted Contributions Plans relating to the Hearnese Lake/Sandy Beach Release Area and the Moonee Release Area include contributions towards infrastructure that is no longer required, principally as a result of the Pacific Highway upgrade works. The current plans would result in income streams that are in excess of the amounts required to provide the infrastructure that will now be provided by Council. Whilst this may result in additional income to Council, it would result in Council not correctly applying the provisions of Section 94 of the Environmental Planning and Assessment Act 1979. It could lead to challenges from developers and, in fact one legal challenge to contribution levels to date has been successful. There is a significant reputational risk associated with overcharging should the plan reviews not proceed.

The draft Moonee Release Area Developer Contributions Plan 2014 and the draft Hearnese Lake/Sandy Beach Developer Contributions Plan 2014 seek contributions towards the provision of infrastructure. This involves cost estimates for the proposed works and estimates of the future ultimate lot yield within the release area. Should these estimates prove to be inaccurate, then there is a risk of either a shortfall in funds or more income being achieved than is required.

Regular reviews of Council's developer contribution plans assist in managing this risk by revisiting infrastructure costs and revising lot yields as development occurs.

- **Consultation:**

Council staff and members of the Developer Contributions Internal Working Group were consulted in the preparation of the draft Plans. Discussions have also been held with some developers with interests in the release areas.

- **Related Policy and / or Precedents:**

Council has been collecting contributions from development in the respective release areas for many years. Preparation of the draft Plans has involved a review of the facility requirements and costs having regard in particular to the changes required as a result of the Pacific Highway upgrade.

**Statutory Requirements:**

Section 94 of the Environmental Planning and Assessment Act 1979 makes provision for Council to impose a condition of consent requiring a monetary contribution towards the provision of amenities and services that are required as a result of development.

Section 26(4) of the Environmental Planning and Assessment Regulation 2000 provides that draft Contributions Plans must be exhibited for at least 28 days. A notice of exhibition is required to be placed in the local newspaper.

**Issues:**

**Moonee Release Area**



The current adopted Moonee Release Area Developer Contributions Plan provides for contributions towards works that, it can be argued, are no longer to be provided by Council. A roundabout within the North Sapphire Beach is no longer required due to redesign of the road layout and is proposed to be removed from the Plan. The upgrade of Hoys Road is included in the current Plan. However these works were completed in conjunction with the Pacific Highway upgrade and are proposed to be removed from the Plan.

A collector road was proposed from North Sapphire through to Moonee Beach Road parallel to the Pacific Highway. The Highway upgrade works have resulted in a service road (Solitary Islands Way) being constructed on the western side of the Pacific Highway that now predominantly serves the function of the initial proposed collector road in providing a local road connection between Moonee and Sapphire. Whilst the proposed collector road would serve a more direct route, when taking into account the cost of the road (Estimated \$3.2 million plus), the environmental issues that are associated with the road traversing the South Moonee Forest, and the maintenance costs that will result, noting that Council will be responsible for maintenance of the western service road, it is considered unnecessary to construct this collector road. It would be a duplication of existing access arrangements. A cycleway is considered appropriate in this location as it will provide pedestrian/cycleway links between North Sapphire and Moonee Beach.

The current adopted Plan includes funding for a pedestrian/cycleway bridge over the Highway from Moonee to the Hoys Road area. The Highway upgrade has also addressed this issue and therefore the proposed bridge is no longer required.

The current Plan also includes contributions towards the provision of a sports complex at Hoys Road. This complex will form part of a district network of sports facilities and has been removed from the Moonee Area Plan and placed in the draft Open Space Contributions Plan 2014, which is included in another section of this business paper. This accords with the provisions of Council's adopted Sports Facilities Plan 2010.

The cost of other facilities such as cycleways and neighbourhood parks have also been reviewed to reflect current costings.

As a result of the changes included in the draft Plan, contributions per lot will reduce by \$6,632 per lot in Moonee (from an average of \$41,993 to \$35,361 including water and wastewater) and \$10,579 per lot in North Sapphire (from \$39,527 to \$28,948 including water and wastewater). These amended rates make provision for the relocation of the district sports field contribution to the Draft Open Space Plan.

### Hearnes Lake / Sandy Beach Release Area



The adopted Plan for Hearnese Lake / Sandy Beach Release Area includes infrastructure that is no longer required due to the Pacific Highway upgrade. The current Plan includes a collector road and associated intersection works providing access to the northern precinct from Bosworth Road. As a result of the Pacific Highway upgrade a direct access to Solitary Islands Way (old Pacific Highway) will occur negating the requirement for the construction of the collector road connection to Bosworth Road.

The current Plan includes sections of collector road in the western precinct to provide access to a sports field. However the Sports Facilities Plan 2010 has removed the need for the proposed sports facility and therefore this section of road is no longer required to be of a collector road standard.

The cost of other facilities such as cycleways and neighbourhood parks have also been reviewed to reflect current day costings.

The changes included in the draft Hearnese Lake / Sandy Beach Release Area Developer Contribution Plan have resulted in a reduction of \$13,462 per lot in the Northern Precinct (from \$45,292 to \$31,830 including water and wastewater), a minor reduction of \$552 in the Western Precinct (from \$33,665 to \$33,113 including water and wastewater), and a reduction of \$3,631 in the Eastern Precinct (from \$31,574 to \$27,943 including water and wastewater). The reduction in the Eastern precinct is largely attributable to the increase in lot yield associated with the Sandy Shores concept plan approval recently issued by the then Department of Planning and Infrastructure.

**Implementation Date / Priority:**

The draft Plans will be placed on public exhibition immediately should Council adopt the recommendations of this report.

**Recommendation:**

**That the Draft Moonee Release Area Developer Contributions Plan 2014 and the Draft Hearnese Lake / Sandy Beach Developer Contributions Plan 2014 be placed on public exhibition for a period of 28 days and submissions be invited.**





Attachment 1

## MOONEE RELEASE AREA

Development Contributions  
Plan 2014

DRAFT



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## PART A – PLAN SUMMARY

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### 1. NAME AND LEGAL BASIS OF THE PLAN

- 1.1 This Contributions Plan is to be referred to as the Moonee Release Area Development Contributions Plan 2014 and the Plan was adopted by Council on xx/xx/2014.
- 1.2 The Plan has been prepared in accordance with the provisions of Section 94 of the Environmental Planning and Assessment Act (as amended) 1979 and Part 4 of the Environmental Planning and Assessment Regulation 2000.
- 1.3 This Development Contributions Plan came into effect on xx/xx/2014 and replaces the previous Moonee Developer Contribution Plan which was amended on 24 April 2008, 8 May 2013 and 18 December 2013.
- 1.4 This Plan therefore repeals any other Plan made before this Plan and this Plan prevails to the extent to any inconsistency with previous Plans.

### 2. THE AREA TO WHICH THE PLAN APPLIES

- 2.1 The Plan applies to all land within the Moonee Release Area as shown in **Map 1: Locality Plan – Moonee Release Area**.

### 3. PURPOSES OF THE PLAN

- 3.1 The primary purpose of this Plan is to enable Council to require contributions, by imposing conditions on development consents, towards the provision, extension or augmentation of public services and facilities that:-
- a) Will be, or are likely to, be required as a consequence of development and population growth, in the area; or
  - b) Have been provided in anticipation of that development or growth and has incurred expenditure for Council which it can legitimately recoup because the demand for those facilities and services is generated by development / growth in the locality.
- 3.2 The purposes of the Plan are also to:-
- a) Ensure that an adequate level of public services and facilities are provided throughout the subject locality as development occurs;
  - b) Ensure that there is equity in terms of the existing community not being liable to contribute to the cost of the provision of public facilities and services required by demand generated by future development and growth in the subject locality.

Attachment 1

- c) Provide a comprehensive strategy and administrative framework for Council to assess liabilities for contributions, apply conditions requiring payment of contributions, outlay expenditure for relevant services and facilities, and undertake accounting in a transparent manner for the equitable allocation of contributions throughout the Moonee Release Area; and
- d) Enable Council to be publicly and financially accountable and transparent in its implementation and administration of the Development Contributions Plan.
- e) Table 1 summarises the contribution rates applicable under this contributions plan.

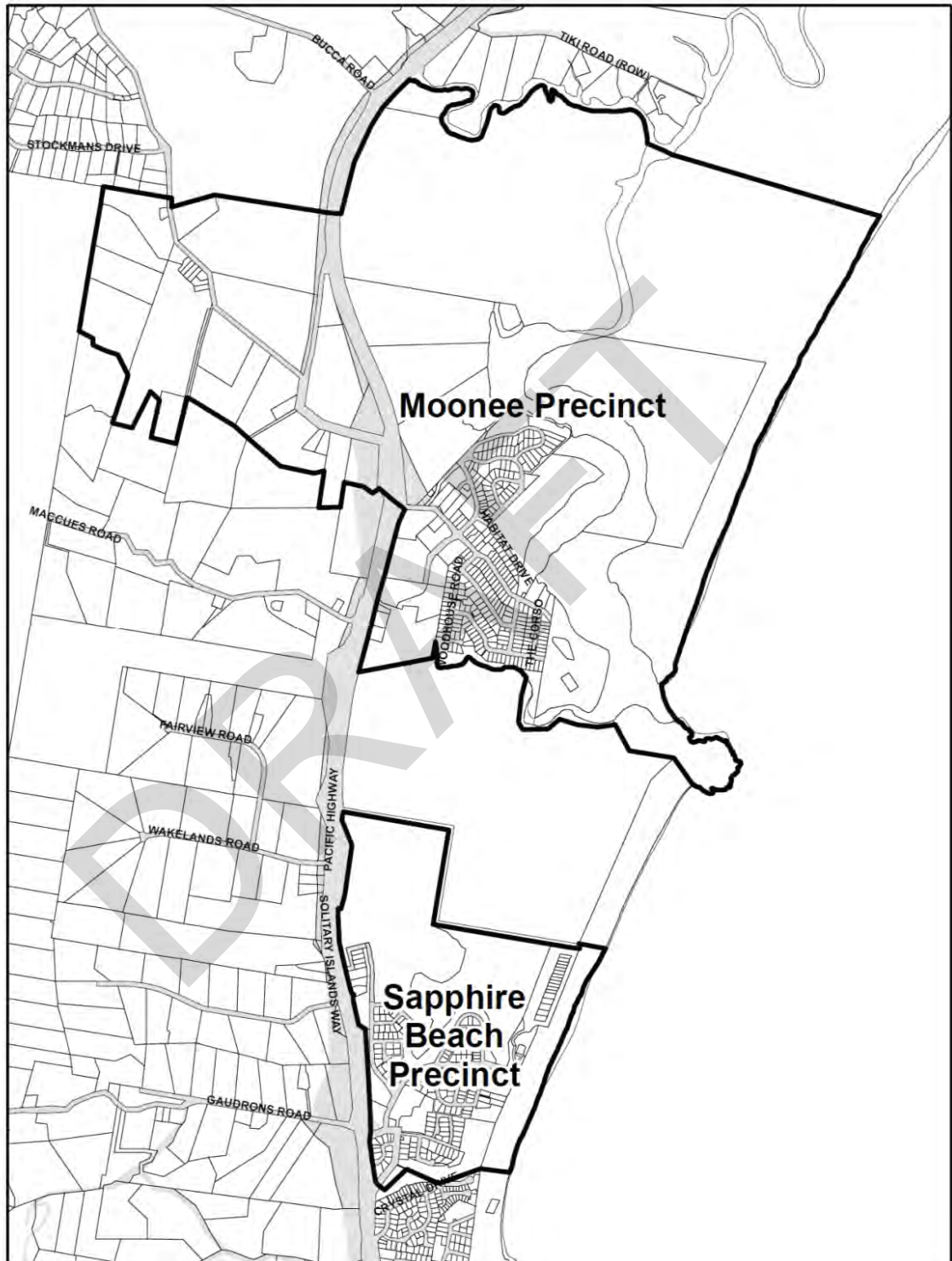
**Table 1 – Summary of Contributions**

Service / Facility	Net Cost to be Levied \$	Per Person \$	Per Lot Or large dwelling \$	Per Small Dwelling \$
<b>MOONEE PRECINCT</b>				
Transport & Traffic	6,111,595	2,466.54	6,413.00	4,489.10
<b>Sub total Contributions Moonee Precinct</b>	<b>6,111,595</b>	<b>2,466.54</b>	<b>6,413.00</b>	<b>4,489.10</b>
<b>ALL PRECINCTS</b>				
Transport & Traffic	2,006,886	699.45	1,818.58	1,273.01
Development Studies	14,520	4.90	12.75	8.93
Open Space	2,412,157	804.64	2,092.07	1,464.45
Community Facilities	1,161,160	387.34	1,007.08	704.96
<b>SubTotal Contributions All Precincts</b>	<b>5,594,723</b>	<b>1,896.34</b>	<b>4,930.48</b>	<b>3,451.34</b>
<b>Total Contributions Moonee Precinct</b>	<b>11,706,318</b>	<b>4,362.88</b>	<b>11,343.48</b>	<b>7,940.44</b>

**Notes:**

1. *In addition to the above, the relevant contribution rates in the Coffs Harbour Regional and District Facilities Contributions Plan, the Coffs Harbour Road Network Contributions Plan, the Surf Rescue Facilities Contributions Plan, the Coffs Harbour Water Supply and Wastewater Developer Services Plans and other contribution plans will also apply.*
2. *Contribution rates will be applied as follows:*
  - *the first lot in a residential subdivision is exempt from contributions*
  - *the first dwelling on a residential lot is exempt from contributions*
  - *the contribution rate for a dual occupancy, villa, townhouse or residential flat development is the number of dwellings multiplied by the appropriate dwelling rate minus one lot rate.*
3. *A small dwelling is deemed to be any dwelling with a floor area less than 100 square metres (excluding garages and balcony areas).*
4. *The lot rate/large dwelling rate applies to all types of dwelling with a floor area equal to or exceeding 100m<sup>2</sup> of floor area excluding garages and balcony areas*
5. *Additional contribution rates for various other types of development are included in this plan at appendix "B"*

Map 1: Locality Plan – Moonee Release Area



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## PART B – THE PLANNING AND POLICY CONTEXT

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### 4. **STRATEGIC PLANNING AND POLICY FRAMEWORK**

4.1 The strategic planning framework which establishes the basis for the projected types of development in the area, related yield of lots, dwellings and related population growth are as follows:-

- a) The Mid North Coast Regional Strategy – this Strategy prepared by the State Government Department of Environment and Planning includes planned growth in this sector of Coffs Harbour;
- b) The Coffs Harbour “Our Living City” Settlement Strategy – This Strategy implements the MNCRS, identifies the preferred locations and expected types of development for future urban expansion within the city and the associated demands and requirements for public facilities and services;
- c) The Coffs Harbour Sewerage Strategy 2000 – This Strategy identifies areas to be serviced by reticulated sewerage up to the Year 2021;
- d) The Coffs Harbour City Council Social and Community Strategic Plan 2006 – 2010 – This Strategy provides information on the existing and needed provision of community facilities in the city of Coffs Harbour; and
- e) The Coffs Harbour City Council Open Space Strategy 2010 – This strategy identifies the passive and active open space facilities required by future population in the city.

4.2 This Development Contributions Plan should be read in conjunction with the Coffs Harbour Regional District and Neighbourhood Facilities Contributions Plan and the Coffs Harbour Water Supply and Waste Water Developer Services Plan and other Development Contributions Plan that apply to the Moonee Release Area from time to time.

### 5. **FORECAST DEVELOPMENT AND POPULATION GROWTH AND NEXUS WITH THE NEED FOR PUBLIC FACILITIES AND SERVICES**

5.1 The forecast yield of subdivided residential lots and the related population growth are based upon:-

- a) The development yields enabled by Development Consents granted by the Department of Planning and Environment to the date of adoption of this Plan (under Part 3A of the Environmental Planning and Assessment Act (as amended) 1979 and Coffs Harbour City Council based upon preceding Developer Contributions Plans for this Release Area; and



- b) The forecast yield of lots and dwellings from land zoned for residential development purposes are based on current approvals and projected lot yields included in Moonee Development Control Plan 2004.

5.2 The consequent ultimate future lot yield is forecast to be 1,153 lots.

**Causal Nexus**

- 5.3 The anticipated increase in population in Moonee will place greater demands on existing public facilities and require the provision of new public facilities that are not currently available in the Moonee area.
- 5.4 The Coffs Harbour Regional, District and Neighbourhood Facilities Plan lists public facilities provided for the benefit of future population in Moonee together with future population in other catchments.
- 5.5 The Coffs Harbour Water Supply Development Services Plan 2013 and Wastewater Treatment and Carrier System Development Services Plan 2013, lists the water and sewerage requirements for new development in the Moonee Area.

**Physical Nexus**

- 5.6 The location of facilities has been determined having regard to the area of increased demand, accessibility to the identified public facilities and the manner in which such needs may be satisfied.

**Temporal Nexus**

- 5.7 The public facilities will be provided in a timely manner to benefit those who contributed towards them.
- 5.8 The projected overall population will be a consequence of the dwelling yield and varying occupancy rates. The forecast occupancy rates are shown in Table 2 below.

**Table 2:** Occupancy Rate

HOUSING TYPE	OCCUPANCY RATES
Conventional, Dual Occupancy, Integrated Housing	2.6 persons / dwelling
Medium Density	1.8 persons / dwelling
Seniors Living SEPP Developments (Self-Care)	1.5 persons / dwelling

- 5.9 Consequently, the average occupancy rate of dwellings is estimated to be 2.6 persons per household and the forecast future net additional population is 2,998 (1,153 lots x 2.6).

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## **PART C – ADMINISTRATION AND ACCOUNTANCY FOR THE PLAN**

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### **6. DEVELOPMENT TO WHICH THE PLAN APPLIES**

6.1 The Moonee Developer Contributions Plan applies to the following development types:-

- a) Dwellings – including:-
  - Dwelling houses – conventional single dwellings
  - Attached dwellings
  - Semi-detached dwellings
  - Dual occupancy housing
  - Multi-dwelling housing
  - Residential flat buildings
  - Shop top housing
  - Secondary dwellings
  - Mixed use development that includes dwellings
  - Caravan parks and moveable dwellings
- b) Senior housing developments; and
- c) Subdivision of land.

### **7. ASSESSMENT OF CONTRIBUTIONS**

7.1 The amounts of the contributions will be based upon relevant factors, such as:-

- a) Net additional lots in the case of subdivision;
- b) Additional dwellings in the case of residential development minus the provision for one contribution for a dwelling if a contribution for the relevant residential lot has already been paid;
- c) Additional residential units in the case of moveable dwellings and caravans;
- d) Additional traffic generated in the case of road works contributions; and
- e) The demand for upgrading of infrastructure, such as roads and services which result from development.

7.2 This plan makes provision for additional transport infrastructure and has taken into account the recent upgrade works associated with the Pacific Highway.

**8. FORMULA FOR DETERMINING CONTRIBUTIONS**

8.1 The forecast yield of subdivided residential lots and the related population growth is presented below for the lands identified in Map 1 and are based upon:-

The formula to be used for the calculation of contributions under Section 94 of the Environmental Planning and Assessment Act is as set out below:-

$$\text{Contribution per lot} = \frac{C - F}{L}$$

Where:-

C = Total cost of works to provide the desired facility or service including land acquisition, survey and design and construction costs, but less any grant or other funds received.

F = Funds levied or collected to date.

L = The projected number of net additional lots/dwellings forecast to be created in the catchment after the adoption of this Plan.

**9. TIMING OF PAYMENT OF CONTRIBUTIONS**

9.1 Payment of financial contributions should be finalised at the following stages:-

- a) Development Consents involving subdivisions – prior to release of the linen plan;
- b) Development Consents involving building work – prior to the release of the construction certificate; and
- c) Development Consents where no construction certificate is required – at the time of issue of the notification of consent, or prior to the commencement of approved development as may be determined by Council.

**10. DEFERRED OR PERIODIC PAYMENTS**

10.1 Where the applicant can demonstrate that the settlement of the contribution, in terms of the above, is unreasonable in the circumstances of the case, the Council may accept deferred or periodic settlement.

In such a case, the applicant needs to make a written request and satisfy Council in accordance with the following:-

- a) There are valid reasons for deferred or periodic payment;
- b) No prejudice will be caused to the community deriving benefits from the public facilities required by the proposed development;
- c) No prejudice will be caused to the operation of this plan; and
- d) The provision of the public facility or service in accordance with the adopted work schedule will not be adversely affected.

**Attachment 1**

Applications for deferment of payments will be subject to the following conditions:-

- a) The deferment will be for a fixed period not exceeding six months from the date the contribution becomes due;
- b) The applicant must agree to pay the Council interest on contributions or on so much thereof as shall remain outstanding from time to time computed from the date that the contribution becomes due at the appropriate rate of interest; and
- c) Payment of the contributions and the interest must be secured by delivery to the Council of a guarantee in writing issued as a Bank Guarantee or as a secure Guarantee issued by another appropriate institution to the satisfaction of Council.

10.2 Deferments will not be granted based on progressive land sales.

10.3 For the purposes of this provision, "appropriate rate of interest" means the six month bank bill swap rate applicable from time to time, and "appropriate institution" means a licensed bank or other institution where securities comprise authorised investments under the Trustee Act 1925.

## **11. EXEMPTIONS**

11.1 Council may consider exempting developments, or components of developments from the requirement for a contribution for developments that include aged care accommodation where the residents require in house care, and developments that are specifically exempted under directions that may be made from time to time by the NSW Minister for Planning and Environment.

## **12. WORKS IN KIND**

12.1 Council may accept an applicant's offer to make a contribution by way of a works in kind contribution (for an item included on the works schedule) or a material public benefit (for an item not included on the works schedule) as referred to in Section 94 (5b) of the Environmental Planning and Assessment Act.

Applicants should consult Councils current Works in Kind Policy prior to making an application for the undertaking of Works in Kind.

Council may accept the offer of a works in kind contribution if the applicant or any other person entitled to act upon the relevant consent, satisfies the consent authority that:-

- a) Payment of the contribution in accordance with the provisions of the plan is unreasonable or unnecessary in the circumstances of the case;
- b) The in kind contribution will not prejudice the timing or the manner of the provision of the public service or facility for which the contribution was required; and
- c) The value of the works to be undertaken is at least equal to the value of the contribution assessed in accordance with this Plan.

**13. POOLING OF FUNDS**

- 13.1 This Plan expressly authorises monetary S94 Contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes.

**14. INDEXATION OF CONTRIBUTION RATES**

- 14.1 Monetary contributions paid under Section 94 are exempt from the Federal Government Goods and Services Tax (GST).

- 14.2 In accordance with Clause 32(3)(B) of the EP&A Regulation, the approach below to indexation is authorised:-

- Council will review the contribution rates to ensure that the monetary contributions reflect the costs associated with the provision of the public facility.
- The contribution rates will be reviewed on the basis of movements in the Consumer Price Index, All Groups (A) Sydney, as published by the Australian Bureau of Statistics in accordance with the following formula:-

$$RC = \frac{C \times \text{Current Index}}{\text{Previous Index}}$$

Where:-

RC = Revised contribution rate per ET applicable at the time of payment

C = Previous contribution rate

Current index is the Consumer Price Index at the date of review of the contribution.

Previous index is the Consumer Price index as listed in Appendix "A" or applicable at the time of issue of the consent.

- The Council may also review the works schedule, the estimate of costs of the various public facilities and services, population projections, land acquisition costs or other aspects relating to the contribution plan.

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## PART D – PROPOSED PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE

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### 15. COMMUNITY FACILITIES AND SERVICES

- 15.1 The provision of community facilities under this Plan is to be based on need and takes into account the provision of services and facilities by other levels of government, the private sector and other non-government providers. This Plan only deals with those community facilities provided by local government. Residential development in Moonee will generate a demand for a multi-purpose complex and associated infrastructure.
- 15.2 The community service needs identified are based on the population profile and standards derived from the Coffs Harbour Social Plan. This represents the nexus between service demand and provision. This community service needs relate to the community wellbeing, development and information and are to be provided to meet the changing demands of the community as the population profile changes. Accordingly, the plan seeks to provide facilities that are flexible in order to meet changing demands in both spatial and functional terms.
- 15.3 To meet the needs outlined above, it is proposed to establish centrally located neighbourhood community facilities. These facilities will include a building providing for community meetings / functions, including outdoor facilities, car parking and landscaping. The contribution applies to the Moonee Release area as shown in map 1.

Calculation of Contribution Rate:-

• Cost of Community Centre	=	\$1,500,000
• Funds held	=	\$ 338,840
<b>Net Total</b>	<b>=</b>	<b>\$1,161,160</b>

Hence, Contribution Rate is:-

$$\frac{\$1,500,000 - \$338,840}{1,153} = \$ 1,007.08 \text{ per lot}$$

### 16. OPEN SPACE AND RECREATION

- 16.1 Existing formal open space and recreation facilities are limited within Moonee. Within the Moonee Reserve there is a playground, tennis court and picnic facilities. Informal recreation opportunities are provided with the nearby beach, creek and Nature Reserve.
- Existing conservation areas are located within the Moonee Creek Reserve, Moonee Nature Reserve, Moonee Creek Estuary including Skinners Creek, Cunninghams Creek and Sugar Mill Creek, Moonee and Mid Sapphire Beach, Green Bluff Headland, Orara East State Forest and public land in Parish Close.



Attachment 1

- 16.2 Having regard to Council’s adopted Open Space Plan 2010 and Sports Facilities Plan 2010, it is anticipated that a preference for structured sporting facilities, passive recreation and neighbourhood parks / playgrounds will exist.
- 16.3 Regional sporting facilities and passive recreation areas cater for users prepared to travel to significant distances from within and outside the Coffs Harbour local government area. Sporting facilities and passive areas in the vicinity of Moonee include the Coffs Coast Sport and Leisure Park, North Coast Regional Botanic Garden, Brelsford Park and Jetty Foreshores.
- 16.4 Regional conservation management lands are iconic areas within the coastal strip that provide core conservation outcomes for protecting biodiversity and achieving a sustainable urban form. These lands form a vast network of conservation areas, many of which are linked with regional open space areas that provide for passive recreation and nature conservation.
- 16.5 District open space is land used primarily for district sporting events and generally comprises playing fields and district sporting facilities. The primary use of these lands will be for organised recreation by residents of the Moonee area. A new district sporting facility is proposed to be provided on land in Hoys Road / Old Bucca Road. This will assist in serving the proposed new population. Contributions towards this facility are levied under the Coffs Harbour Regional, District, and Neighbourhood facilities and Services Contributions Plan.
- 16.6 A network of neighbourhood parks is proposed to cater for the recreational needs of the additional population. Facilities exist within the Moonee Nature Reserve foreshore area, and in North Sapphire. Five additional facilities are proposed comprising 3 neighbourhood parks, one district park and a canoe launching/picnic facility. Development of the Solitary Islands Coastal Walk will further provide for the recreational needs of the population. Map 2 identifies the location of the proposed facilities.
- 16.7 The identified works and facilities needed for the local and district facilities include:-

**District Park at Sports Ground:-**

• Youth Space	= \$ 120,000
• Playground	= \$ 90,000
• Gazebo x 3 Small	= \$ 45,000
• Picnic and BBQ	= \$ 30,000
• Toilet Facilities	= \$ 100,000
• Car Park and Access	= \$ 50,000
• Taps / Bubblers	= \$ 5,000
• Electrical	= \$ 10,000
• Earthworks	= \$ 10,000
• Signage	= \$ 2,000
• Landscaping	= \$ 36,000
<b>Sub Total</b>	<b>= \$ 498,000</b>

**Canoe Launching Facility:-**

• Canoe Launching Facility	= \$ 40,000
• Car Park	= \$ 30,000
• Gazebo	= \$ 15,000
• Playground	= \$ 150,000
• Picnic Facilities	= \$ 20,000
• Toilets	= \$ 80,000
• Landscaping	= \$ 20,000
<b>Sub total</b>	<b>= \$ 355,000</b>
• Playgrounds x 3	= \$ 510,000
• Coastal Walk 3,608 metres x 80%	= \$ 938,080
• Pedestrian Bridge over Skinners creek	= \$ 360,000
• Land Acquisition	= \$ 192,000
<b>Sub total</b>	<b>= \$2,000,080</b>
<b>TOTAL COSTS</b>	<b>= \$2,853,080</b>

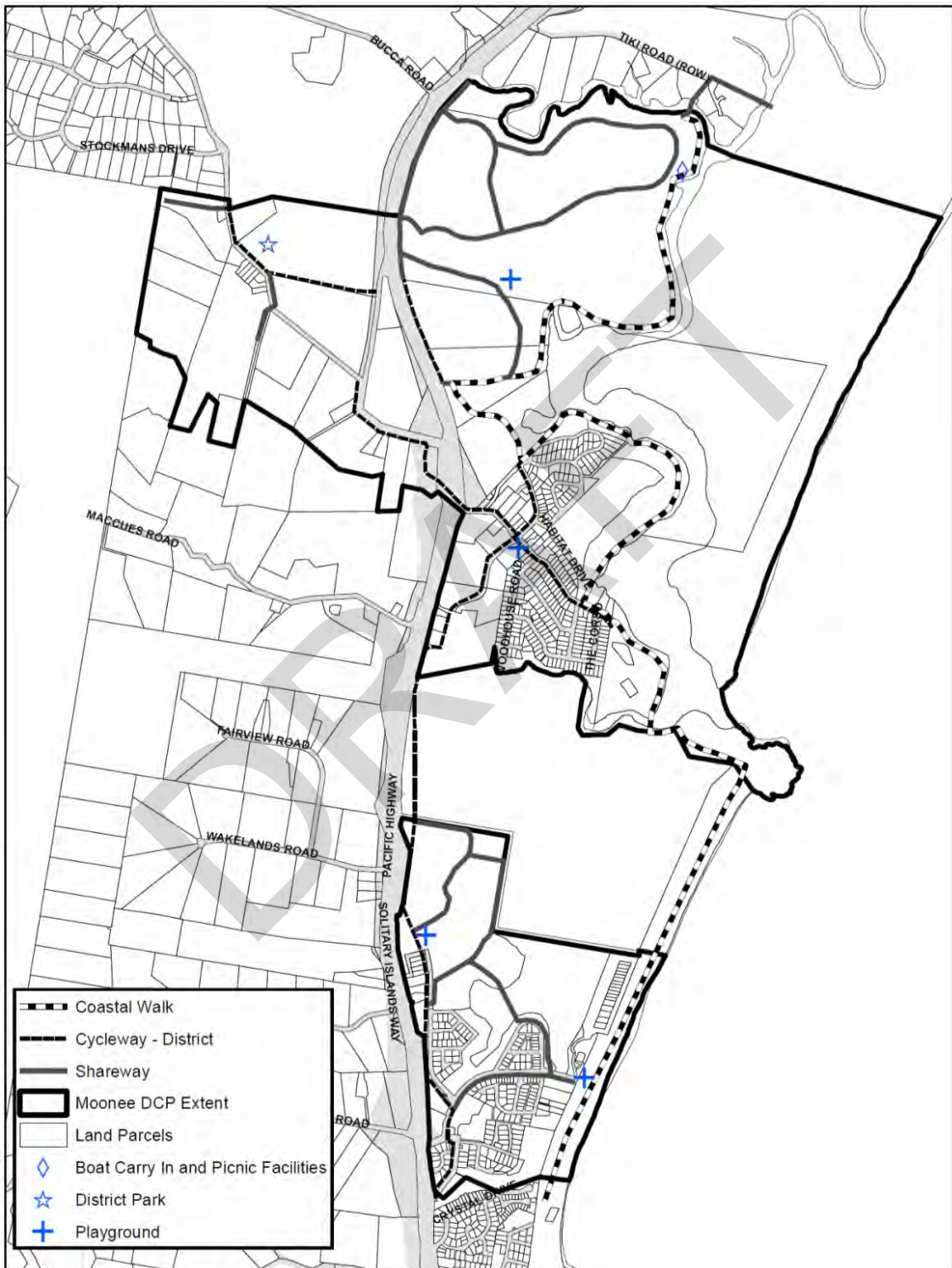
Calculation of Contribution Rate:-

• Cost of Facilities	= \$2,853,080
• Funds held	= \$ 440,923
<b>Net Total</b>	<b>= \$2,412,157</b>

Hence, Contribution Rate is:-

$$\frac{\$2,853,080 - \$440,923}{1,153} = \$ 2,092.07 \text{ per lot}$$

Map 2: Open Space Network



## **17. TRANSPORT AND TRAFFIC MANAGEMENT**

- 17.1 The strategy for the movement of people within and through the Moonee area recognises the dependence on the motor vehicle, yet provides for an efficient and convenient network of pedestrian and bicycle routes. The strategy also provides the infrastructure needed for an efficient bus service.
- 17.2 The Moonee Release Area is bisected by the Pacific Highway. Access to the east is provided by Moonee Beach Road and to the west by Hoys Road / Old Bucca Road via the recently completed grade separated intersection constructed in conjunction with the Pacific Highway upgrade.
- 17.3 The transport demands within the release area are categorised in terms of the road network, public transport and pedestrian / bicycle network.
- 17.4 Construction of a collector road north of Moonee Beach has commenced. The cost of this road including land acquisition up to the southern boundary of Lot 1 DP 725785 is funded under this contributions plan. This includes a bridge over Cunninghams Creek, and a culvert over the watercourse in lot 6 DP 1140702 . A collector road is also proposed from Moonee Beach Road south to the boundary of lot 66 DP 551005. This road is to be of a 9 metre standard, with 1/9<sup>th</sup> of the cost, being the difference between a local road and a collector road, is funded by contributions. It is proposed to upgrade Hoys Road / Old Bucca Road to service this urban area, including access to the school site and future playing fields.
- 17.5 To provide for a safe, comfortable and efficient bus service, certain basic facilities are required, including bus shelters, seats and bus bays. Bus bays are to be included in the cost estimates for a Collector Road. It is proposed to provide bus shelters / seats at each stop. A total of 9 shelters will be provided and funded by contributions, as shown in Map 4.
- 17.6 Contributions for the works described at points 17.4 and 17.5 above will be levied on all development occurring within the northern precinct as shown at Map 1.
- 17.7 Certain transport and traffic facilities are being provided to accommodate the future needs of the entire Moonee Release area.
- 17.8 Moonee Beach Road has been upgraded, and a roundabout constructed to provide for increased levels of traffic and ease of movement around the release area and to the shopping centre. The cost of these works is to be recouped via contributions from all future development within the Moonee Release Area as shown in Map 1.
- 17.9 The provision of a district network of pedestrian and bicycle facilities in residential areas can provide an important alternative transport route for both recreation and functional journeys. The proposed routes are identified Map 4 and have been designed to relate to the need for access to the school site, recreation facilities and shops. These facilities will also provide a link for the Coastal Walk. Contributions towards these works will be levied on all development within the Moonee Release area as shown in Map 1

**Summary of Facilities**

**Development all precincts will be required to pay a contribution towards the following works:**

- Upgrade of Moonee Beach Road = \$ 872,027
- Roundabout – Moonee Beach Road = \$ 556,155
- Bus shelters x 9 = \$ 180,000
- District Cycleway network = \$1,177,190

**Total District Facilities = \$2,785,372**

Calculation of Contribution Rate:-

- Cost of Facilities = \$2,785,372
  - Funds held = \$ 688,543
- Net Total = \$2,006,886**

Hence, Contribution Rate is:-

$$\frac{\$2,785,372 - \$688,543}{1,153} = \$ 1,818.58 \text{ per lot}$$

**Development in the northern precinct– as per map 1 will be required to pay a contribution towards the following works:**

**Road & Traffic Facilities**

- Northern Collector including land (Approximately 945 lineal metres) = \$2,212,484
- Culvert = \$ 65,000
- Bridge = \$1,550,000
- Environmental Works = \$ 82,000
- Route Lighting = \$ 70,000
- Upgrade Old Bucca Road = \$1,559,250
- Roundabout – Hoys/Bucca road = \$ 600,000

**Sub Total = \$6,138,734**

15% Design & Supervision = \$ 920,810

15% Contingencies = \$1,058,931

**Total Traffic Facilities = \$8,118,475**

Calculation of Contribution Rate:-

• Cost of works	=	\$ 8,118,475
• Funds held	=	\$ 2,006,880
<b>Net Total</b>	=	<b>\$ 6,111,595</b>

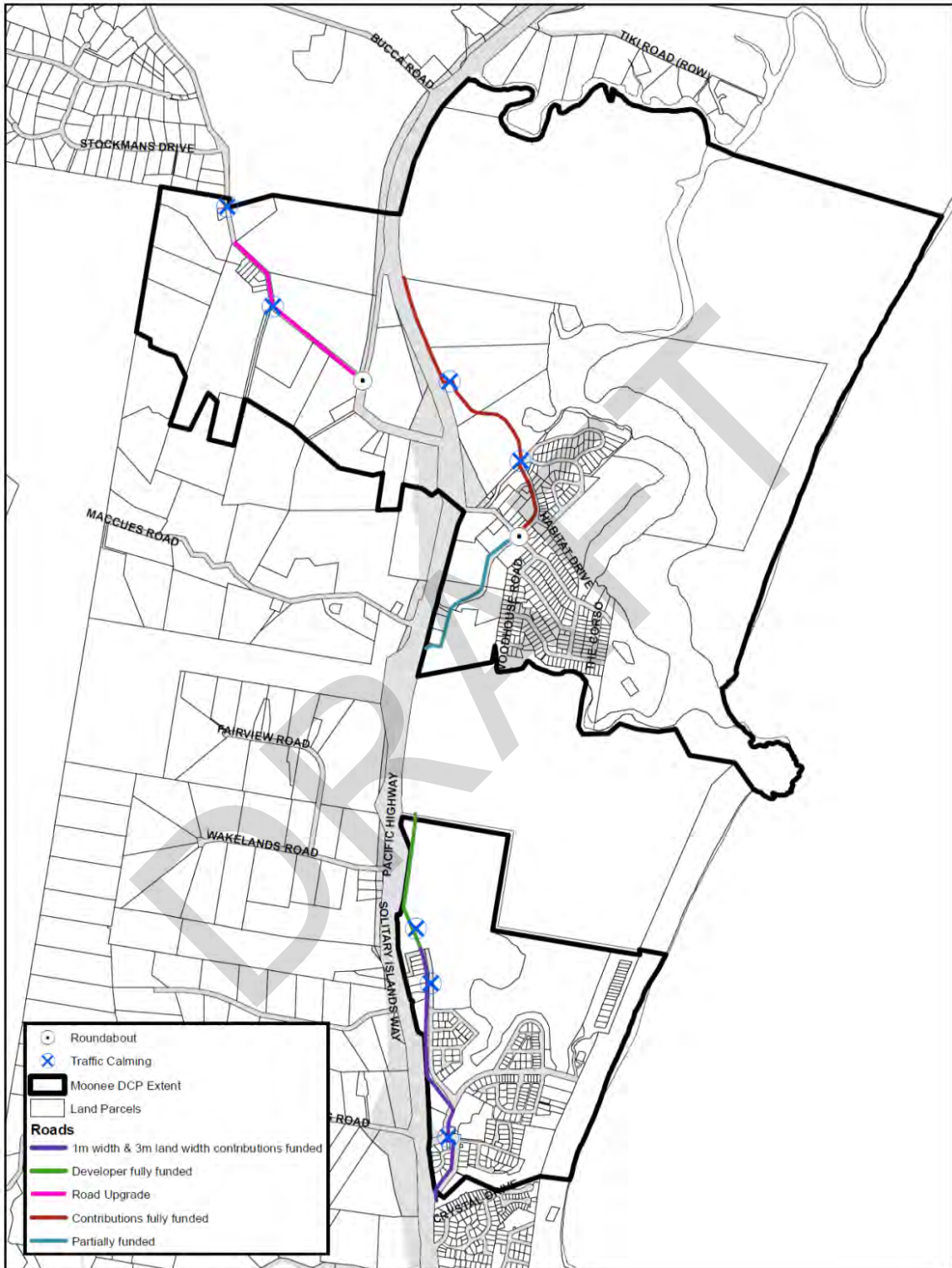
Hence, Contribution Rate is:-

$$\frac{\$8,118,475 - \$2,006,880}{953} = \$ 6,413.00 \text{ per lot}$$

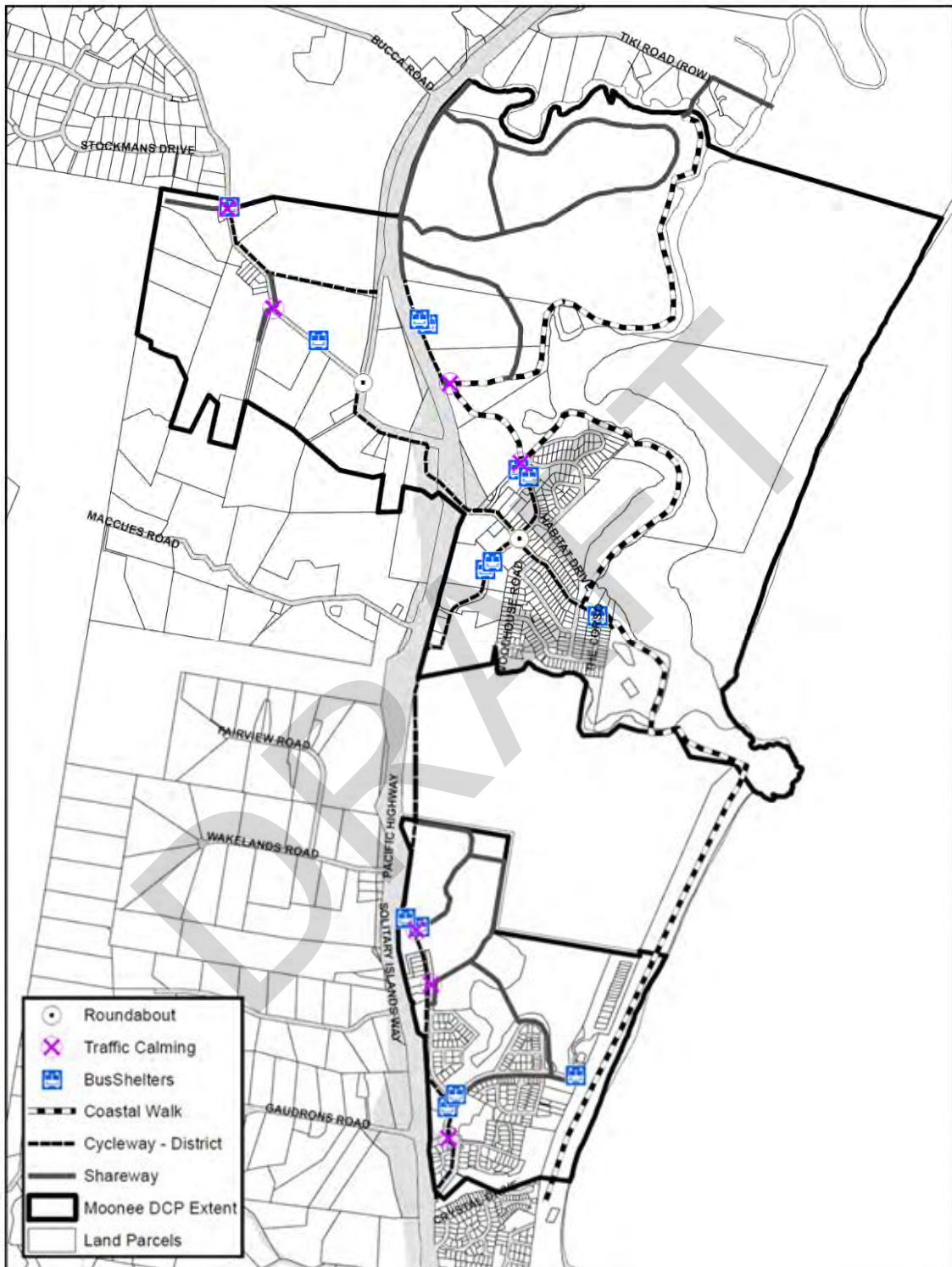
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Map 3: Traffic Management



Map 4: Transport Management



**18. URBAN PLANNING**

**Plans and Studies**

18.1 Section 94 of the Environmental Planning and Assessment Act allows the recoupment of costs for the preparation of this Contribution Plan and associated studies.

18.2 The costs of supporting and relevant studies of preparing this Plan are as follows:-

• Strategic and Statutory Planning	\$ 2,760.00
• Traffic	\$ 2,880.00
• Services / Infrastructure	\$ 4,500.00
• Socio-economic	\$ 3,000.00
• Costings of Infrastructure	\$ 5,400.00
• Preparation of Planning Proposal (50%)	\$ 1,500.00
• Consultations with State Agencies	\$ 3,000.00
• Direct Preparation of this Plan	\$ 6,000.00
<b>Total</b>	<b>\$29,040.00</b>

Hence, for each of the release areas subject of Development Contributions Plans: Hearnes Lake, Sandy Beach and Moonee (this Plan) \$14,520.00 is applied.

**Calculation of Contribution Rate**

Calculation of Contribution Rate:-

Hence, Contribution Rate is:-

$$\frac{\$14,520.00}{1,153} = \$ 12.59 \text{ per lot}$$

**APPENDIX A: INDEXING FACTORS FOR FUTURE WORKS**

CONTRIBUTION TYPE	INDEXATION BASIS	INDEX	DATE APPLIED
Traffic Facilities	Consumer Price Index, All Groups (A) Sydney	105.6	March 2014
Community Facilities	Consumer Price Index, All Groups (A) Sydney	105.6	March 2014
Open Space	Consumer Price Index, All Groups (A) Sydney	105.6	March 2014
Development Studies	Consumer Price Index, All Groups (A) Sydney	105.6	March 2014
Land Acquisition	Consumer Price Index, All Groups (A) Sydney	105.6	March 2014

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**APPENDIX B: STANDARD EQUIVALENT TENEMENT FIGURES**

CLASSIFICATION	UNIT RATE PER ET SECTION 94 CONTRIBUTION PLANS
<b>Residential</b>	
Subdivision Lot	1
Small Dwelling *	0.7 per dwelling
Large Dwelling **	1 per dwelling
Boarding House	0.35 per bed
Seniors Living (SEPP)	0.55 per dwelling
Nursing Home	0.35 per bed
Self-Care Retirement Unit	0.55 per unit
Granny Flats (Affordable Rental Housing SEPP)	0.4 per dwelling
Hostel	0.35 per bed
Group Home	0.35 per bed
<b>Tourist and Visitor Accommodation</b>	
Motel / Hotel / Resort Room	0.35 per room
Serviced Apartments	0.35 per room
Backpackers Accommodation per Bed	0.1 per bed
Bed and Breakfast Accommodation	0.35 per room
Guest House / Hostel	0.35 per room
Caravan / Camp / Cabin Site – Permanent	0.6 per site
Caravan / Cabin Site - Temporary	0.35 per site
Camp / Tent Site – Temporary	0.25 per site
<b>Business Premises</b>	
Shop	Not Applicable
General Store	Not Applicable
Convenience Store	Not Applicable
Supermarket	Not Applicable
Bulky Goods Premises	Not Applicable
Hairdressing / Beauty Salon	Not Applicable
Laundromat	Not Applicable
Office Premises	Not Applicable
Warehouse / Distribution Centre	Not Applicable
Industrial Premises ***	Not Applicable
Self-Storage Premises ***	Not Applicable
Car Wash	Not Applicable
Plant Nursery	Not Applicable
Service Station	Not Applicable
Car Sales Showroom (Indoor)	Not Applicable
Car Sales Showroom (Outdoor)	Not Applicable

\* A small dwelling is deemed to be any dwelling with a floor area less than 100 square metres (excluding garages and balcony areas).\*\* The lot rate / large dwelling rate applies to all types of dwelling with a floor area equal to or exceeding 100 square metres of floor area (excluding garages and balcony areas).

\*\*\* For on-site caretaker facilities, refer to the residential rate applicable.

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Attachment 2

# HEARNES LAKE / SANDY BEACH RELEASE AREA

Development Contributions  
Plan 2014

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## **PART A – PLAN SUMMARY**

### **1. NAME AND LEGAL BASIS OF THE PLAN**

- 1.1 This Contributions Plan is to be referred to as the Hearnese Lake / Sandy Beach Release Area Development Contributions Plan 2014 and the Plan was adopted by Council on xx/xx/2014.
- 1.2 The Plan has been prepared in accordance with the provisions of Section 94 of the Environmental Planning and Assessment Act (as amended) 1979 and Part 4 of the Environmental Planning and Assessment Regulation 2000.
- 1.3 This Development Contributions Plan came into effect on xx/xx/2014 and replaces the previous Hearnese Lake / Sandy Beach Developer Contribution Plan which was amended on 24 April 2008, 8 May 2013 and 18 December 2013.
- 1.4 This Plan therefore repeals any other Plan made before this Plan and this Plan prevails to the extent to any inconsistency with previous Plans.

### **2. THE AREA TO WHICH THE PLAN APPLIES**

- 2.1 The Plan applies to all land within the Hearnese Lake / Sandy Beach Release Area as shown in **Map 1: Locality Plan – Hearnese Lake / Sandy Beach Release Area** and, for purposes of assessing contributions, has been divided up into three precincts.

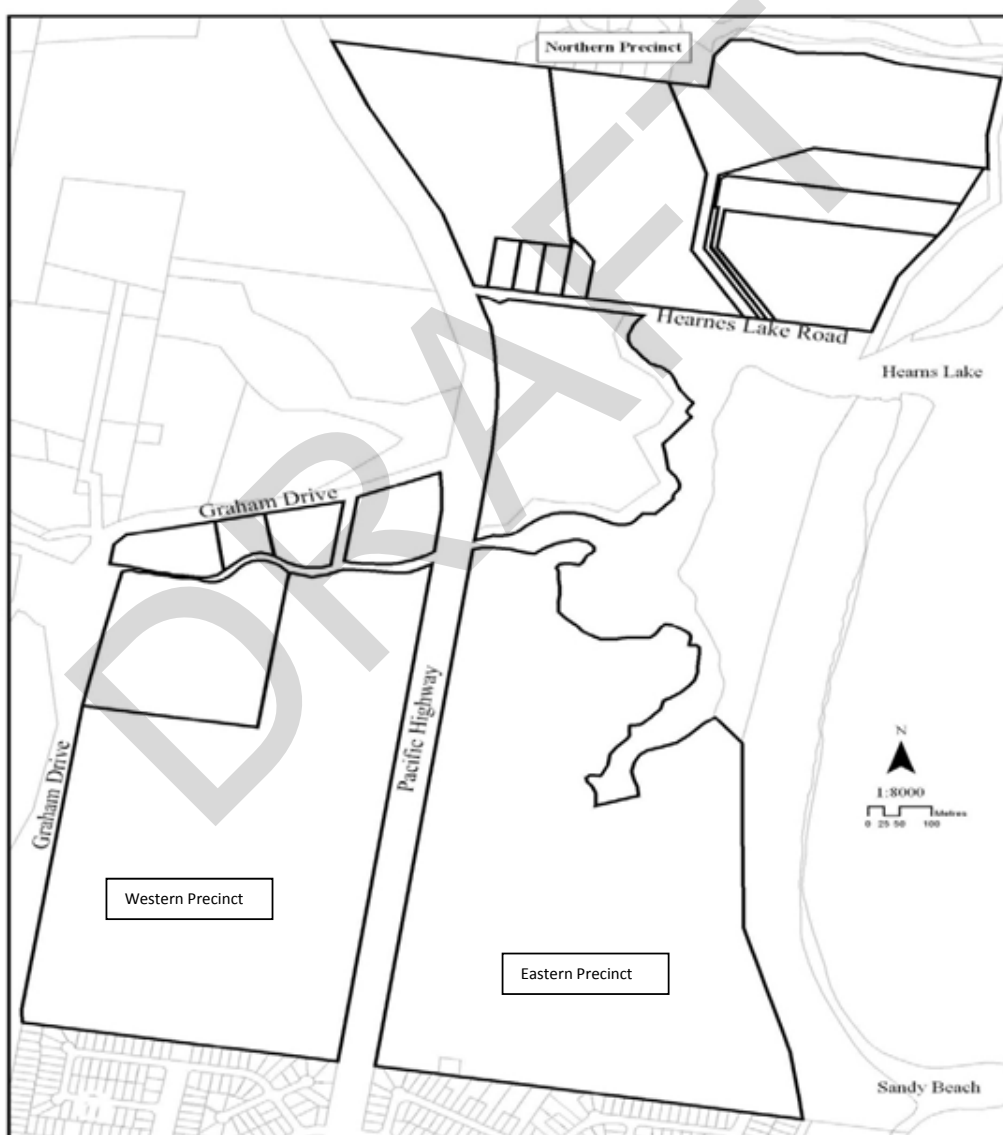
### **3. PURPOSES OF THE PLAN**

- 3.1 The primary purpose of this Plan is to enable Council to require contributions, by imposing conditions on development consents, towards the provision, extension or augmentation of public services and facilities that:-
  - a) Will be, or are likely to, be required as a consequence of development and population growth, in the area; or
  - b) Have been provided in anticipation of that development or growth and has incurred expenditure for Council which it can legitimately recoup because the demand for those facilities and services is generated by development / growth in the locality.
- 3.2 The purposes of the Plan are also to:-
  - a) Ensure that an adequate level of public services and facilities are provided throughout the subject locality as development occurs;
  - b) Ensure that there is equity in terms of the existing community not being liable to contribute to the cost of the provision of public facilities and services required by demand generated by future development and growth in the subject locality.

Attachment 2

- c) Provide a comprehensive strategy and administrative framework for Council to assess liabilities for contributions, apply conditions requiring payment of contributions, outlay expenditure for relevant services and facilities, and undertake accounting in a transparent manner for the equitable allocation of contributions throughout the Hearnese Lake / Sandy Beach Release Area; and
- d) Enable Council to be publicly and financially accountable and transparent in its implementation and administration of the Development Contributions Plan.
- e) Table 1 summarises the contribution rates applicable under this contributions plan.

Map 1: Locality Plan – Hearnese Lakes / Sandy Beach Release Area



**Table 1 – Summary of Contributions**

Service / Facility	Net Cost to be Levied \$	Per Person \$	Per Lot Or large dwelling \$	Per Small Dwelling \$
<b>ALL PRECINCTS</b>				
Transport & Traffic	\$561,702	\$760.70	\$1,977.82	\$1,384.47
Development Studies	\$14,520	\$11.54	\$30.00	\$21.00
<b>Total Contributions All Precincts</b>	<b>\$576,222</b>	<b>\$772.24</b>	<b>\$2,007.82</b>	<b>\$1,405.47</b>
<b>NORTHERN PRECINCT</b>				
Neighbourhood Open Space	\$139,713	\$321.77	\$836.60	\$585.62
Transport & Traffic	\$642,715	\$1,480.00	\$3,847.99	\$2,693.59
Sub District Open Space	\$317,982	\$430.63	\$1,119.65	\$783.76
<b>Total Contributions Northern Precinct*</b>	<b>\$1,100,410</b>	<b>\$2,232.40</b>	<b>\$5,804.24</b>	<b>\$4,062.97</b>
<b>WESTERN PRECINCT</b>				
Transport & Traffic	\$539,533	\$1,773.61	\$4,611.39	\$3,227.97
Sub District Open Space	\$317,982	\$430.63	\$1,119.65	\$783.76
Neighbourhood Open Space	\$209,713	\$689.39	\$1,356.63	\$1,254.69
<b>Total Contributions Western Precinct*</b>	<b>\$1,067,228</b>	<b>\$2,893.63</b>	<b>\$7,087.67</b>	<b>\$5,266.42</b>
<b>EASTERN PRECINCT</b>				
Transport & Traffic	\$383,525	\$737.55	\$1,917.62	\$1,342.33
<b>Total Contributions Eastern Precinct*</b>	<b>\$383,525</b>	<b>\$737.55</b>	<b>\$1,917.62</b>	<b>\$1,342.33</b>

\*Excludes contributions all precincts

**Notes:**

1. *In addition to the above, the relevant contribution rates in the Coffs Harbour Regional and District Facilities Contributions Plan, the Coffs Harbour Road Network Contributions Plan, the Surf Rescue Facilities Contributions Plan, the Coffs Harbour Water Supply and Wastewater Developer Services Plans and other contribution plans will also apply.*
2. *Contribution rates will be applied as follows:*
  - *the first lot in a residential subdivision is exempt from contributions*
  - *the first dwelling on a residential lot is exempt from contributions*
  - *the contribution rate for a dual occupancy, villa, townhouse or residential flat development is the number of dwellings multiplied by the appropriate dwelling rate minus one lot rate.*
3. *A small dwelling is deemed to be any dwelling with a floor area less than 100 square metres (excluding garages and balcony areas).*
4. *The lot rate/large dwelling rate applies to all types of dwelling with a floor area equal to or exceeding 100m<sup>2</sup> of floor area excluding garages and balcony areas*
5. *Additional contribution rates for various other types of development are included in this plan at appendix "B".*

## **PART B – THE PLANNING AND POLICY CONTEXT**

### **4. STRATEGIC PLANNING AND POLICY FRAMEWORK**

4.1 The strategic planning framework which establishes the basis for the projected types of development in the area, related yield of lots, dwellings and related population growth are as follows:-

- a) The Mid North Coast Regional Strategy (MNCRS) – this Strategy prepared by the State Government Department of Planning and Environment includes planned growth in this sector of Coffs Harbour;
- b) The Coffs Harbour “Our Living City” Settlement Strategy – This Strategy implements the MNCRS, identifies the preferred locations and expected types of development for future urban expansion within the city and the associated demands and requirements for public facilities and services;
- c) The Coffs Harbour Sewerage Strategy 2000 – This Strategy identifies areas to be serviced by reticulated sewerage up to the Year 2021;
- d) The Coffs Harbour City Council Social and Community Strategic Plan 2006 – 2010 – This Strategy provides information on the existing and needed provision of community facilities in the city of Coffs Harbour; and
- e) The Coffs Harbour City Council Open Space Strategy 2010 – This strategy identifies the passive and active open space facilities required by future population in the city.

4.2 This Development Contributions Plan should be read in conjunction with the Coffs Harbour Regional District and Neighbourhood Facilities Contributions Plan and the Coffs Harbour Water Supply and Waste Water Developer Services Plan and other Development Contributions Plans that apply to the Hearnes Lake / Sandy Beach Release Area from time to time.

### **5. FORECAST DEVELOPMENT AND POPULATION GROWTH AND NEXUS FOR PUBLIC FACILITIES AND SERVICES**

5.1 The forecast yield of subdivided residential lots and the related population growth is presented below for the three precincts identified in Map 1 and are based upon:-

- a) The development yields enabled by Development Consents granted by the Department of Planning and Environment to the date of adoption of this Plan (under Part 3A of the Environmental Planning and Assessment Act (as amended) 1979 and Coffs Harbour City Council based upon preceding Developer Contributions Plans for this Release Area; and
- b) The forecast yield of lots and dwellings from land zoned for residential development purposes are based on current approvals and projected lot yields included in the Hearnes Lake/Sandy Beach Development Control Plan 2005.



**Table 2:** Forecast Development Yield and Population Growth

CATCHMENT	NUMBER OF LOTS	NUMBER OF PEOPLE
Northern Precinct	262	681
Western Precinct	223	580
Eastern Precinct	200	520
<b>TOTAL</b>	<b>670 lots</b>	<b>1,781 people</b>

5.2 The projected overall population will be a consequence of the dwelling yield and varying occupancy rates. For purposes of estimating the population increase from the projected lot yield, an occupancy rate of 2.6 persons per household has been applied for planning purposes to cater for different household types.

**Table 3:** Occupancy Rate

HOUSING TYPE	OCCUPANCY RATES
Conventional, Dual Occupancy, Integrated Housing	2.6 persons / dwelling
Medium Density	1.8 persons / dwelling
Seniors Living SEPP Developments (Self-Care)	1.5 persons / dwelling

5.3 The social infrastructure needs are based on an anticipated population of 1,781 persons. The population profile of Hearn's Lake / Sandy Beach is initially anticipated to reflect an "ageing" population model. This ageing population is expected to have the following age characteristics.

**Table 4:** Demographic Structure

AGE	PERCENTAGE
0 – 9	13.5
10 – 19	15.3
20 – 29	9.3
30 – 39	12.5
40 – 49	15.6
50 – 59	12.5
60+	21.3

The population is expected to have a high proportion of elderly people with persons of pensioner age (60+ years), young to middle age adults (30 – 49 years) and school age (5 – 19 years).

**Causal Nexus**

- 5.4 The anticipated increase in population in Hearnese Lake will place greater demands on existing public facilities and require the provision of new public facilities that are not currently available in the Hearnese Lake / Sandy Beach area.
- 5.5 Part D of this plan lists the public facilities to be provided in the Hearnese Lake / Sandy Beach catchment.
- 5.6 The Coffs Harbour Regional, District and Neighbourhood Facilities Plan lists public facilities provided for the benefit of future population in Hearnese Lake together with future population in other catchments.
- 5.7 The Coffs Harbour Water Supply Development Services Plan 2013 and Wastewater Treatment and Carrier System Development Services Plan 2013, lists the water and sewerage requirements for new development in the Hearnese Lake / Sandy Beach Area.

**Physical Nexus**

- 5.8 The location of facilities has been determined having regard to the area of increased demand, accessibility to the identified public facilities and the manner in which such needs may be satisfied.

**Temporal Nexus**

- 5.9 The public facilities will be provided in a timely manner to benefit those who contributed towards them.

## **PART C – ADMINISTRATION AND ACCOUNTANCY FOR THE PLAN**

### **6. DEVELOPMENT TO WHICH THE PLAN APPLIES**

6.1 The Hearnese Lake / Sandy Beach Development Contributions Plan applies to the following development types:-

- a) Dwellings – including:-
  - Dwelling houses – conventional single dwellings
  - Attached dwellings
  - Semi-detached dwellings
  - Dual occupancy housing
  - Multi-dwelling housing
  - Residential flat buildings
  - Shop top housing
  - Secondary dwellings
  - Mixed use development that includes dwellings
  - Caravan parks and moveable dwellings
- b) Senior housing developments; and
- c) Subdivision of land.

### **7. ASSESSMENT OF CONTRIBUTIONS**

7.1 The amounts of the contributions will be based upon relevant factors, such as:-

- a) Net additional lots in the case of subdivision;
- b) Additional dwellings in the case of residential development minus the provision for one contribution for a dwelling if a contribution for the relevant residential lot has already been paid;
- c) Additional residential units in the case of moveable dwellings and caravans;
- d) Additional traffic generated in the case of road works contributions; and
- e) The demand for upgrading of infrastructure, such as roads and services which result from development.

**8. FORMULA FOR DETERMINING CONTRIBUTIONS**

8.1 The forecast yield of subdivided residential lots and the related population growth is presented in Table 1 for the three precincts identified in Map 1.

The formula to be used for the calculation of contributions under Section 94 of the Environmental Planning and Assessment Act is as set out below:-

$$\text{Contribution per lot} = \frac{C}{L}$$

Where:-

C = Total cost of works to provide the desired facility or service including land acquisition, survey and design and construction costs, but less any grant, cash held, and amounts levied but not yet received.

L = The projected number of net additional lots or dwellings forecast to be created in the catchment after the adoption of this Plan.

**9. TIMING OF PAYMENT OF CONTRIBUTIONS**

9.1 Payment of financial contributions should be finalised at the following stages:-

- a) Development Consents involving subdivisions – prior to release of the linen plan;
- b) Development Consents involving building work – prior to the release of the construction certificate; and
- c) Development Consents where no construction certificate is required – at the time of issue of the notification of consent, or prior to the commencement of approved development as may be determined by Council.

**10. DEFERRED OR PERIODIC PAYMENTS**

10.1 Where the applicant can demonstrate that the settlement of the contribution, in terms of the above, is unreasonable in the circumstances of the case, the Council may accept deferred or periodic settlement.

In such a case, the applicant needs to make a written request and satisfy Council in accordance with the following:-

- a) There are valid reasons for deferred or periodic payment;
- b) No prejudice will be caused to the community deriving benefits from the public facilities required by the proposed development;
- c) No prejudice will be caused to the operation of this plan; and
- d) The provision of the public facility or service in accordance with the adopted work schedule will not be adversely affected.

Applications for deferment of payments will be subject to the following conditions:-

- a) The deferment will be for a fixed period not exceeding six months from the date the contribution becomes due;
- b) The applicant must agree to pay the Council interest on contributions or on so much thereof as shall remain outstanding from time to time computed from the date that the contribution becomes due at the appropriate rate of interest; and
- c) Payment of the contributions and the interest must be secured by delivery to the Council of a guarantee in writing issued as a Bank Guarantee or as a secure Guarantee issued by another appropriate institution to the satisfaction of Council.

10.2 Deferments will not be granted based on progressive land sales.

10.3 For the purposes of this provision, "appropriate rate of interest" means the six month bank bill swap rate applicable from time to time, and "appropriate institution" means a licensed bank or other institution where securities comprise authorised investments under the Trustee Act 1925.

## **11. EXEMPTIONS**

11.1 Council may consider exempting developments, or components of developments from the requirement for a contribution for developments that include aged care accommodation where the residents require in house care, and developments that are specifically exempted under directions that may be made from time to time by the NSW Minister for Planning and Environment.

## **12. WORKS IN KIND**

12.1 Council may accept an applicant's offer to make a contribution by way of a works in kind contribution (for an item included on the works schedule) or a material public benefit (for an item not included on the works schedule) as referred to in Section 94 (5b) of the Environmental Planning and Assessment Act.

Applicants should consult Councils current Works in Kind Policy prior to making an application for the undertaking of Works in Kind.

Council may accept the offer of a works in kind contribution if the applicant or any other person entitled to act upon the relevant consent, satisfies the consent authority that:-

- a) Payment of the contribution in accordance with the provisions of the plan is unreasonable or unnecessary in the circumstances of the case;
- b) The in kind contribution will not prejudice the timing or the manner of the provision of the public service or facility for which the contribution was required; and
- c) The value of the works to be undertaken is at least equal to the value of the contribution assessed in accordance with this Plan.

**13. POOLING OF FUNDS**

- 13.1 This Plan expressly authorises monetary S94 Contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes.

**14. INDEXATION OF CONTRIBUTION RATES**

- 14.1 Monetary contributions paid under Section 94 are exempt from the Federal Government Goods and Services Tax (GST).

- 14.2 In accordance with Clause 32(3)(B) of the EP&A Regulation, the approach below to indexation is authorised:-

- Council will review the contribution rates to ensure that the monetary contributions reflect the costs associated with the provision of the public facility.
- The contribution rates will be reviewed on the basis of movements in the Consumer Price Index, All Groups (A) Sydney, as published by the Australian Bureau of Statistics in accordance with the following formula:-

$$RC = \frac{C \times \text{Current Index}}{\text{Previous Index}}$$

Where:-

RC = Revised contribution rate per ET applicable at the time of payment

C = Previous contribution rate

Current index is the Consumer Price Index at the date of review of the contribution.

Previous index is the Consumer Price index as listed in Appendix "A" or applicable at the time of issue of the consent.

- The Council may also review the works schedule, the estimate of costs of the various public facilities and services, population projections, land acquisition costs or other aspects relating to the contribution plan.
- 14.3 Indexing factors for future works are detailed in Appendix A.



## **PART D – PROPOSED PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE**

### **15. COMMUNITY FACILITIES**

- 15.1 There are no community facilities proposed for Hearnes Lake / Sandy Beach as the expected population for the area is not sufficient to warrant any new such facilities. In addition, people in the Hearnes Lake area will have access to the Woolgoolga Neighbourhood Centre, Senior Citizens Centre and Woolgoolga Health Community Centre and other regional facilities in Woolgoolga.
- 15.2 The population will contribute proportionally to the demands for certain regional and / or District facilities that could not be sustained by the Hearnes Lake / Sandy Beach Area in its own right.

### **16. OPEN SPACE AND RECREATION**

- 16.1 Existing formal open space and recreation facilities are limited within Hearnes Lake / Sandy Beach. Informal recreation opportunities are provided with the nearby beaches, and various bushland areas and reserve corridors.
- 16.2 On the basis of the population model and demographic structure, it is anticipated that a preference for structured facilities, passive recreation and neighbourhood parks / playgrounds will exist. Open space facilities (active and passive) can be considered at a regional, district and local level.
- 16.3 Regional open space caters for users prepared to travel significant distances from within and outside the Coffs Harbour local government area. These lands generally form part of an extensive network of open space facilities and provide a regional resource for passive and active recreational pursuits, and nature conservation. Regional open space areas in the vicinity of Hearnes Lake / Sandy Beach include the Coffs Coast Sport and Leisure Park, North Coast Regional Botanic Garden, Brelsford Park and Jetty Foreshores.  
**NOTE:** Contributions for Regional Open Space are calculated and established under a separate plan – the Coffs Harbour Regional, District and Neighbourhood Facilities Plan.
- 16.4 District open space is land used primarily for district sporting events and generally comprises playing fields and district sporting facilities. Council's Open Space Strategy provides standards for the provision of district sporting facilities. As the additional population of the release area is 1,742 people, and the provision of a centralised complex with all these facilities is not justified. These district facilities will be levied on a district basis under a separate Contributions Plan – the Coffs Harbour Regional, District and Neighbourhood Facilities Plan.
- 16.5 Residents of Hearnes Lake / Sandy Beach can utilise a number of the facilities available in the northern district such as Centennial Reserve, Woolgoolga Sports Ground, Woolgoolga Beach Reserve, Woolgoolga Lake Reserve and Woolgoolga Creek Foreshores.

Attachment 2

16.6 Recreation areas located on coastal reserves are also classified as district open space. A range of facilities are provided in these locations to complement the attraction of the coastline and beach.

**NOTE:** Contributions for District Open Space are calculated and established under a separate plan – the Coffs Harbour Regional, District and Neighbourhood Facilities Plan.

16.7 Local open space is land used primarily for localised recreational purposes. These lands comprise neighbourhood parks, children’s playground areas, passive reserves and drainage reserves. Given that local open space primarily serves young children, this space should be provided within a reasonable and safe walking distance. A reasonable walking distance to a neighbourhood park or playground is considered to be 500 metres which represents, on average, a seven minute walk. Map 2 illustrates a 500 metre radius around potential neighbourhood park sites to provide a measure of demand based on spatial distribution and accessibility. It is to be noted that this radius does not take into account topography and other physical constraints. On this basis, one neighbourhood park with playgrounds and associated facilities will be required in the northern precinct and two neighbourhood parks in the western precinct to meet the needs of the community.

16.8 Additional facilities are planned for the Hearnese Lake foreshore area within the northern precinct. These facilities include car parking, picnic facilities, playground, toilets, a canoe launching facility, and other associated facilities. It is envisaged that these facilities will be used by all residents of the release area. Accordingly the cost of the facilities will be funded through contributions from all precincts in the release area.

16.9 The location of the proposed neighbourhood parks are shown on Map 2. The minimum works required for neighbourhood parks are:-

- Playground equipment;
- Park seats; and
- Landscaping.

16.10 The proposed open space and recreation facilities are included in Table 4: Summary of Proposed Facilities, Infrastructure and Services.

16.11 The following formula is used to calculate the contribution rate

$$\text{Contribution per lot} = \frac{C}{L}$$

Where:-

C = Total cost of works to provide the desired facility or service including land acquisition, survey and design and construction costs, but less any grant, cash held, and amounts levied but not yet received.

L = The projected number of net additional lots or dwellings forecast to be created in the catchment after the adoption of this Plan.

• **Western and Northern Precincts – Sub District**

Foreshore embellishment works including:

Toilets	\$175,000
Beach Access	\$ 20,000
Playground	\$150,000
Picnic facilities	\$ 40,000
Canoe launching facility	\$ 35,000
Car Park	\$ 50,000
Total	\$470,000
Amounts levied & Cash Held	\$152,018
Net Cost to Levy	\$317,982

$$\begin{aligned} \text{Contribution per lot} &= \frac{C}{L} \\ &= \frac{317,982}{284} \\ &= \$1,119.65 \text{ per lot} \end{aligned}$$

• **Northern Precinct**

Playground	\$170,000
Amounts levied & Cash Held	\$ 30,298
Net Cost to Levy	\$ 139,713

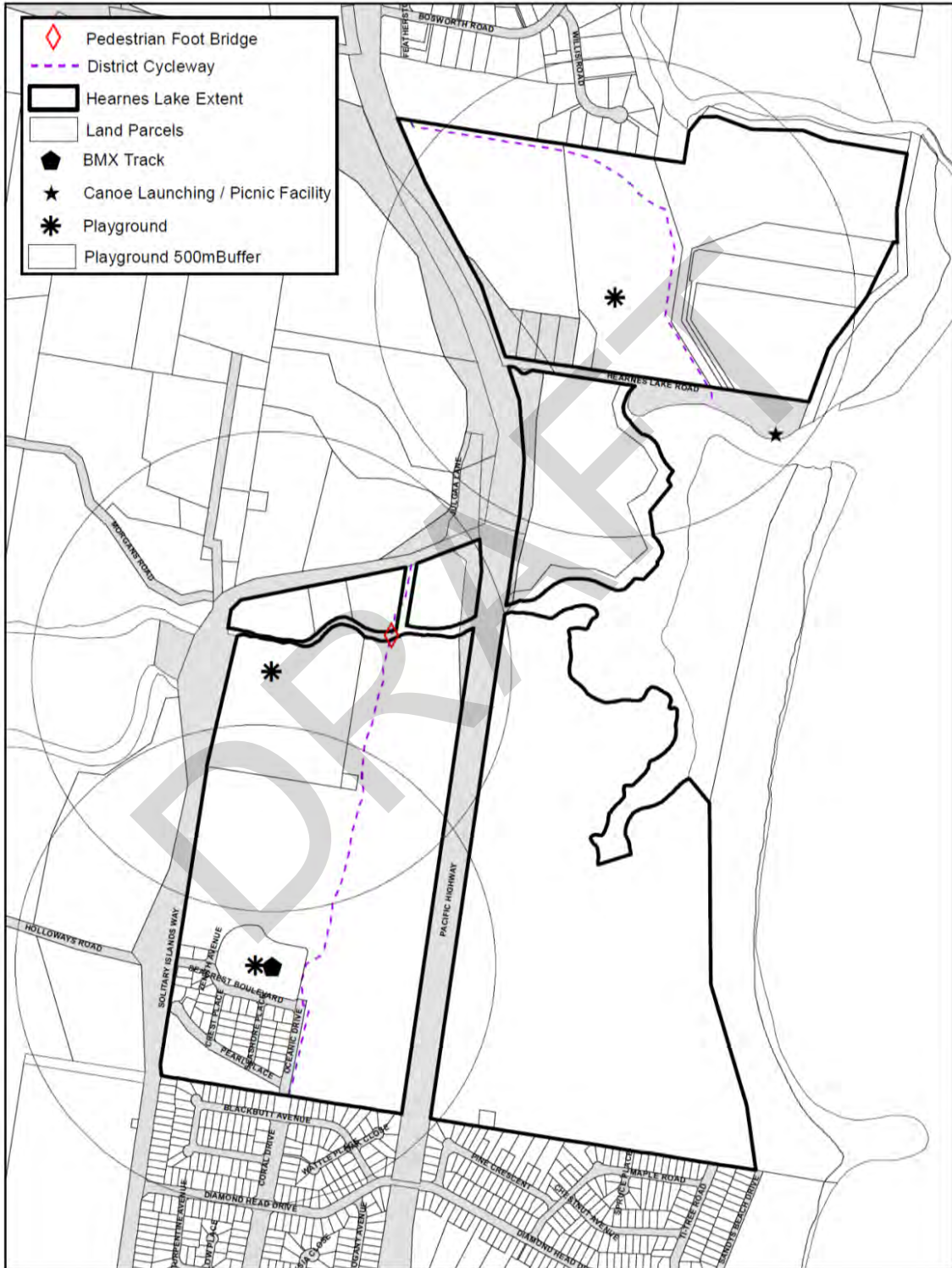
$$\begin{aligned} \text{Contribution per lot} &= \frac{C}{L} \\ &= \frac{119,713}{167} \\ &= \$836.60 \text{ per lot} \end{aligned}$$

• **Western Precinct**

Northern Playground	\$170,000
Southern Playground	\$ 50,000
BMX Track	\$ 20,000
Total	\$240,000
Amounts levied & Cash Held	\$ 81,274
Net Cost to Levy	\$158,726

$$\begin{aligned} \text{Contribution per lot} &= \frac{C}{L} \\ &= \frac{158,726}{117} \\ &= \$1,356.63 \text{ per lot} \end{aligned}$$

Map 2: Open Space and Recreation



## **17. TRANSPORT AND TRAFFIC MANAGEMENT**

- 17.1 The strategy for the movement of people within and through the Hearnese Lake / Sandy Beach area recognises the dependence on the motor vehicle, yet provides for an efficient and convenient network of pedestrian and bicycle routes. The strategy also provides the infrastructure needed for an efficient bus service.
- 17.2 The Hearnese Lake / Sandy Beach Release Area is bisected by the Pacific Highway. Access to the east is provided by Hearnese Lake Road/Solitary Islands Way and to the west by Graham Drive.
- 17.3 The transport demands within the release area can be categorised in terms of the road network, public transport and pedestrian / bicycle network.
- 17.4 The contributions plan provides for the construction of intersections along Graham Drive. Based on Traffic Impact Assessments undertaken it is concluded that 55% of generated traffic for all trips for future residents of the Eastern Precinct will travel south and 45% will travel north. Hence, costs and contributions for the intersection works have been apportioned based on this assessment and having regard to the relevant lot yields in each precinct.
- 17.5 In terms of local level infrastructure, construction of a 9 metre wide collector road in the northern precinct is required. Where development fronts the collector road contributions will fund the difference between a local road and a collector road, being an additional 1 metre in width. Where no development fronts the collector road, the full cost will be funded by contributions collected under this plan. Map 3 indicates those sections of the collector road to be fully funded, and those sections to be partially funded.
- 17.6 Development in the northern precinct will also be required to pay a local contribution towards the construction of a bus turn around area at the eastern end of Hearnese Lake Road (as noted in 17.4).
- 17.7 Additional transport and traffic management facilities required for development of the Eastern Precinct will be determined at the time of assessment of an application for subdivision.

### Public Transport

- 17.8 Bus stops are to be included in the cost estimates for road works, where required. It is proposed to provide bus shelters / seats at key bus stop locations. A total of four stops will be provided, as shown in Map 3.

### Pedestrian and Bicycle Ways

- 17.9 The provision of a good public transport system will reduce car dependency, provide for energy efficiency and enable residents without a private vehicle to maintain reasonable mobility, particularly the elderly and those under 17 years of age. Opportunities for public transport within the release area are currently limited to the provision of a bus service. To provide for a safe, comfortable and efficient bus service, certain facilities are required, including bus shelters, seats and bus bays.

17.10 The provision of pedestrian and bicycle facilities in residential areas can provide an important alternative transport route for both recreation and functional journeys. The proposed routes are identified in Map 3 and have been designed to relate to the need for access to Sandy Beach School, recreation facilities and shops. These facilities will also provide a link for the Coastal Walk and northern beaches cycle way.

17.11 Pedestrian and cycle routes are to be shared with vehicles on low order local roads and off-road footpaths / cycle ways on the collector roads. A pedestrian / cycle way bridge over Double Crossing Creek linking the Northern Precinct to the Western and Eastern Precincts is required to separate vehicle traffic from school children and bicycle traffic. This bridge is to be funded through this Contribution Plan.

17.12 The following formula is used to calculate the contribution rate

$$\text{Contribution per lot} = \frac{C}{L}$$

Where:-

C = Total cost of works to provide the desired facility or service including land acquisition, survey and design and construction costs, but less any grant, cash held, and amounts levied but not yet received.

L = The projected number of net additional lots or dwellings forecast to be created in the catchment after the adoption of this Plan.

• **Northern and Western Precincts:-**

- District cycleway
- Pedestrian bridge over Double Crossing Creek

District Cycleway	\$518,750
Bridge over Double Crossing Creek	\$200,000
Sub Total	\$718,750
Design & Contingencies @ 20%	\$143,750
Total	\$862,500
Amounts Levied and Cash held	\$300,798
Net cost to Levy	\$561,702

$$\begin{aligned} \text{Contribution per lot} &= \frac{C}{L} \\ &= \frac{561,702}{284} \\ &= \$1,977.82 \text{ per lot} \end{aligned}$$



- **Western Precinct:-**
  - Upgrade of Morgan Road/Graham Drive intersection;
  - Austroad Type B intersection on Graham Drive;
  - Austroad Type C intersection on Graham Drive; and
  - Bus facilities.
  
- **Eastern Precinct:-**
  - Upgrade of Morgan Road/Graham Drive intersection;
  - Austroad Type B intersection on Graham Drive;
  - Austroad Type C intersection on Graham Drive

Austroads Type "B" intersection on Graham Drive	\$ 550,000
Austroads Type "C" intersection on Graham Drive	\$ 250,000
Upgrade Morgans Road Intersection	\$ 200,000
Sub total	\$1,000,000
Design & Supervision	\$ 150,000
Contingencies	\$ 172,500
Total	\$1,322,500

Amount Levied not Paid & Cash held	\$ 399,442
Net Cost to Levy	\$ 923,058
Amount attributable to Western Precinct	\$ 539,533

$$\begin{aligned}
 \text{Contribution per lot} &= \frac{C}{L} \\
 &= \frac{539,533}{117} \\
 &= \$4,611.39 \text{ per lot}
 \end{aligned}$$

Amount attributable to Eastern Precinct	\$ 383,525
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$$\begin{aligned}
 \text{Contribution per lot} &= \frac{C}{L} \\
 &= \frac{383,525}{200} \\
 &= \$1,917.62 \text{ per lot}
 \end{aligned}$$

- Northern Precinct:-
  - Collector road construction
  - Bus facilities
  - Closure of Hearn's Lake Road

Collector road full width construction including land under roads	\$ 474,000
Collector road Part Construction	\$ 203,083
Bus Turning area	\$ 75,000
Closure of Hearn's Lake Road	\$ 60,000
Bus stops x 2	\$ 40,000
Sub total	\$ 852,083
Design & Supervision	\$ 127,813
Contingencies	\$ 146,984
Total	\$1,126,880
Amount levied but not paid	\$ 484,265
 Net cost to levy	 \$ 642,615

$$\begin{aligned}
 \text{Contribution per lot} &= \frac{C}{L} \\
 &= \frac{642,615}{167} \\
 &= \$3,847.99 \text{ per lot}
 \end{aligned}$$

Map 3: Traffic and Transport Strategy



**18. PLANNING ANALYSIS AND GUIDES TO PREPARE THIS PLAN**

18.1 The legislation and regulation enabling Councils to levy development contributions provides for the recoupment of costs incurred to prepare Development Contributions Plans.

18.2 The costs incurred to prepare this Plan are \$14,520

18.3 The following formula is used to calculate the contribution rate

$$\text{Contribution per lot} = \frac{C}{L}$$

Where:-

C = Total cost of works to provide the desired facility or service including land acquisition, survey and design and construction costs, but less any grant, cash held, and amounts levied but not yet received.

L = The projected number of net additional lots or dwellings forecast to be created in the catchment after the adoption of this Plan.

$$\begin{aligned} \text{Contribution per lot} &= \frac{C}{L} \\ &= \frac{14,520}{484} \\ &= \$30.00 \text{ per lot} \end{aligned}$$

**APPENDIX A:** Indexing Factors for Future Works

CONTRIBUTION TYPE	INDEXATION BASIS	INDEX	DATE APPLIED
Traffic Facilities	Consumer Price Index, All Groups (A) Sydney	105.6	March 2014
Neighbourhood Open Space	Consumer Price Index, All Groups (A) Sydney	105.6	March 2014
Development Studies	Consumer Price Index, All Groups (A) Sydney	105.6	March 2014

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**APPENDIX B – STANDARD EQUIVALENT TENEMENT FIGURES**

CLASSIFICATION	UNIT RATE PER ET SECTION 94 CONTRIBUTION PLANS
<b>Residential</b>	
Subdivision Lot	1
Small Dwelling *	0.7 per dwelling
Large Dwelling **	1 per dwelling
Boarding House	0.35 per bed
Seniors Living (SEPP)	0.55 per dwelling
Nursing Home	0.35 per bed
Self-Care Retirement Unit	0.55 per unit
Granny Flats (Affordable Rental Housing SEPP)	0.4 per dwelling
Hostel	0.35 per bed
Group Home	0.35 per bed
<b>Tourist and Visitor Accommodation</b>	
Motel / Hotel / Resort Room	0.35 per room
Serviced Apartments	0.35 per room
Backpackers Accommodation per Bed	0.1 per bed
Bed and Breakfast Accommodation	0.35 per room
Guest House / Hostel	0.35 per room
Caravan / Camp / Cabin Site – Permanent	0.6 per site
Caravan / Cabin Site - Temporary	0.35 per site
Camp / Tent Site – Temporary	0.25 per site
<b>Business Premises</b>	
Shop	Not Applicable
General Store	Not Applicable
Convenience Store	Not Applicable
Supermarket	Not Applicable
Bulky Goods Premises	Not Applicable
Hairdressing / Beauty Salon	Not Applicable
Laundromat	Not Applicable
Office Premises	Not Applicable
Warehouse / Distribution Centre	Not Applicable
Industrial Premises ***	Not Applicable
Self-Storage Premises ***	Not Applicable
Car Wash	Not Applicable
Plant Nursery	Not Applicable
Service Station	Not Applicable
Car Sales Showroom (Indoor)	Not Applicable
Car Sales Showroom (Outdoor)	Not Applicable

\*A small dwelling is deemed to be any dwelling with a floor area less than 100 square metres (excluding garages and balcony areas).

\*\*The lot rate/large dwelling rate applies to all types of dwelling with a floor area equal to or exceeding 100 square metres of floor area (excluding garages and balcony areas).

\*\*\* For onsite caretaker facilities refer to the residential rate applicable



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## DEVELOPER CONTRIBUTIONS PLAN REVIEW - OPEN SPACE

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### **Purpose:**

To present to Council a draft Open Space Developer Contributions Plan 2014 and a draft Administration Levy Developer Contributions Plan 2014. This report recommends that the draft plans be placed on public exhibition for a period of 28 days.

### **Description of Item:**

Council currently has in place an adopted Regional, District and Neighbourhood Facilities and Services Developer Contributions Plan. This plan seeks contributions towards the development of sporting infrastructure, neighbourhood parks and administration of the developer contributions system.

The plan has been split into two plans being the draft Open Space Developer Contributions Plan 2014 and the draft Administration Levy Developer Contributions Plan 2014.

The draft Administration Levy Plan has been prepared as a separate plan for clarity. It levies contributions towards the cost of developer contributions plan preparation, review and the administration of Council's developer contributions system.

The Coffs Harbour Sports Facility Plan and the Coffs Harbour City Council Open Space Strategy 2010 identify the infrastructure required to service the population growth that will occur in the Coffs Harbour local government area (LGA) until 2030. The Open Space Strategy 2010 is due for review which may lead to future changes to the Open Space Developer Contributions Plan.

The draft Open Space Developer Contributions Plan seeks financial contributions towards the development of infrastructure that has been identified in Council's adopted Coffs Harbour Sports Facility Plan and the Coffs Harbour City Council Open Space Strategy 2010.

### **Sustainability Assessment:**

- **Environment**

The environmental impacts of the construction of facilities that are included in the contributions plan are assessed at the design stage.

- **Social**

Provision of active and passive open space and recreation facilities will assist in the development of a healthy community. Additionally, the provision of facilities will provide for opportunities for increased social interaction and entertainment for the community.

- **Civic Leadership**

Final adoption of the draft contributions plan will provide a funding mechanism for Council to deliver infrastructure included in its Sports Facility Plan and Open Space Strategy. Further it will assist in achieving the following relevant strategies in the Coffs Harbour 2030 Community Strategic Plan:

LC2.1 Promote healthy living;  
LC4.4 Develop inclusive community sporting and recreational events and activities;  
PL2.2 Provide public spaces and facilities that are accessible and safe for all.

- **Economic**

**Broader Economic Implications**

The draft Open Space Contribution Plan provides a mechanism for the funding of future active and passive recreational facilities throughout the Coffs Harbour LGA. Future maintenance will ensue from the provision of the facilities.

**Delivery Program/Operational Plan Implications**

The inclusion of more detailed works schedules and estimated timing of works in the draft plan will assist in the preparation of future budgets.

**Risk Analysis:**

The Draft Open Space Plan includes work schedules that are dependent upon future contribution income streams. The plan is based on cost estimates of proposed works that may require adjustment as final costings are prepared prior to commencement of individual projects. However, significant effort has been directed towards a lengthy process of costing the projects included in the works schedule to minimise the risk of cost variances.

These risks will be further mitigated through future contribution plan reviews, and additionally works will not proceed until sufficient contributions are received to undertake the individual components included in the work schedules in the draft Open Space Plan.

The draft Open Space Plan includes funding from other sources such as grants and user groups. These funds have not yet been secured. However the works to which they relate are scheduled to be undertaken late in the works program and, should sources not be identified in the interim, then the proposed works will be revised in future reviews of the contributions plan or the extent of the works scaled back.

**Consultation:**

Extensive consultation was undertaken with community groups and sporting groups in the preparation of the Coffs Harbour Sports Facility Plan and the Coffs Harbour City Council Open Space Strategy 2010.

Council staff and members of the Developer Contributions Internal Working Group were consulted in the preparation of the draft plans.

**Related Policy and / or Precedents:**

Council has been collecting contributions from developments for the provision of active and passive recreational facilities for many years. Preparation of the draft plan has involved a review of the facility requirements and costs having regard to Council's adopted Coffs Harbour Sports Facility Plan and the Coffs Harbour City Council Open Space Strategy 2010.

**Statutory Requirements:**

Section 26(4) of the Environmental Planning and Assessment Regulation 2000 provides that draft contributions plans must be exhibited for at least 28 days. A notice of exhibition is required to be placed in the local newspaper.

**Issues:**

The draft Open Space Developer Contributions Plan provides for funding of infrastructure that is included in the current adopted Regional, District and Neighbourhood Facilities and Services Developer Contributions Plan. The draft plan includes additional works such as drainage and lighting that will enhance usage of venues rather than require additional venues. The existing Regional, District and Neighbourhood Facilities and Services Developer Contributions Plan includes contributions for the purchase and development of a sports facility at Sandy Beach. The Sports Facility Plan does not recognise that site for future development of a sports facility as 'stand-alone' single field as small facilities are considered uneconomical as opposed to multi field facilities where resources such as amenities and parking can be more efficiently utilised. Therefore it has been removed from the draft Plan.

The current Moonee Area Developer Contributions Plan includes contributions towards the provision of a sports complex at Hoys Road. This complex will form part of a district network of sports facilities and has been removed from the Moonee Area Plan and placed in the draft Open Space Developer Contributions Plan 2014.

Contributions for district level sports facilities will be levied on an LGA-wide basis as the facilities operate as a network to provide for organised physical activities generally under an inter-club competition regime. This will enable Council to pool funds collected and apply them progressively towards projects rather than collect contributions for individual sites thus enabling projects to commence earlier than may have otherwise occurred.

All projects included in the draft Open Space Developer Contributions Plan have been identified in Council's adopted Sports Facility Plan, and the draft Contributions Plan is a mechanism of funding the facilities to meet the needs of the future population.

The works' schedule has been prepared generally based on priorities as identified in the Sports Facilities Plan.

The revised contributions towards sports facilities will result in a levy of \$3,682 per lot which results in a per lot increase of \$1,074 in northern areas, a reduction of \$1,927 in the Moonee area, an increase of \$2,868 in the Coffs Harbour area, and an increase of \$1,074 in the south. It should be noted that the costs of the facilities included in the current and draft plan have not been reviewed for an extended period of time and income under the current plan would be insufficient to fund the construction of the facilities.

The revised Administration Contributions Plan results in an increase of \$123 per lot from development across the LGA.

**Implementation Date / Priority:**

The draft plans will be placed on public exhibition immediately should Council adopt the recommendations of this report.

**Recommendation:**

**That the Draft Open Space Developer Contributions Plan 2014 and the Draft Administration Levy Developer Contributions Plan 2014 be placed on public exhibition for a period of 28 days and submissions be invited.**



Attachment 1

# DRAFT COFFS HARBOUR OPEN SPACE

Developer Contributions  
Plan 2014



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## PART 1 - SUMMARY SCHEDULES

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### EXECUTIVE SUMMARY

This contribution plan enables Coffs Harbour City Council to levy contributions under Section 94 of the Environmental Planning and Assessment Act 1979 where the anticipated development will or is likely to increase the demand for public facilities.

Council's "Our Living City" Settlement Strategy 2007 advises that the population of Coffs Harbour is expected to increase by 32,000 by 2031.

In September 2013 the NSW Department of Planning and Environment NSW released population forecasts for the state and individual local government areas. These projections show Coffs Harbour having a population of 88,100 in the year 2031. These forecasts indicate that the 2014 population of the Coffs Harbour Local Government Area is 73,277 and the population is expected to be 88,100 in 2031.

As a consequence of this anticipated population growth and having regard to the level of facilities currently available and the expected profile of the new population, it will be necessary to provide additional open space facilities.

### SUMMARY OF WORKS SCHEDULE

A schedule of works, costs and catchment applicable is summarised at Table 1. Table 4 provides a works schedule with estimated time of delivery of the various items included in this plan.

### SUMMARY OF CONTRIBUTION RATES

Table 2 summarises the costs of the identified public facilities.

Table 3 summarises the contribution rates applying to the different public facilities to be provided in accordance with this contributions plan. Appendix "B" includes additional contribution rates that apply to various other forms of development.

### DATE OF COMMENCEMENT OF THE PLAN

This plan came into operation on 23 February 2000.

### AMENDMENTS

This Plan was amended on 16 October 2003, on the 4<sup>th</sup> November 2004, on the 24<sup>th</sup> August 2005, on 26<sup>th</sup> March 2007, on 24<sup>th</sup> April 2008, on 8 May 2013, on 18 December 2013 and subsequently on XX/XX/XXXX

**Table 1 – Works, Costs and Catchment applicable**

<b>Works Schedule</b>	<b>Estimated Capital Cost</b>	<b>Catchment</b>
Coffs Coast Sport & Leisure Park	\$6,485,280	Local Government Area
West Woolgoolga Sportsground	\$3,472,872	Local Government Area
Moonee Sports Complex	\$6,891,088	Local Government Area
Toormina Sports Complex	\$2,028,480	Local Government Area
Subsurface Drainage projects	\$1,813,200	Local Government Area
Lighting Projects	\$1,176,000	Local Government Area
Other Projects	\$1,322,760	Local Government Area
Woolgoolga Precinct Open Space	\$670,000	As shown on Map 4

**Table 2 – Summary of Costs of Public Facilities and Services**

<b>Public Facility</b>	<b>Total Cost</b>	<b>Grant Funds or other Income</b>	<b>Contributions Held or Levied as at 30/6/2014*</b>	<b>Net Cost to be Levied</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
District Sports Network	23,189,680	2,270,424	6,117,135	14,802,121
Woolgoolga Precinct Open Space	670,000	375,000	51,612	243,388

\* Includes developments approved up till 30 June 2014

Table 3 – Summary of Contribution Rates

Service / Facility	Net Cost to be Levied \$	Per Person \$	Per Lot/ Large Dwelling \$	Per Small Dwelling \$
District Sports Network	14,802,121	1,416.20	3,682.12	2,577.48
Woolgoolga Precinct Open Space	243,388	352.36	916.15	641.31

Notes:

1. Contribution rates will be applied as follows:
  - the first lot in a residential subdivision is exempt from contributions
  - the first dwelling on a residential lot is exempt from contributions
  - the contribution rate for a dual occupancy, villa, townhouse or residential flat development is the number of dwellings multiplied by the appropriate dwelling rate minus one lot rate.
2. A small dwelling is deemed to be any dwelling with a floor area less than 100 square metres (excluding garages and balcony areas).
3. The lot rate/large dwelling rate applies to all types of dwelling with a floor area equal to or exceeding 100 square metres of floor area (excluding garages and balcony areas).
4. Additional contribution rates for various other types of development are included in this Plan at appendix "B"

## PART 2 – ACCOUNTING AND ADMINISTRATION

### NAME OF THE PLAN

This contributions plan has been prepared in accordance with the provisions of Section 94 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and Part 4 of the Environmental Planning and Assessment Regulation 1994 and may be referred to as the Coffs Harbour Open Space Developer Contributions Plan 2014.

contributions on an equitable basis throughout the Coffs Harbour local government area (LGA).

The district facilities included in this plan apply to the Local Government Area. Maps 1, 2, and 3 indicate the location of the proposed works. The Woolgoolga precinct facilities included in this plan apply to the catchment shown in Map 4.

### PURPOSE OF THE PLAN

The primary purpose of this plan is to satisfy the requirements of the EP & A Act and Regulation to enable Council to require a contribution towards the provision, extension or augmentation of public amenities and services that will, or are likely to be, required as a consequence of development in the area, or that have been provided in anticipation of or to facilitate such development.

### RELATIONSHIP TO OTHER PLANS AND POLICIES

This contributions plan supersedes the previous developer contributions plans for open space, which came into effect on 18<sup>th</sup> December 2013.

This contributions plan provides a means for implementing some of the planning and community development strategies adopted by Council.

Other purposes of the plan are to:

- (i) ensure that an adequate level of open space facilities are provided throughout the LGA as development occurs;
- (ii) enable Council to recoup funds which it has spent in the provision of open space, and community facilities in anticipation of likely future development;
- (iii) enable Council to levy Section 94 contributions for the provision of administration functions associated with the preparation and management of Councils Contributions Plans.
- (iv) ensure that the existing community is not burdened by the provision of open space facilities' required as a result of future development;
- (v) provide a comprehensive strategy for the assessment, collection, expenditure, accounting and review of development

This plan should be referred to in conjunction with other contributions plans adopted by Council and applying within the Coffs Harbour LGA.

## FORMULA FOR DETERMINING CONTRIBUTIONS

The formula to be used for the calculation of contributions under Section 94 of the EP&A Act is as set out below:

Contribution per person

$$= \frac{(C - O - F)}{I}$$

### Where:

C = total cost of works to provide the desired facility or service including:

- land acquisition cost to Council
- survey, investigation, design, and construction administration
- construction costs including embellishment of land

O = funds from other sources

F = Funds levied or received up to and including 30-06-2014

P = anticipated additional lots

## TIMING OF PAYMENT OF CONTRIBUTIONS

Payment of financial contributions should be finalised at the following stages:

- development consents involving subdivisions – prior to release of the linen plan;
- development consents involving building work – prior to the release of the building approval;
- development consents where no building approval is required – at the time of issue of the notification of consent, or prior to the commencement of approved development as may be determined by Council.

## DEFERRED OR PERIODIC PAYMENT

Where the applicant can demonstrate that the settlement of the contribution, in terms of the above, is unreasonable in the circumstances of the case, the Council may accept deferred or periodic settlement. In such a case, the applicant needs to make a written request and satisfy Council in accordance with the following:

- there are valid reasons for deferred or periodic payment;
- no prejudice will be caused to the community deriving benefits from the public facilities required by the proposed development;
- no prejudice will be caused to the operation of this plan;
- the provision of the public facility or service in accordance with the adopted work schedule will not be adversely affected.

Applications for deferment of payments will be subject to the following conditions:

- the deferment will be for a fixed period not exceeding 6 months from the date the contribution becomes due;
- the applicant must agree to pay the Council interest on contributions or on so much thereof as shall remain outstanding from time to time computed from the date that the contribution becomes due at the appropriate rate of interest;
- payment of the contributions and the interest must be secured by delivery to the Council of a guarantee in writing issued by an appropriate institution;
- deferments will not be granted based on progressive land sales.

For the purposes of this provision, *"appropriate rate of interest"* means the six month Bank Bill Swap Rate applicable from time to time, and *"appropriate institution"* means a licensed bank or other institution where securities comprise authorised investments under the Trustee Act 1925.

## WORKS IN KIND

Council may accept an applicant's offer to make a contribution by way of a works in kind contribution (for an item included on the works schedule) or a material public benefit (for an item not included on the works schedule) as referred to in Section 94(5b) of the Environmental Planning and Assessment Act.

Applicants should consult Councils current Works in Kind Policy prior to making an application for the undertaking of Works in Kind.

Council may accept the offer of a works in kind contribution if the applicant, or any other person entitled to act upon the relevant consent, satisfies the consent authority that:

- (a) payment of the contribution in accordance with the provisions of the plan is unreasonable or unnecessary in the circumstances of the case;
- (b) the in kind contribution will not prejudice the timing or the manner of the provision of the public facility for which the contribution was required;
- (c) the value of the works to be undertaken is at least equal to the value of the contribution assessed in accordance with this plan.

## EXEMPTIONS

Council may consider exempting developments, or components of developments from the requirement for a contribution for developments that include aged care accommodation where the residents require in house care, and developments that are specifically exempted under directions that may be made from time to time by the NSW Minister for Planning.

## POOLING OF FUNDS

This plan expressly authorises monetary S94 contributions paid for different purposes to

be pooled and applied (progressively or otherwise) for those purposes.

## REVIEW OF CONTRIBUTION RATES

Council will review the contribution rates to ensure that the monetary contributions reflect the costs associated with the provision of the open space and administrative duties.

The contribution rates will be reviewed quarterly on the basis of movements in the Consumer Price Index, All Groups Sydney, as published by the Australian Bureau of Statistics in accordance with the following formula:

$$RC = \frac{C \times \text{Current index}}{\text{Previous index}}$$

where

RC = Revised contribution rate per ET applicable at the time of payment

C = Previous contribution rate

*Current index* is the Consumer Price Index at the date of review of the contribution

*Previous index* is the Consumer Price index as listed in Appendix "A" or applicable at the time of issue of the consent.

The Council may also review the works schedule, the estimate of costs of the various public facilities and services, population projections, land acquisition costs or other aspects relating to the contribution plan.



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## PART 3 – STRATEGY PLANS

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### RELATIONSHIP BETWEEN EXPECTED DEVELOPMENT AND DEMAND FOR ADDITIONAL PUBLIC FACILITIES

The following documents provide the basis for establishing the relationship (nexus) between the expected types of development in the area and the demand for additional public facilities to meet that development.

**The Coffs Harbour “Our Living City” Settlement Strategy** identifies the preferred location and expected type of future urban expansion within the City, and the associated requirements for public facilities.

In September 2013 the NSW Department of Planning and Environment NSW released population forecasts for the state and individual local government areas. These projections show Coffs Harbour having a population of 88,100 in the year 2031. These forecasts indicate that the 2014 population of the Coffs Harbour Local Government Area is 73,277 and the population is expected to be 88,100 in 2031.

**The Coffs Harbour City Council Open Space Strategy 2010** identifies the passive and active open space facilities required by future population. It identifies the district and neighbourhood open space works that are included in this Contributions Plan.

**The Coffs Harbour Sports Facilities Plan 2010** identifies the active recreational facilities required by the future population, based on studies which included benchmark levels of facility provision, stakeholder surveys, and local sports participation data. This contribution plan provides a mechanism for funding of the facilities identified in the “Sports Facilities Plan” for the future population.

### Causal Nexus

The anticipated increase in population in the Coffs Harbour LGA will place greater demands on existing open space facilities, and require the provision of new open space facilities which are not currently available in Coffs Harbour.

### Physical Nexus

The location of facilities has been determined having regard to the area of increased demand, accessibility to the identified open space facilities and the manner in which such need may be satisfied.

Future active recreational facilities have been designed to achieve economies of scale rather than multiple stand-alone facilities that require supporting infrastructure thereby increasing the cost of provision.

Table 1 identifies the catchment for each open space facility to be provided in accordance with the provisions of this plan.

### Temporal Nexus

The open space facilities will be provided in a timely manner to benefit those who contributed towards them.

Table 5 lists the benchmark or estimated staging for the provision of public facilities to be provided in accordance with this plan.

## FUTURE POPULATION & DENSITIES

Population forecasts released in September 2013 by the NSW Department of Planning and Environment NSW show Coffs Harbour as having a population of 88,100 in the year 2031. These forecasts indicate that the 2014 population of the Coffs Harbour Local Government Area is 72,493 therefore resulting in an additional 16,607 people within the Coffs Harbour Local Government Area.

It should be noted that this plan provides for development consents approved where contributions have been imposed on consents but not yet received.

Average occupancy rates in Coffs Harbour in 2006 were as follows:-

### OCCUPANCY RATES

DWELLING TYPE	OCCUPANCY RATE
Large Dwelling	2.6
Small dwelling	1.8
Seniors Living SEPP dwelling (self care)	1.5

Source: ABS census figures

- A small dwelling is deemed to be any dwelling with a floor area less than 100 square metres (excluding garages and balcony areas).
- The lot rate/large dwelling rate applies to all types of dwelling with a floor area equal to or exceeding 100 square metres of floor area (excluding garages and balcony areas).
- Additional occupancy rates are included in this plan at annexure "B"

## DISTRICT OPEN SPACE

District level sporting facilities are multipurpose in nature and are designed and managed to cater for at least two sports, where appropriate and practical. A majority

of the sporting reserves and sporting facilities in the Coffs Harbour LGA would be considered District level facilities.

### Existing Facilities

The Coffs Harbour City Council Sports Facilities Plan 2010 identifies a network of sporting fields, both existing and future that will provide for the future requirements across a range of sports. The Plan identifies the existence of a high level of club based sports with most facilities catering primarily for club training and competition. The facilities operate as a network to provide for organised physical activities generally under an inter-club competition regime.

Existing facilities include, but are not limited to the Coffs Coast Sport & Leisure Park, the Toormina Sports Complex, High Street Woolgoolga, York Street and Maclean playing fields, Coramba Showground, and Sawtell Toormina Sports & Recreation Reserve.

### Proposed Facilities

In addition to the existing facilities the following facilities are proposed:

#### Coffs Coast Sport & Leisure Park

##### Eastern Precinct

- Athletics Track
- Drainage
- Amenities
- Car parking

##### South Western Precinct

- Lighting
- Car Parking

##### North Western Precinct

- Drainage and Field construction - 3 fields
- Lighting
- Amenities
- Car Parking and landscaping

The total cost of these proposed works is \$6,485,280. Funding from other sources of \$2,270,424 is anticipated for these facilities which includes possible grant funds and community contributions.

**Attachment 1**

**West Woolgoolga Sports Ground**

- 4 fields
- 2 cricket wickets
- Amenities
- Car Parking, landscaping and associated infrastructure

The total cost of these proposed works is estimated at \$3,472,872.00. Works commenced in this location in 2013 and will continue in the short to medium term.

**Moonee Sports Complex – Hoys Road**

- Land Purchase
- 6 fields
- 2 cricket wickets
- Amenities
- Car Parking, landscaping and associated infrastructure

The total future cost of these works is \$6,891,088. Purchase of the land is currently being finalised with some funds already expended. It is expected that development of the site will proceed in the medium to long term.

**Combine Street Facility**

- 2 fields
- Cricket wicket
- Amenities
- Car Parking, landscaping and associated infrastructure

Some preliminary works have been completed including minor underground services and relocations and site preparation works. The cost of the future works is expected to be \$1,260,960 with minimal works amounting to approximately \$156,000 expected to be completed within the life of this plan.

**Toormina Sports Complex**

- 1 field
- 6 netball courts
- Extension to Criterion Track
- Amenities
- Pathways, Car Parking and associated infrastructure

The cost of these works is estimated to be \$2,028,480. There is a significant amount of active open space infrastructure already constructed including 3 fields, Amenities, netball courts, Velodrome, a BMX facility, and associated amenities, car parking and associated infrastructure.

The proposed works will complete all planned infrastructure at this site.

**Lighting Projects**

Installation of lighting at certain facilities will enhance usage of those facilities. Many facilities are currently poorly lit and below standards. These works will occur at the following locations:

- Woolgoolga Sports Ground
- Maclean Street
- York Street
- Polwarth Drive
- Ayrshire Park
- Richardson Park
- Fitzroy Oval

The cost of these works is estimated to be \$1,176,000.00 The works will generally be undertaken in accordance with the works schedule contained in Table 5.

**Drainage projects**

Usage of facilities is hampered by inclement weather on many occasions. The installation of sub surface drainage will improve the functionality and overall usage of facilities. These works will occur at the following locations:

- Woolgoolga Sports Ground
- High Street Sports Complex
- Geoff King Motors Park
- Sawtell Toormina Sport & Recreation Complex
- Richardson Park
- Fitzroy Oval

The cost of these works is expected to be \$1,813,200.

**Other Projects**

- Nana Glen Equestrian centre earthworks
- Nana Glen Sports field Amenities
- Korora Oval Landscaping
- Coramba showground drainage and car parking

The location of the above project is as depicted in maps 1, 2 and 3.

**Calculation of Contribution Rate**

In accordance with the standards provided for in Council’s Open Space Strategy, most future works will be constructed to meet the needs of the future population. Some of the works at the Coffs Coast Sports & Leisure Park will meet the needs of the existing population and the total cost of these works has been apportioned so that some funding will be from sources other than developer contributions. The full cost of all other works is to be collected from future development.

**Contribution**

Total cost of works	C =	\$23,189,680
Funds from other sources	O =	\$ 2,270,424
Funds levied or collected	F =	\$6,117,135
Total future lots	L =	4,020

Contribution per person

$$= \frac{(C - O - F)}{L}$$

$$= \frac{\$23,189,680 - \$2,270,424 - 6,117,135}{4,020^*}$$

$$= \mathbf{\$3,682.12 \text{ per lot}}$$

\*Adjusted for lots with contributions levied but not yet paid

**WOOLGOOLGA PRECINCT OPEN SPACE**

Council’s Open Space Strategy identifies the need for embellishment of the Woolgoolga foreshore reserve to a district social family space to service the needs of the area. The proposed facilities will include shelters, seating, enhanced playground equipment, and pathways. These works will service both the needs of the existing population and future residents and accordingly the future population will contribute proportionately to the works. The estimated cost of these works is \$500,000.

The Open Space strategy also identifies the need for enhancements to the skate facility at Centennial Oval. The estimated cost of these works is \$170,000.

Contributions will be applied to all future residential development within the area depicted in map 4.

**Works**

Total cost of works	C =	\$670,000
Funds from other sources	O =	\$ 375,000
Future Lots	L =	324
Funds levied or collected	F =	\$51,612

Contribution per person

$$= \frac{C - O - F}{P}$$

$$= \frac{670,000 - 375,000 - 51,612}{324}$$

$$= \mathbf{\$916.14 \text{ per lot}}$$

**Table 4 - Work Schedules, Costs, and Estimated Timing of Works**

Proposed Work	Estimated cost of future works	Funds from other sources
1. Coffs Coast Sport & Leisure Park Eastern Precinct		
- Drainage	638,400	446,880
- Amenities	885,600	619,920
- Car Parking & Pathways	298,320	208,824
- Field construction	564,000	394,800
- Hockey Field	750,000	600,000
South Western Precinct		
- Lighting	300,000	-
- Car Parking	510,000	-
North Western Precinct		
- Drainage	324,480	-
- Amenities	1,039,200	-
- Car Parking	324,000	-
- Lighting	492,000	-
- Field construction & Landscaping	329,280	-
2. West Woolgoolga Sportsground		
- Underground Services	492,000	-
- Drainage	326,400	-
- Field Construction	300,000	-
- Amenities East	1,204,800	-
- Roads & Car Parking	492,672	-
- Lighting	528,000	-
- Landscaping	129,000	-
3. Moonee Sports Complex		
- Land Purchase including Interest on Borrowings less paid to date	1,503,952	-
- Underground Services	439,200	-
- Drainage	614,400	-
- Field Construction	2,478,600	-
- Amenities	1,204,800	-
- Roads & Parking	345,300	-
- Lighting	192,000	-
- Landscaping	112,836	-
4. Toormina Sports Complex		
- Field Construction	238,800	-
- Drainage	96,000	-
- Car Parking	472,920	-
- Landscaping	12,000	-
- Lighting	156,000	-
- Criterion Track	288,600	-
- Amenities - BMX	120,000	-
- Net Ball Courts	644,160	-
Lighting Projects		
5. Polwarth Drive	144,000	-
6. Woolgoolga Sportsground	228,000	-
7. Forsyth Park - Maclean Street	12,000	-
8. York Street Ovals	360,000	-
9. Richardson Park	228,000	-
10. Fitzroy Oval	12,000	-
11. Ayrshire Park	192,000	-

Attachment 1

Drainage Projects		
12. Woolgoolga Sportsground	192,000	-
13. High Street Woolgoolga	372,000	-
14. Geoff King Motors Park	408,000	-
15. Sawtell Toormina Sports & Recreation Complex	393,600	-
16. Richardson Park	249,600	-
17. Fitzroy Oval	198,000	-
Other Projects		
18. Nana Glen Equestrian Centre Earthworks	348,360	-
19. Nana Glen Sports Amenities	411,600	-
20. Korora Oval Landscaping	105,600	-
21. Combine street Earthworks	156,000	-
22. Coramba Showground		
- Drainage	211,200	-
- Car Parking	90,000	-

Table 5 - Estimated Works Staging

Stage	\$ per project
<b>Yr 1 - 2014/15</b>	<b>1,503,952</b>
<b>Yr 2 Stage 1 - 1 (2015/16)</b>	
Forsyth Park - McLean Street digital switching for lights	12,000
York Street Oval - lighting	360,000
Fitzroy Oval - digital switching for lighting	12,000
Clive Joass Memorial Sports Park, High Street, Woolgoolga - field drainage	372,000
Fitzroy Oval - field drainage	198,000
<b>Yr 3 Stage 1 - 2 (2016/17)</b>	
Woolgoolga Sportsground field drainage	192,000
West Woolgoolga Sports Complex - underground services	492,000
Richardson Park lighting	228,000
Ayrshire Park field drainage	192,000
Nana Glen Equestrian Centre field construction stage 1 - pipes	60,360
<b>Yr 4 Stage 1 - 3 (2017/18)</b>	
Woolgoolga Sportsground lighting	228,000
Combine Street Oval earthworks	156,000
Geoff King Motors Park - Stage 1- field drainage	204,000
Sawtell Toormina Sports & Recreation Complex Stage 1 – field drainage	196,800
Richardson Park - irrigation	249,600



Attachment 1

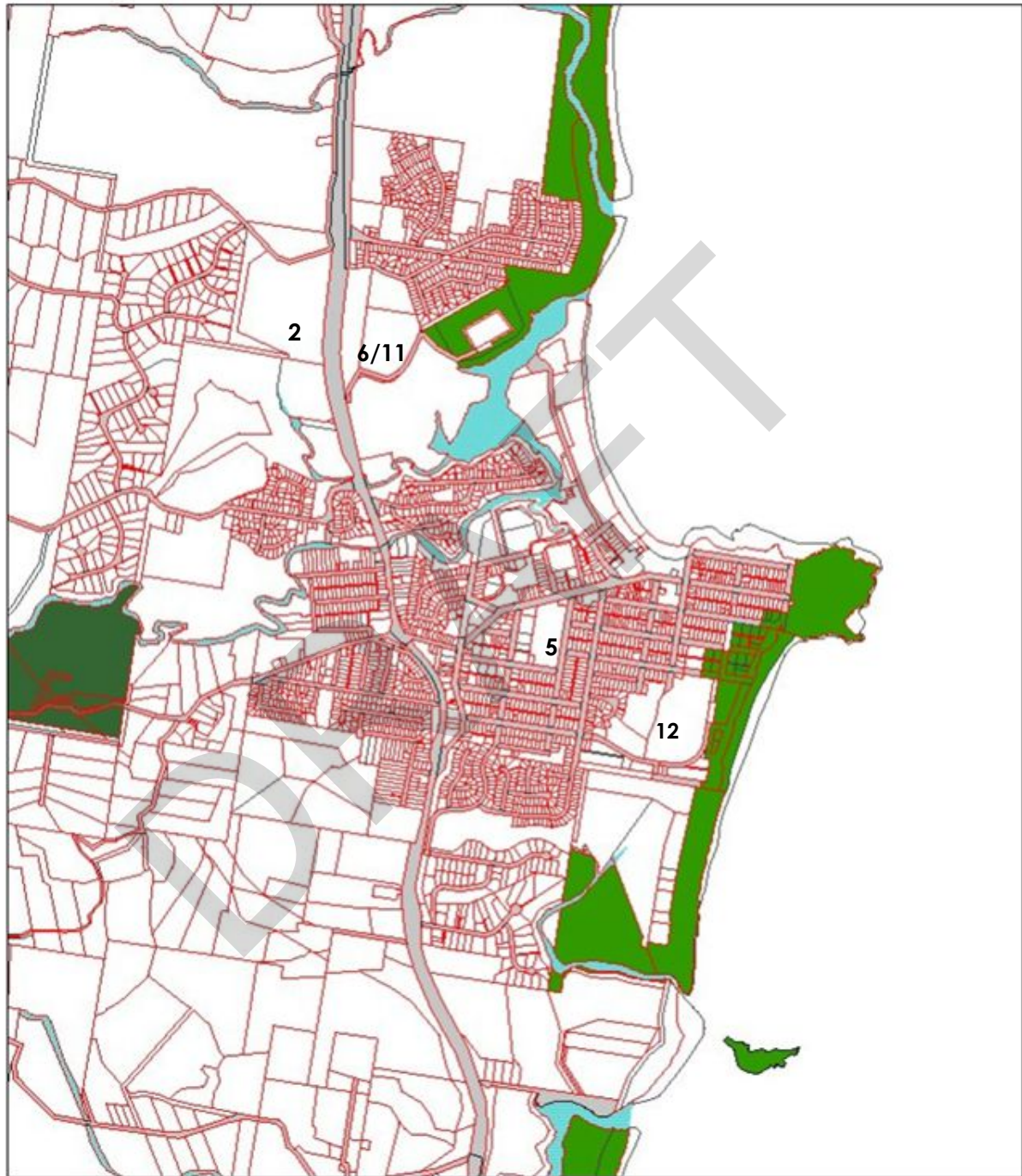
<b>Yr 5 Stage 2 - 1 (2018/19)</b>	
Toormina Oval lighting and digital switching	156,000
Polwarth Drive Sportsground lighting	144,000
Geoff King Motors Park - Stage 2 - field drainage	204,000
Sawtell Toormina Sports & Recreation Complex - Stage 2	196,800
–	
field drainage	
Coramba Recreation Reserve field drainage	211,200
<b>Yr 6 Stage 2 - 2 (2019/20)</b>	
Criterion Track upgrade	288,600
Underground services to BMX amenity	120,000
Netball training facility at Toormina Sports Complex	644,160
<b>Yr 7 Stage 2 -3 (2020/21)</b>	
Nana Glen Oval Sports Amenities	411,600
Nana Glen Equestrian Centre field construction stage 2 - earthworks	288,000
Korora Oval fencing	105,600
Coramba Recreation Reserve car parking	90,000
<b>Yr 8 Stage 3 -1 (2021/22)</b>	
Toormina Sports Complex - No. 3 soccer field construction	238,800
Toormina Sports Complex field drainage	96,000
Toormina Sports Complex car parking & road	472,920
Toormina Sports Complex landscaping	12,000
<b>Yr 9 Stage 3 -2 (2022/23)</b>	
<b>Yr 10 Stage 3 -3 (2023/24)</b>	
West Woolgoolga Sports Complex - stage 1 - field drainage	326,400
West Woolgoolga Sports Complex - stage 1 field construction	300,000
West Woolgoolga Sports Complex - stage 1- road & car parking	492,672
West Woolgoolga Sports Complex - stage 1- lighting	528,000
West Woolgoolga Sports Complex - stage 1- fencing & landscaping	129,000
<b>Year 11 Stage 4 -1 (2024/25)</b>	
West Woolgoolga Sports Complex - stage 1- amenities block east precinct	1,204,800
<b>Year 12 Stage 4 -2 (2025/26)</b>	
Coffs Coast Sport and Leisure Park NW - field drainage	324,480
Coffs Coast Sport and Leisure Park NW - lighting	492,000
Coffs Coast Sport and Leisure Park NW - field construction and landscaping	329,280
<b>Yr 13 Stage 4 -3 (2026/27)</b>	
No. 2 Hockey Field contribution	180,000
Coffs Coast Sport and Leisure Park NW - amenities	1,039,200

Attachment 1

<b>Year 14 Stage 5 -1 (2027/28)</b>	
Coffs Coast Sport and Leisure Park SW - lighting	300,000
Coffs Coast Sport and Leisure Park SW- car parking	510,000
Coffs Coast Sport and Leisure Park NW car parking & road	324,000
<b>Year 15 Stage 5 -2 (2028/29)</b>	
	0
<b>Year 16 Stage 5 -3 (2029/30)</b>	
	0
<b>Year 17 Stage 6 -1 (2030/31)</b>	
Moonee Sports Complex - underground services	439,200
Moonee Sports Complex - field construction	2,478,600
Moonee Sports Complex - landscaping	112,836
<b>Year 18 Stage 6 -2 (2032/33)</b>	
Moonee Sports Complex - drainage	614,400
Moonee Sports Complex - amenities	1,204,800
Moonee Sports Complex - roads & parking	345,300
Moonee Sports Complex - lighting	192,000
<b>Year 19 Stage 6 -3 (2033/34)</b>	
Coffs Coast Sport and Leisure Park East - drainage	191,520
Coffs Coast Sport and Leisure Park East - amenities	265,680
Coffs Coast Sport and Leisure Park East - car parking & pathways	89,496
Coffs Coast Sport and Leisure Park East - field construction	169,200

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# Northern Area Works Locations



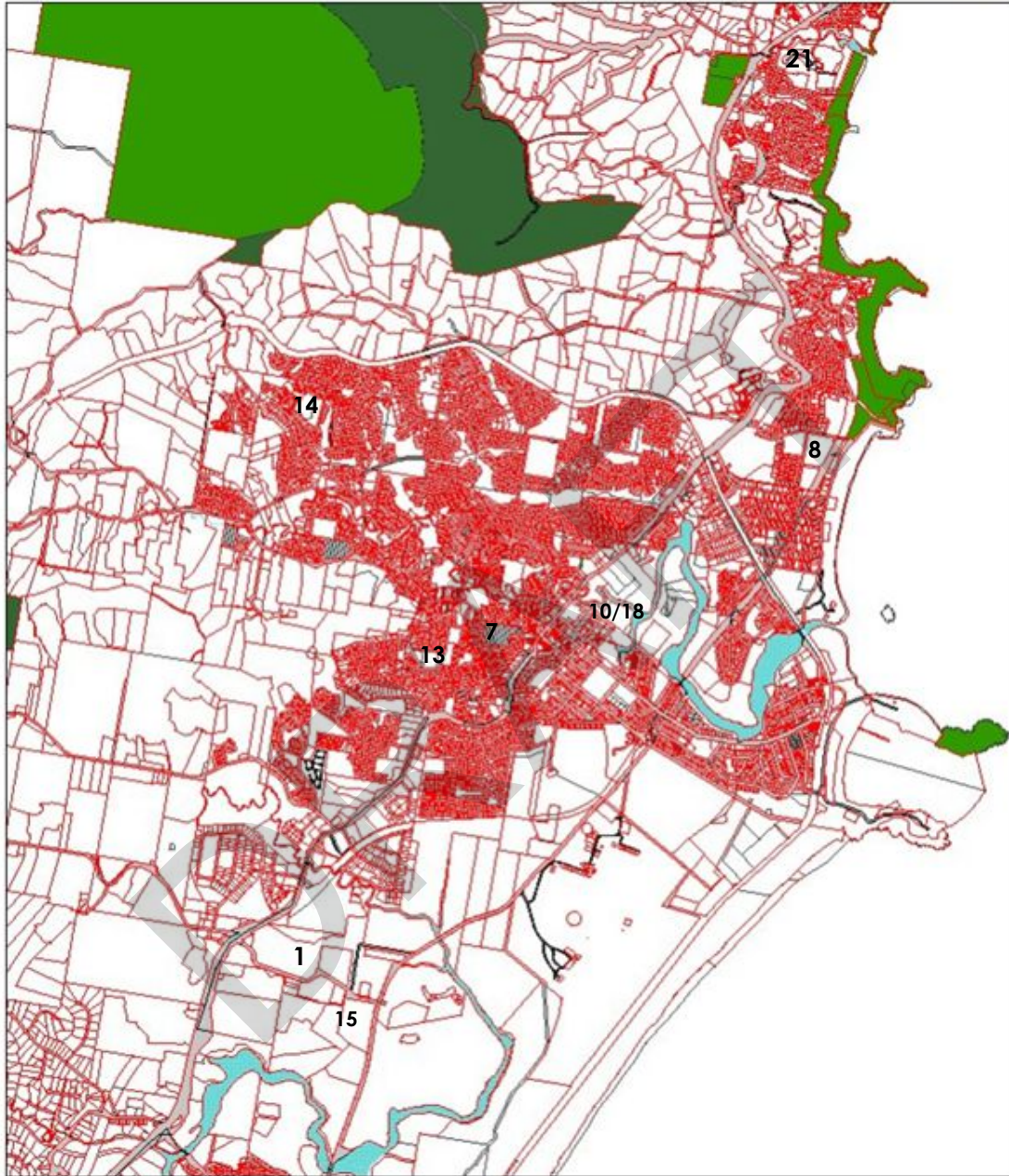
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Works Schedule Number	Site Name
2	West Woolgoolga Sportsground
6	Centennial Oval
7 & 12	Woolgoolga Sportsground
13	High Street Sports complex

**MAP 1**



# Coffs Harbour



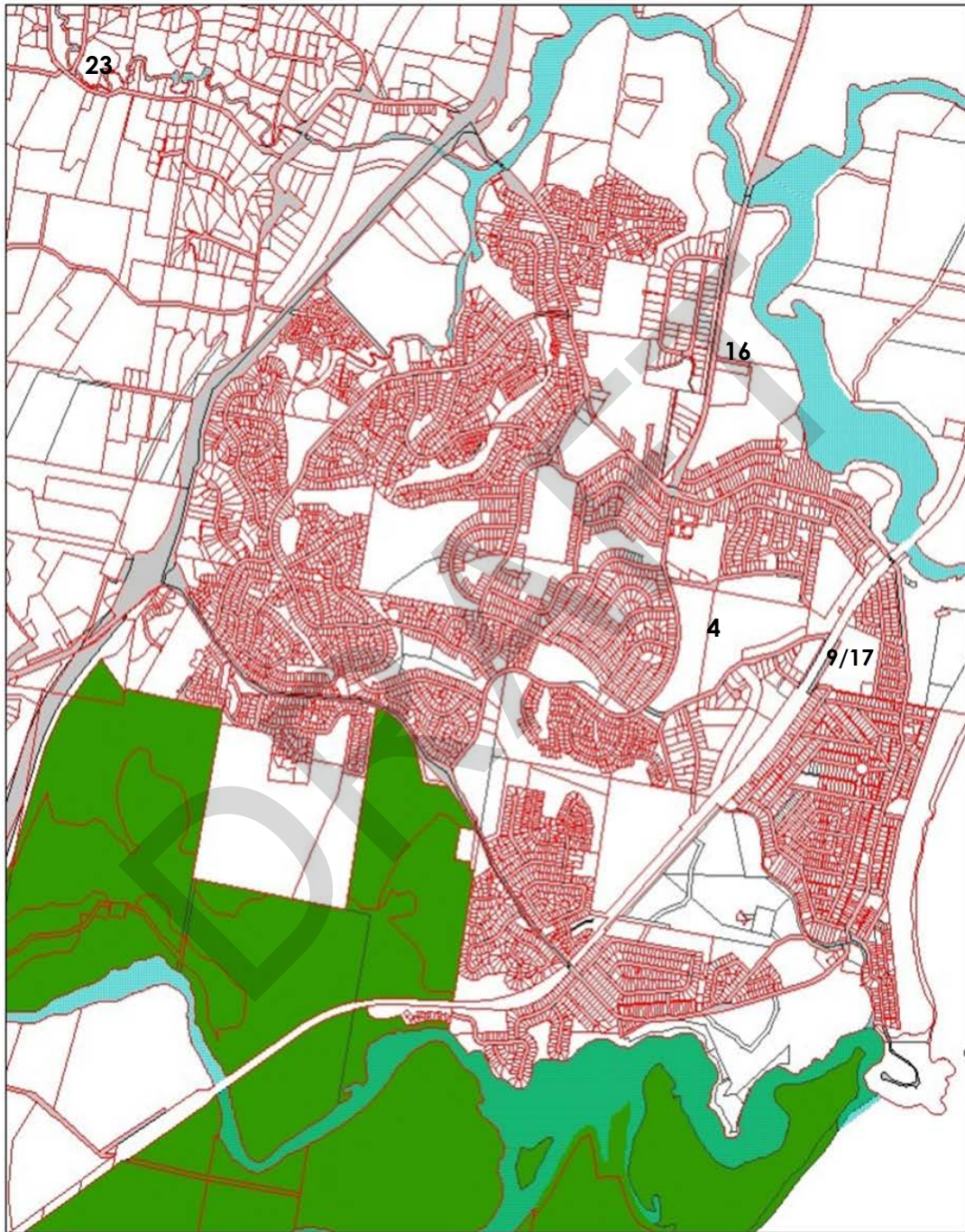
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Works Schedule Number	Site Name
1	Coffs Coast Sport & Leisure Park
4	Combine Street
8	Forsyth Park – Maclean Street
9	York Street Oval
14	Polwarth Drive
15	Geoff King Motors Park
11 & 18	Fitzroy Oval
21	Korora Oval

## MAP 2



# Southern Sites

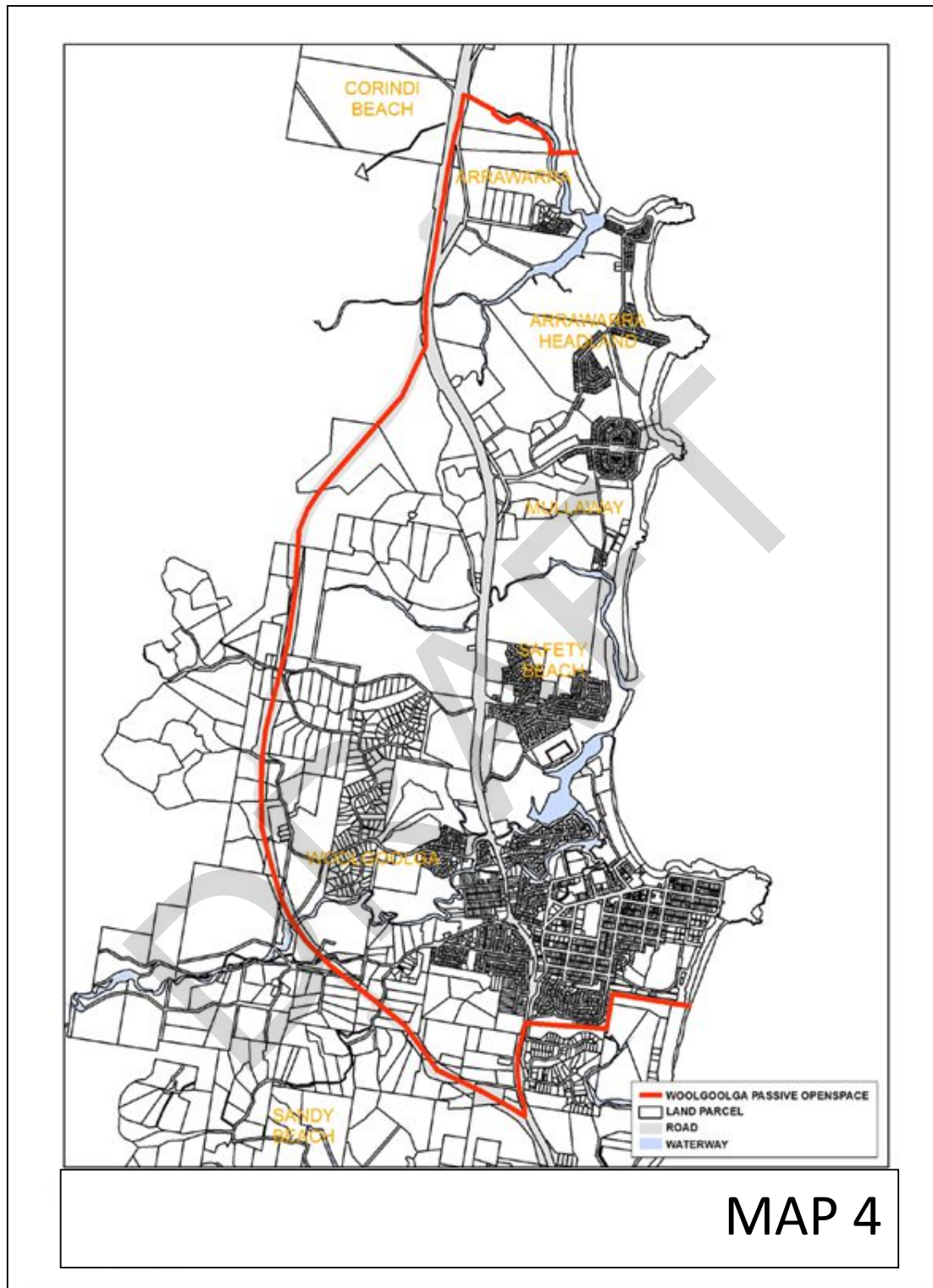


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Works Schedule Number	Site Name
5	Toormina Sports Complex
13	Richardson Park
19	Sawtell Toormina Sport & Recreation Complex
25	Ayrshire Park

## MAP 3

WOOLGOOLGA PRECINCT OPEN SPACE





**APPENDIX A - INDEXING FACTORS FOR PROPOSED WORKS**

Contribution Type	Indexation Basis	Index	Date Applied
District Open Space	Consumer Price Index – (All Groups) for Sydney	105	Dec. 2013
Woolgoolga Precinct Open Space	Consumer Price Index – (All Groups) for Sydney	105	Dec. 2013

**APPENDIX B – STANDARD EQUIVALENT TENEMENT FIGURES**

CLASSIFICATION	Unit Rate per ET Section 94 Contribution Plans	Unit Rate per ET Water DSP	Unit Rate per ET Waste Water DSP
<b>RESIDENTIAL</b>			
Subdivision lot	1	1	1
Small Dwelling*	0.7 per dwelling	0.7 per dwelling	0.7 per dwelling
Large Dwelling**	1 per dwelling	1 per dwelling	1 per dwelling
Boarding House	0.35 per bed	0.35 per bed	0.35 per bed
Seniors Living (SEPP)	0.55 per dwelling	0.55 per dwelling	0.55 per dwelling
Nursing Home	0.35 per bed	0.35 per bed	0.35 per bed
Self Care retirement unit	0.55 per unit	0.55 per unit	0.55 per unit
Granny Flats (Affordable Rental Housing SEPP)	0.4 per dwelling	0.4 per dwelling	0.4 per dwelling
Hostel	0.35 per bed	0.35 per bed	0.35 per bed
Group Home	0.35 per bed	0.35 per bed	0.35 per bed
<b>TOURIST AND VISITOR ACCOMMODATION</b>			
Motel / hotel / resort room	0.35 per room	0.35 per room	0.35 per room
Serviced apartments	0.35 per room	0.35 per room	0.35 per room
Backpackers accommodation per room	0.2 per room	0.2 per room	0.2 per room
Bed & Breakfast Accommodation	0.35 per room	0.35 per room	0.35 per room
Guest House/Hostel	0.35 per room	0.35 per room	0.35 per room
Caravan/Camp/cabin site - Permanent	0.6 per site	0.6 per site	0.6 per site
Caravan/ Cabin site temporary	0.35 per site	0.35 per site	0.35 per site
Camp/Tent Site temporary	0.25 per site	0.25 per site	0.25 per site

Attachment 1

	Unit Rate per ET	Unit Rate per ET	Unit Rate per ET
	Section 94		
CLASSIFICATION	Contribution Plans	Water DSP	Waste Water DSP
<b>BUSINESS PREMISES</b>			
Shop	N/A	0.3 per 100m2	0.3 per 100m2
General Store	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Convenience Store	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Supermarket	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Bulky Goods Premises	N/A	0.2 per 100m2	0.2 per 100m2
Hairdressing/beauty salon	N/A	0.5 per 100m2	0.5 per 100m2
Laundromat	N/A	0.5 per machine	0.5 per machine
Office Premises	N/A	0.65 per 100m2 GFA	0.65 per 100m2 GFA
Warehouse/distribution centre	N/A	0.1 per 100m2 GFA	0.1 per 100m2 GFA
Industrial Premise***	N/A	0.1 per 100m2 GFA	0.1 per 100m2 GFA
Self Storage Premises***	N/A	0.1 per 100m2 GFA (admin area )	0.1 per 100m2 GFA (admin area )
Car Wash	N/A	Determined on Application	Determined on Application
Plant nursery	N/A	Determined on Application	Determined on Application
Service Station	N/A	0.6 per lane	0.6 per lane
Car Sales Showroom ( indoor)	N/A	Determined on Application	Determined on Application
Car Sales Showroom ( outdoor)	N/A	Determined on Application	Determined on Application
<b>FOOD AND DRINK PREMISES</b>			
Café / Coffee Shop	N/A	1.0 per 100m2 GFA	1.0 per 100m2 GFA
Convenience Store	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Fast Food/Snack Bar No amenities	N/A	1.0 per 100m2 GFA	1.0 per 100m2 GFA
Fast Food/Snack Bar with amenities	N/A	1.5 per 100m2 GFA	1.5 per 100m2 GFA
Restaurant	N/A	1.0 per 100m2 GFA	1.0 per 100m2 GFA
Hotel Public Bar	N/A	1.4 per 100m2 GFA	1.4 per 100m2 GFA
Lounge/beer garden	N/A	1.3 per 100m2 GFA	1.3 per 100m2 GFA
Registered Club - Licensed	N/A	0.6 per 100m2 GFA	0.6 per 100m2 GFA
Registered Club - Unlicensed	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
<b>COMMUNITY FACILITIES</b>			
Child care without Laundry - per child	N/A	0.04 per child	0.04 per child
Child care with Laundry - per child	N/A	0.07 per child	0.07 per child
Marina per berth -	N/A	Determined on Application	Determined on Application
Place of worship	N/A	1 per 80 seats (pro- rata)	1 per 80 seats (pro- rata)
Cultural Establishment	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Correctional Centre	N/A	0.5 per bed	0.5 per bed
<b>Educational Establishment</b>			
- Primary/Secondary School	N/A	.04 per student	.04 per student
- Tertiary	N/A	.04 per student	.04 per student
- Boarding School	0.35 per resident student	0.35 per resident student	0.35 per resident student
Eco Tourism facility			
Passenger Transport Terminal	N/A	0.15 per 100m2 GFA	0.15 per 100m2 GFA

Attachment 1

	Unit Rate per ET	Unit Rate per ET	Unit Rate per ET
	Section 94		
CLASSIFICATION	Contribution Plans	Water DSP	Waste Water DSP
Hospital	N/A	1 per bed	1 per bed
Medical Centre	N/A	0.5 per consultancy room	0.5 per consultancy room
Dental Surgery	N/A	0.5 per consultancy room	0.5 per consultancy room
Veterinary Clinic	N/A	0.5 per consultancy room	0.5 per consultancy room
ENTERTAINMENT			
Bowling Alley	N/A	0.2 per alley	0.2 per alley
Brothel	N/A	0.4 per room	0.4 per room
Swimming Pool - Commercial	N/A	7 per ML	7 per ML
Recreational centre - indoor	N/A	0.3 per 100m2	0.3 per 100m2
Function/Conference Centre	N/A	0.3 per 100m2	0.3 per 100m2

*\*A small dwelling is deemed to be any dwelling with a floor area less than 100 square metres (excluding garages and balcony areas).*

*\*\*The lot rate/large dwelling rate applies to all types of dwelling with a floor area equal to or exceeding 100 square metres of floor area (excluding garages and balcony areas).*

*\*\*\* For onsite caretaker facilities refer to the residential rate applicable*

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Attachment 2

# ***DRAFT COFFS HARBOUR ADMINISTRATION LEVY***

**Developer Contributions  
Plan 2014**



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## PART 1 - SUMMARY SCHEDULES

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### EXECUTIVE SUMMARY

This contribution plan enables Coffs Harbour City Council to levy contributions under Section 94 of the Environmental Planning and Assessment Act 1979 where the anticipated development will or is likely to increase the demand for public facilities.

Council's "Our Living City" Settlement Strategy 2007 advises that the population of Coffs Harbour is expected to increase by 32,000 by 2031.

In September 2013 the NSW Department of Planning and Environment NSW released population forecasts for the state and individual local government areas. These projections show Coffs Harbour having a population of 88,100 in the year 2031. These forecasts indicate that the 2014 population of the Coffs Harbour Local Government Area is 73,277 and the population is expected to be 88,100 in 2031.

As a consequence of this anticipated population growth and having regard to the level of facilities currently available and the expected profile of the new population, it will be necessary to provide additional infrastructure and services. Council considers that the costs involved with developer plan preparation, plan monitoring and review and administration and accounting are an integral part of the provision of facilities and services required as a result of development. Accordingly the related expenses are to be funded from developer contributions.

### SUMMARY OF CONTRIBUTION RATES

Table 1 summarises the costs of the identified in the administration of Council's development Contributions system.

Table 2 summarises the contribution rates applying to the different public facilities to be provided in accordance with this contributions plan. Appendix "B" includes additional contribution rates that apply to various other forms of development.

### DATE OF COMMENCEMENT OF THE PLAN

This plan came into operation on X/XX/XXXX



**Table 1 – Summary of Costs of Public Services**

<b>Public Facility</b>	<b>Total Cost</b>	<b>Grant Funds or other Income</b>	<b>Net Cost to be Levied</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
Developer Contributions Co-ordination and Administration	828,321	186,881	641,440

**Table 2 – Summary of Contribution Rates**

<b>Service / Facility</b>	<b>Net Cost to be Levied</b>	<b>Per Person</b>	<b>Per Lot/ Large Dwelling</b>	<b>Per Small Dwelling</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
S94 Co-ordination & Administration	641,440	196.89	511.92	358.34

**Notes:**

1. Contribution rates will be applied as follows:
  - the first lot in a residential subdivision is exempt from contributions
  - the first dwelling on a residential lot is exempt from contributions
  - the contribution rate for a dual occupancy, villa, townhouse or residential flat development is the number of dwellings multiplied by the appropriate dwelling rate minus one lot rate.
2. A small dwelling is deemed to be any dwelling with a floor area less than 100 square metres (excluding garages and balcony areas).
3. The lot rate/large dwelling rate applies to all types of dwelling with a floor area equal to or exceeding 100 square metres of floor area (excluding garages and balcony areas).
4. Additional contribution rates for various other types of development are included in this Plan at appendix "B"

## PART 2 – ACCOUNTING AND ADMINISTRATION

### NAME OF THE PLAN

This contributions plan has been prepared in accordance with the provisions of Section 94 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and Part 4 of the Environmental Planning and Assessment Regulation 1994 and may be referred to as the Coffs Harbour Administration Levy Developer Contributions Plan 2013.

### PURPOSE OF THE PLAN

The primary purpose of this plan is to satisfy the requirements of the EP & A Act and Regulation to enable Council to require a contribution towards the costs associated with developer contribution plan preparation and administration.

These administrative functions include, but are not limited to:

- (i) Developer contribution plan preparation;
- (ii) Monitoring and review of developer contributions plans to ensure adequate funding is being achieved for the provision of infrastructure and services included in Council's developer contributions plans;
- (iii) Statutory requirements of advertising and review of submissions;
- (iv) Negotiating works in kind arrangements in accordance with Council's policy where appropriate;
- (v) provide a comprehensive strategy for the assessment, collection, expenditure, accounting and review of development contributions on an equitable basis throughout the Coffs Harbour local government area (LGA).

The Co-ordination and Administration contribution applies to the Coffs Harbour Local Government Area.

### RELATIONSHIP TO OTHER PLANS AND POLICIES

This contributions plan supersedes the previous developer contributions plan for Administration included in the former Regional District and Neighbourhood facilities & Services Developer Contributions Plan, which came into effect on 18<sup>th</sup> December 2013.

This plan should be referred to in conjunction with other contributions plans adopted by Council and applying within the Coffs Harbour LGA.

### FORMULA FOR DETERMINING CONTRIBUTIONS

The formula to be used for the calculation of contributions under Section 94 of the EP&A Act is as set out below:

Contribution per person

$$= \frac{(C - O)}{L}$$

#### Where:

C = total cost of administering Councils Developer Contributions portfolio

O = funds from other sources

L = anticipated additional residential lots/dwellings

**Attachment 2**

**TIMING OF PAYMENT OF CONTRIBUTIONS**

Payment of financial contributions should be finalised at the following stages:

- development consents involving subdivisions – prior to release of the linen plan;
- development consents involving building work – prior to the release of the building approval;
- development consents where no building approval is required – at the time of issue of the notification of consent, or prior to the commencement of approved development as may be determined by Council.

**DEFERRED OR PERIODIC PAYMENT**

Where the applicant can demonstrate that the settlement of the contribution, in terms of the above, is unreasonable in the circumstances of the case, the Council may accept deferred or periodic settlement. In such a case, the applicant needs to make a written request and satisfy Council in accordance with the following:

- there are valid reasons for deferred or periodic payment;
- no prejudice will be caused to the community deriving benefits from the public facilities required by the proposed development;
- no prejudice will be caused to the operation of this plan;
- the provision of the public facility or service in accordance with the adopted work schedule will not be adversely affected.

Applications for deferment of payments will be subject to the following conditions:

- the deferment will be for a fixed period not exceeding 6 months from the date the contribution becomes due;

- the applicant must agree to pay the Council interest on contributions or on so much thereof as shall remain outstanding from time to time computed from the date that the contribution becomes due at the appropriate rate of interest;
- payment of the contributions and the interest must be secured by delivery to the Council of a guarantee in writing issued by an appropriate institution;
- deferments will not be granted based on progressive land sales.

For the purposes of this provision, *“appropriate rate of interest”* means Bank Bill Swap Rate applicable from time to time, and *“appropriate institution”* means a licensed bank or other institution where securities comprise authorised investments under the Trustee Act 1925.

**WORKS IN KIND**

Council may accept an applicant's offer to make a contribution by way of a works in kind contribution (for an item included on the works schedule) or a material public benefit (for an item not included on the works schedule) as referred to in Section 94(5b) of the Environmental Planning and Assessment Act.

Applicants should consult Councils current Works in Kind Policy prior to making an application for the undertaking of Works in Kind.

Council may accept the offer of a works in kind contribution if the applicant, or any other person entitled to act upon the relevant consent, satisfies the consent authority that:

- (a) payment of the contribution in accordance with the provisions of the plan is unreasonable or unnecessary in the circumstances of the case;
- (b) the in kind contribution will not prejudice the timing or the manner of the provision of the public facility for which the contribution was required;

**Attachment 2**

(c) the value of the works to be undertaken is at least equal to the value of the contribution assessed in accordance with this plan.

*Current index* is the Consumer Price Index at the date of review of the contribution

*Previous index* is the Consumer Price index as listed in Appendix "A" or applicable at the time of issue of the consent.

**EXEMPTIONS**

Council may consider exempting developments, or components of developments from the requirement for a contribution for developments that include aged care accommodation where the residents require in house care, and developments that are specifically exempted under directions that may be made from time to time by the NSW Minister for Planning.

The Council may also review the works schedule, population projections, or other aspects relating to the contribution plan.

**POOLING OF FUNDS**

This plan expressly authorises monetary S94 contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes.

**REVIEW OF CONTRIBUTION RATES**

Council will review the contribution rates to ensure that the monetary contributions reflect the costs associated with the provision of the open space and administrative duties.

The contribution rates will be reviewed quarterly on the basis of movements in the Consumer Price Index, All Groups Sydney, as published by the Australian Bureau of Statistics in accordance with the following formula:

$$RC = \frac{C \times \text{Current index}}{\text{Previous index}}$$

where

RC = Revised contribution rate per ET applicable at the time of payment

C = Previous contribution rate

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## PART 3 – STRATEGY PLANS

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### RELATIONSHIP BETWEEN EXPECTED DEVELOPMENT AND DEMAND FOR ADDITIONAL PUBLIC FACILITIES

The following documents provide the basis for establishing the relationship (nexus) between the expected types of development in the area and the demand for additional public facilities to meet that development.

**The Coffs Harbour “Our Living City” Settlement Strategy** identifies the preferred location and expected type of future urban expansion within the City, and the associated requirements for public facilities.

In September 2013 the NSW Department of Planning and Environment NSW released population forecasts for the state and individual local government areas. These projections show Coffs Harbour having a population of 88,100 in the year 2031. These forecasts indicate that the 2014 population of the Coffs Harbour Local Government Area is 73,277 and the population is expected to be 88,100 in 2031.

### NEXUS

The preparation, review, and administration of Council’s Developer contributions plans is currently undertaken by the Developer Contributions Internal Working Group, which includes representatives from all areas of Council. Additionally other staff are required to ensure the smooth and effective operation of Developer Contributions. These additional staff include, but are not limited to, Executive Leadership Team members (policy decisions

etc), Strategic Planning staff, and Information Services staff support.

This process is co-ordinated by Council’s Developer Contributions Co-ordinator.

As developer contributions are required to provide the new infrastructure and services required as a result of development, the Developer Contributions Co-ordinators role is required to assist in ensuring that all contributions plans are operating in accordance with their objectives, and that plans are regularly reviewed to ensure that facilities are provided in a timely manner.

Part 4 of the Environmental Planning and Assessment Regulation sets out the requirements surrounding the approval, amendment and repeal of contributions plans. It further requires Council’s to maintain a contributions register, account for contributions, and prepare annual statements. These requirements are the result of Council choosing to implement contributions plans so that the costs of providing public facilities and amenities to the incoming population are equitably borne by those who will receive their benefit.

Therefore the co-ordinators role, together with the input of other staff involved on the Developer Contributions Team, is required as a direct result of development. Contributions towards the costs of this role are to be funded by way of contributions.

This contribution is to be levied on all development applications where Section 94 developer contributions are applied.

## FUTURE POPULATION & DENSITIES

Population forecasts released in September 2013 by the NSW Department of Planning and Environment NSW show Coffs Harbour as having a population of 88,100 in the year 2031. These forecasts indicate that the 2014 population of the Coffs Harbour Local Government Area is 73,277 therefore resulting in an additional 14,823 people within the Coffs Harbour Local Government Area.

It should be noted that this plan provides for development consents approved where contributions have been imposed on consents but not yet received.

Average occupancy rates in Coffs Harbour in 2006 were as follows:-

### OCCUPANCY RATES

DWELLING TYPE	OCCUPANCY RATE
Large Dwelling	2.6
Small dwelling	1.8
Seniors Living SEPP dwelling (self care)	1.5

Source: ABS census figures

- A small dwelling is deemed to be any dwelling with a floor area less than 100 square metres (excluding garages and balcony areas).
- The lot rate/large dwelling rate applies to all types of dwelling with a floor area equal to or exceeding 100 square metres of floor area (excluding garages and balcony areas).
- Additional occupancy rates are included in this plan at annexure "B"

### Calculation of Contribution

The cost of co-ordination and administration of developer contribution plans for the next five years is \$828,321. Of this approximately \$186,881 is applicable to contributions other than those levied under S94. This proportion will be funded from sources other than contributions under S94.

The net amount to be collected is therefore \$641,440.

### Contribution

Total cost of service	C = \$828,321
Funds from other Sources	O = \$186,881
Total Lots	L = 1,253

Contribution per Lot

$$= \frac{(C - O)}{L}$$

$$= \frac{828,321 - 186,881}{1,253}$$

$$= \$511.92 \text{ per Lot}$$



**APPENDIX A - INDEXING FACTORS FOR PROPOSED WORKS**

Contribution Type	Indexation Basis	Index	Date Applied
District Open Space	Consumer Price Index – (All Groups) for Sydney	105.0	Dec. 2013
Woolgoolga Precinct Open Space	Consumer Price Index – (All Groups) for Sydney	105.0	Dec. 2013
S94 Contribution Co-ordination & Administration	Consumer Price Index – (All Groups) for Sydney	105.0	Dec. 2013

**APPENDIX B – STANDARD EQUIVALENT TENEMENT FIGURES**

CLASSIFICATION	Unit Rate per ET	Unit Rate per ET	Unit Rate per ET
	Section 94 Contribution Plans	Water DSP	Waste Water DSP
<b>RESIDENTIAL</b>			
Subdivision lot	1	1	1
Small Dwelling*	0.7 per dwelling	0.7 per dwelling	0.7 per dwelling
Large Dwelling**	1 per dwelling	1 per dwelling	1 per dwelling
Boarding House	0.35 per bed	0.35 per bed	0.35 per bed
Seniors Living (SEPP)	0.55 per dwelling	0.55 per dwelling	0.55 per dwelling
Nursing Home	0.35 per bed	0.35 per bed	0.35 per bed
Self Care retirement unit	0.55 per unit	0.55 per unit	0.55 per unit
Granny Flats (Affordable Rental Housing SEPP)	0.4 per dwelling	0.4 per dwelling	0.4 per dwelling
Hostel	0.35 per bed	0.35 per bed	0.35 per bed
Group Home	0.35 per bed	0.35 per bed	0.35 per bed
<b>TOURIST AND VISITOR ACCOMMODATION</b>			
Motel / hotel / resort room	0.35 per room	0.35 per room	0.35 per room
Serviced apartments	0.35 per room	0.35 per room	0.35 per room
Backpackers accommodation per room	0.2 per room	0.2 per room	0.2 per room
Bed & Breakfast Accommodation	0.35 per room	0.35 per room	0.35 per room
Guest House/Hostel	0.35 per room	0.35 per room	0.35 per room
Caravan/Camp/cabin site - Permanent	0.6 per site	0.6 per site	0.6 per site
Caravan/ Cabin site temporary	0.35 per site	0.35 per site	0.35 per site
Camp/Tent Site temporary	0.25 per site	0.25 per site	0.25 per site

Attachment 2

	Unit Rate per ET	Unit Rate per ET	Unit Rate per ET
	Section 94		
CLASSIFICATION	Contribution Plans	Water DSP	Waste Water DSP
<b>BUSINESS PREMISES</b>			
Shop	N/A	0.3 per 100m2	0.3 per 100m2
General Store	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Convenience Store	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Supermarket	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Bulky Goods Premises	N/A	0.2 per 100m2	0.2 per 100m2
Hairdressing/beauty salon	N/A	0.5 per 100m2	0.5 per 100m2
Laundromat	N/A	0.5 per machine	0.5 per machine
Office Premises	N/A	0.65 per 100m2 GFA	0.65 per 100m2 GFA
Warehouse/distribution centre	N/A	0.1 per 100m2 GFA	0.1 per 100m2 GFA
Industrial Premise***	N/A	0.1 per 100m2 GFA	0.1 per 100m2 GFA
Self Storage Premises***	N/A	0.1 per 100m2 GFA (admin area )	0.1 per 100m2 GFA (admin area )
Car Wash	N/A	Determined on Application	Determined on Application
Plant nursery	N/A	Determined on Application	Determined on Application
Service Station	N/A	0.6 per lane	0.6 per lane
Car Sales Showroom ( indoor)	N/A	Determined on Application	Determined on Application
Car Sales Showroom ( outdoor)	N/A	Determined on Application	Determined on Application
<b>FOOD AND DRINK PREMISES</b>			
Café / Coffee Shop	N/A	1.0 per 100m2 GFA	1.0 per 100m2 GFA
Convenience Store	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Fast Food/Snack Bar No amenities	N/A	1.0 per 100m2 GFA	1.0 per 100m2 GFA
Fast Food/Snack Bar with amenities	N/A	1.5 per 100m2 GFA	1.5 per 100m2 GFA
Restaurant	N/A	1.0 per 100m2 GFA	1.0 per 100m2 GFA
Hotel Public Bar	N/A	1.4 per 100m2 GFA	1.4 per 100m2 GFA
Lounge/beer garden	N/A	1.3 per 100m2 GFA	1.3 per 100m2 GFA
Registered Club - Licensed	N/A	0.6 per 100m2 GFA	0.6 per 100m2 GFA
Registered Club - Unlicensed	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
<b>COMMUNITY FACILITIES</b>			
Child care without Laundry - per child	N/A	0.04 per child	0.04 per child
Child care with Laundry - per child	N/A	0.07 per child	0.07 per child
Marina per berth -	N/A	Determined on Application	Determined on Application
Place of worship	N/A	1 per 80 seats (pro- rata)	1 per 80 seats (pro- rata)
Cultural Establishment	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Correctional Centre	N/A	0.5 per bed	0.5 per bed
<b>Educational Establishment</b>			
- Primary/Secondary School	N/A	.04 per student	.04 per student
- Tertiary	N/A	.04 per student	.04 per student
- Boarding School	0.35 per resident student	0.35 per resident student	0.35 per resident student
Eco Tourism facility			
Passenger Transport Terminal	N/A	0.15 per 100m2 GFA	0.15 per 100m2 GFA

Attachment 2

	Unit Rate per ET	Unit Rate per ET	Unit Rate per ET
CLASSIFICATION	Section 94		
	Contribution Plans	Water DSP	Waste Water DSP
Hospital	N/A	1 per bed	1 per bed
Medical Centre	N/A	0.5 per consultancy room	0.5 per consultancy room
Dental Surgery	N/A	0.5 per consultancy room	0.5 per consultancy room
Veterinary Clinic	N/A	0.5 per consultancy room	0.5 per consultancy room
<b>ENTERTAINMENT</b>			
Bowling Alley	N/A	0.2 per alley	0.2 per alley
Brothel	N/A	0.4 per room	0.4 per room
Swimming Pool - Commercial	N/A	7 per ML	7 per ML
Recreational centre - indoor	N/A	0.3 per 100m2	0.3 per 100m2
Function/Conference Centre	N/A	0.3 per 100m2	0.3 per 100m2

*\*A small dwelling is deemed to be any dwelling with a floor area less than 100 square metres (excluding garages and balcony areas).*

*\*\*The lot rate/large dwelling rate applies to all types of dwelling with a floor area equal to or exceeding 100 square metres of floor area (excluding garages and balcony areas).*

*\*\*\* For onsite caretaker facilities refer to the residential rate applicable*

**Coffs Harbour City Council  
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Telephone: (02) 6648 4000**

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## ENVIRONMENTAL LEVY PROJECTS REPORT 30 JUNE 2014

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### **Purpose:**

To provide Council with a status report on the projects funded under the Environmental Levy (EL) Program and make recommendations regarding revotes for each project.

### **Description of Item:**

A description of the status of the Environmental Levy Program as at 30 June 2014, including total funding against actual expenditure, is included as an attachment to this report.

### **Sustainability Assessment:**

- **Environment**

The entire Environmental Levy program is designed to ensure that environmental priorities (as outlined within the Coffs Harbour 2030 Plan) are addressed. All projects funded have resulted in beneficial outcomes for the environment of the Coffs Harbour Local Government Area (LGA).

- **Social**

The Environmental Levy Policy includes the following criteria to be used in assessing EL submissions:

- protect and / or rehabilitate the natural environment;
- strategic integration;
- generating a community benefit;
- is community based;
- the ability to attract other funding; and
- improve aesthetic quality of natural environment and / or raise community awareness and education.

Many projects included in the program each year are undertaken by community groups.

- **Civic Leadership**

Councils Environmental Levy Program seeks to promote sound environmental practices and promotes leadership and involvement in key environmental issues which accords with Councils strategic theme of "Looking after our Environment".

- **Economic**

#### **Broader Economic Implications**

The Environmental Levy Program funds environmental projects that would not otherwise be undertaken with revenue funding.

**Delivery Program/Operational Plan Implications**

The Environmental Levy Program is funded through a special rate and is accounted for separately. Therefore there is no impact on Council's Delivery Program.

The EL Program has a balance of \$2,589 after taking into account the variations and revotes recommended in this report. These funds will be available for allocation to 2014/15 EL applications.

**Risk Analysis:**

Each individual project will have individual risk profiles which will be considered by the project owners.

**Consultation:**

Relevant Council staff and members of community groups have been consulted in the preparation of this report.

**Related Policy and / or Precedents:**

Submissions have been assessed in accordance with Council's *Environmental Levy – Associated Policies*, which was adopted on 15 December 2005. Council's Executive Leadership Team receives quarterly reports on the status of EL Projects throughout the year.

**Statutory Requirements:**

The Ministerial approval for a special rate variation was obtained in June 1997 in accordance with the provisions of Section 508 (2) of the Local Government Act 1993.

**Issues:**

***Status of Funding for EL Program as at 30 June 2014***

Estimated funding position of the Environmental Levy as at 30 June 2014 is summarised as follows:

	\$
Reserve as at 1 July 2013	380,271
<u>Income</u>	
Special Rate	1,129,229
Pensioner Subsidy	1,630
Water Account	50,000
Contributions, Grants, Rev, Restrict, Reserve	58,074
Interest (estimated)	<u>15,546</u>
Total Income	<u>1,254,479</u>
<u>Funds Available</u>	1,634,750
Less <u>Expenditure</u>	<u>1,399,423</u>
Reserve Balance as at 30 June 2014	<u>235,327</u>

The revotes recommended from 2013/14 to 2014/15 are \$269,738 which is funded by:

Environmental Levy	232,738
Restricted Grants	0
Revenue	0
Contributions	37,000
Reserves	0

The Environmental Levy Reserve balance of \$235,327 less the revotes to 2014/15 of \$232,738 results in a balance of \$2,589.

Of the Environmental Levy funding of the revotes recommended, the funds were allocated in the following years:

2009/10	\$ 27,553	1 project, refer item 35.
2012/13	60,244	3 projects, refer item 2, 11 & 32.
2013/14	<u>144,941</u>	6 projects, refer items 6, 12, 13, 17, 21 & 34.
Total	\$ <u>232,738</u>	

***Project Status Report***

Relevant additional comments in relation to the projects are:

1. Project Review of the Koala Plan of Management 1<sup>st</sup> Stage Northern Precinct 2011/12

The Northern Area Koala population and habitat field work has been completed and the council reviewed draft reports are currently being revised by the consultant. Council had placed on hold delivery of the final documents due to pending legislative change in regards to the NSW Planning framework and the implementation of State Environmental Planning Policy 44 - Koala Habitat. The project is now moving forward with the discussion with the consultant about additional survey work and finalising the reports for the northern area.

**It is recommended the remaining funds of \$27,217.05 be returned to the Environmental Levy reserve.**

2. Koala Plan of Management (KPOM) Review of Koala Populations in the Southern & Western Precincts 2012/13

The NSW Planning and Infrastructure legislative framework and issues attributed with State Environmental Planning Policy - 44 Koala Habitat operations as reported to Council are still current. Under advisement of the Director of City Planning the project will now move forward with drafting its own recommendations and methodologies for the review and applying for endorsement of the KPOM Project Plan by the required Director-General of NSW Department of Planning and Environment and Office of Environment and Heritage. At this stage the draft of the consultant brief for the survey of the Southern and Western Precincts is complete and is pending funding outcomes of the revotes for release. Therefore it is requested that a revote be granted for this important biodiversity planning document so it can finally move forward.

**It is recommended \$20,000 be returned to the Environmental Levy reserve and the remaining funds of \$55,000.00 be revoted to 2014/15.**



3. Koala Plan of Management 2013/14 – Implementation

The ongoing implementation of the Koala Plan of Management 1999 continues through the maintenance of the Koala Health Program with the support of WIRES through Pacific Vet care, the program provides a professional standard for koalas entering veterinary care.

**It is recommended the remaining funds of \$9,250.81 be returned to the Environmental Levy reserve.**

4. Biodiversity Action Strategy Implementation 2009/2010

The Amphibian Census project field survey for the Coastal Plain private lands component was not completed as per the previous report due to poor weather conditions and procedural signoff for the release of landholder letters limiting available time to survey summer calling frogs. The new survey program ending funding arrangements has been scheduled for November 2014 through to February 2015. The scheduled scientific panel meeting was also delayed due to panel members having other commitments arise during the scheduled meeting window. Office of Environment and Heritage project officers are currently re-negotiating dates with the panel members as part of their project input. The Amphibian Census Project Plan includes new targeted recommendations for future surveys included in stage 2 and 3, applications for federal funding have been made through Office of Environment & Heritage and Local Land Services to expand the survey not only in the Coffs Harbour LGA but into adjacent local government areas.

**It is recommended the remaining funds of \$3,075.38 be returned to the Environmental Levy reserve.**

5. Impact on Freshwater Ecosystems

Funding from CHCC has not been completely spent as economies were made on materials. CHCC was acknowledged as the sponsor for this project. Leaf toughness testing is under way and the second stage of this will be carried out in September. Ten different species of leaves have been tested for their toughness and samples of these will be placed in Dingo Creek, the reference site, to determine what macro-invertebrates are attracted. The information gained from this study will be of use for all riparian restoration work. All the identification did not get completed as time was spent preparing the presentation for the conference and this took longer than anticipated. The presentation emphasized that Coffs Harbour was not a unique ecosystem due to the fact that the north and south ocean currents met in this area but also there has been little work done on subtropical freshwater ecosystems. This increases the value of the data sets that will be used for presentations and scientific papers. Part 1 of the leaf toughness tests has been completed. Part 2 will be completed in early October. This will entail leaf packs of each of the ten species being bagged in mesh bags and placed in Dingo Creek for 14 days. The riparian zone at Dingo Creek was logged 50 years ago and somehow managed to escape being invaded by Camphor Laurel. This is why this site is being used as a reference site. The aim of this is to determine the diversity of macro-invertebrates that will be attracted to these leaf packs. The results from this study will be of use to restoration projects when selecting the species for re-planting

**It is recommended the remaining funds of \$453.66 be returned to the Environmental Levy reserve.**

6. Orara River Restoration Project

OVRGMC has met monthly to oversee the project. Bush regeneration work including Camphor Laurel and Privet Control; the control of Weeds of National Significance, particularly vine weeds which have a high impact up the rainforest vegetation; and Revegetation Planting has occurred on 75 sites for 3,830 hours. 2,374 local provenance plant stocks have been planted on 26 sites which haven't shown significant natural regeneration or where landholders have fenced off larger areas of riparian zone for rehabilitation. The project Facebook page now has 124 followers. \$20,000 as yet unspent EL Funds have been set aside for structural erosion control works at Cochran's Pool and downstream in the Old Skewes Quarry Reach, as designed by and under the guidance of North Coast Local Land Services. \$27,609 as yet unspent funds have been set aside for Weed Control work which was delayed due to uncertainty regarding the engagement of contractors resulting from the unforeseen need to readvertise the new Orara River Rehabilitation Project Bush Regeneration Tender. Therefore OVRGMC formally request a revote of \$47,609 so that these funds can be spent as intended.

**It is recommended the remaining funds of \$47,609 be revoted to 2014/15.**

7. Vertebrate Pests Management Strategy Implementation 2012/13

Vertebrate Pest Management Strategy (VPMS) equipment purchases has been undertaken in accordance with existing needs and table 5.7 (VMPS). Council now has new dog and cat traps for both internal and public use, also new tools to assist with the capture of wild dogs and foxes in the urban areas public reserve interfaces. The Indian Myna project under the NSW Environmental Trust has concluded and CHCC joint project arrangements with the three Councils ended in May 2014. A surplus of funds under this project, with Nambucca and Bellingen Shire Councils, was due to an over budgeting of resources.

**It is recommended the remaining funds of \$592.15 be returned to the Environmental Levy reserve.**

8. Vertebrate Pests Management Strategy Implementation

The Vertebrate Pest Management Strategy's on ground works and delivery of the finalised operation plans attached to the (a) Waste Facility (b) Airport (c) Sawtell/Dolmens Point and (d) Coffs Creek have had programed delivery delays because of staff resource limitations. Council has resumed administration of the Indian Myna Program which has accounted for most of the current allocation of management time. Wild dog and deer project planning and joint agency Federal funding applications to deal with both of these vertebrate pests affecting residents in several rural / residential areas in the Coffs Harbour Local Government Area at a landscape level.

**It is recommended the remaining funds of \$13,700 be returned to the Environmental Levy reserve.**

9. Sustainable Management of Biodiversity in LGA

In summary, the Biodiversity Section has completed a range of tasks related to Biodiversity Management across the Local Government Area. The four key development areas have included strategic and policy development; compliance; development assessment; and operations. Specifically, the Section has sought and received Council adoption of the environmental science layers; Endangered Ecological Communities; Over-cleared vegetation types; and High Value Arboreal Habitats. Development of the Coffs Harbour Corridors report and spatial layers is well advanced. All of this policy information is now accessible on Council's website.

Biodiversity has engaged consultants to undertake a Significant Tree Survey of the LGA. These layers are building towards development of a Terrestrial Biodiversity Assets layer which will inform a new Priority Habitats and Corridors Strategy. Compliance remains a core component of the sections activities having issued two court orders, two penalties, five cautions, two advisory notes and investigated another 15 properties. The Biodiversity Section has commented on approximately 80 development assessments and assessed nine tree permits.

At an operational level, the section has managed the vertebrate pest management program including Indian Myna control, Cane Toad reporting, wild dog and fox enquiries. The section has also been the point contact for a range of other Environmental Levy projects. The team leader has also overseen bush regeneration projects such as the Jalligirr project and Orara River Bush.

**It is recommended the remaining funds of \$11.51 be returned to the Environmental Levy reserve.**

10. Building an Information Base at Multiple Scales of the Eucalypts of the Coffs Harbour Region 2012/13

This project was finalised in the first 6 months following a revote from the 2012/13 funding. The eucalypt report was finalised, printed and distributed to relevant stakeholders. The report is also live on Council's website. The remaining funds of \$1,175.92 are no longer required.

**It is recommended the remaining funds of \$1,175.92 be returned to the Environmental Levy reserve.**

11. Aquatic Biodiversity Survey & Baseline Mapping of Freshwater Crayfish & Aquatic Species of the MNC 2012/13

The final draft report has been submitted. The projects extension to original time frames is the result of ongoing dry weather restricting survey, as many of the streams surveyed within the coastal catchment are small and ephemeral. With the final field work completed only in the first week of June 2014, the report was received by Council on 7 July 2014. The final components of the project are now internal, which includes formatting the document under Council's style guide and auxiliary documents designed for web use. These documents include a guide to freshwater fish, crayfish and invertebrates of the Coffs Harbour Coast area. The original project was drafted under a Terms of Engagement with the contractor, which nominated the potential to extend the project if poor weather conditions prevailed. The project has been completed by the consultant to a very high quality and submitted to council. It is requested that Council up hold the terms and revote the funds so the consultant can submit the final invoice for payment.

**It is recommended the remaining funds of \$2,000 be revoted to 2014/15.**

12. Shorebirds of the Coffs Coast - Signage & Brochures

Bird Life Aust. are still waiting on delivery of the signs from Bangalow Sign Co, the signs should have been produced and ready for pick up / delivery by now. The final artwork for the signs was delayed with the previously overlooked need to adjust positioning of Council and other logos but the designer was overseas when this was realised and was not able to finalise the artwork until her return.

The final invoice is \$2,147.75, Bird Life will pay the difference after EL funds are utilised. Bird Life will continue to follow up on the signs and will ensure that they are installed as per the original submission. It is requested the remaining EL funds of \$1,533.95 be revoted to go towards the final outstanding invoice.

**It is recommended the remaining funds of \$1,533.95 be revoted to 2014/15.**

13. Strategic Planning - Biodiversity

The Biodiversity Section has systematically worked through developing each of the individual science layers that will constitute the final Terrestrial Biodiversity Assets spatial layer. Over the 2013/14 E/L period, Council has adopted the following reports and spatial layers - Endangered Ecological Communities; Over-cleared Vegetation Types; High Value Arboreal Habitats and Old-growth forest. The only outstanding strategic science layer remaining is the corridors report which is currently being formatted for public exhibition. The next steps will be to rank the ecological significance of the composite Terrestrial Biodiversity Map and progress this towards development of a new Priority Habitats and Corridors Strategy. The remaining funds associated with this project will be required to complete these tasks. Biodiversity formally requests the remaining funds of \$12,309.28 be revoted by Council to allow completion of the corridors report and finalisation of the Coffs Harbour Terrestrial Biodiversity Assets layer before the end of 2014.

**It is recommended the remaining funds of \$12,309.28 be revoted to 2014/15.**

14. Woody Weed Control at Lowanna

Burnett Civil 5T excavator with mulching head under contract to Glenreagh Mountain Railway completed work on the section to the boundary of the property at 324 Moleton Road, Moleton during April 2014. Chemical spraying followed and was completed soon after. The complete area targeted for eradication of woody weed was completed by the end of April 2014.

15. Hogbin Drive Koala Fencing

The remaining funding was allocated to mend a section of fencing and remove weeds from the fence line. The Council Bush Regeneration Team completed the project in January 2014.

**It is recommended the remaining funds of \$0.14 be returned to the Environmental Levy reserve.**

16. Green School Sustainability Fund 2012/13 revote

All schools have now completed their projects. This resulted in a total of 2133 students and 162 teachers and parents being involved in these sustainability projects. This project was overspent by \$28.55, which was recouped out of the 2013/14 Green Schools EL budget.

17. Green School Sustainability Fund

Unfortunately no schools have completed their projects to date. Once again as with previous years, schools have provided feedback that they prefer to run the projects over a school year, rather than a financial year to ensure continuity and enable teachers to more easily incorporate lessons into the current year's curriculum. Whilst the project timeframes have been shortened this year, it is expected that all schools and centres will have completed their projects by the end of Term 3 (19 September 2014). Sustainability section therefore formally request that Council approve extension of this project, revoting \$19,642.01, enabling schools to complete projects by the end of Term 3. School visits by the project officer have been organised for early in Term 3 to engage with teachers and students; assess project progress; provide assistance and develop case studies.

**It is recommended the remaining funds of \$19,642.01 be revoted to 2014/15.**

18. Coffs Ambassadors Interpretive Tours

This quarter 143 residents and tourists attended one of the 11 Coffs Ambassadors tours on offer. A Training and debrief session was held for the volunteer tour guides, in addition to one-on-one support provided to the guides. The Winter tour program was developed and promoted to the community via: three Our Living Coast e-newsletters; the tour poster that is distributed to all caravan parks, resorts, visitor information centres and libraries; an advertisement in the Coffs Coast Focus Magazine and two in the Coffs Coast Advocate; an interview on 2CS FM Radio as well as tour promotions during their "What's on" segments. An abstract on the Coffs Ambassadors Tours program was written and accepted for presentation at the Biannual Australian Association for Environmental Education conference. The \$8,066.50 underspend is due to savings made from the wages component.

**It is recommended the remaining funds of \$8,066.50 be returned to the Environmental Levy reserve.**

19. Our Living Coast Sustainable Living Festival

The 2013 Coffs Coast Sustainable Living Festival was 100% complete as of the 6 month quarter report. Coordination costs were this year supplemented by grant funding (which will not be available beyond the 2014-2015 financial year). Publicity and other advertising costs were severely underestimated in the original application, and as such some cost shifting took place. Funds that were not spent on equipment (due to in-kind sponsorship) and coordination (supplemented by grant) were re-allocated to publicity and marketing. Had the additional finances not been reallocated, attendance at the festival would have been severely impacted.

**It is recommended the remaining funds of \$1,333.87 be returned to the Environmental Levy reserve.**

20. Environmental Levy Coordination

Coordination of EL Program for this quarter met all required time frames. Principal functions for Council's Environmental Levy Program include: monthly maintenance / updating of spreadsheets detailing funding and expenditure; preparing quarterly Management Reports and Council Business Papers; coordinating Working Group meetings and submissions as part of the EL Program. This quarter included preparing the forms for each project to complete the financial reporting for the year. Letters were sent to 2014/15 applicants advising whether their projects were successful or not.

**It is recommended the over expenditure of \$0.04 be covered by the Environmental Levy reserve.**

21. Matching Grant Funding Pool

\$26,846 is available as matching funds for approved projects. In July the Woolgoolga Regional Community Garden Group applied for funding under the NSW Community Building Partnerships Program; after having previous grant funding withdrawn due to the change in Government.

An application for \$8,000 from the matching grant funding pool was requested towards this project and approved by the working group subject to the grant being approved. This amount will be transferred out of the pool if the grant funding is successful, leaving \$18,846 for projects in 2014/15. The 2013/14 funds are requested to be revoted awaiting allocation towards future suitable EL projects. Only \$5,118 new funds have been approved for 2014/15 which will increase the amount available to \$23,964 in the pool.

**It is recommended the remaining funds of \$26,846 be revoted to 2014/15.**

22. Boambee Beach Bush Regeneration - North of Deep Sea Release Pipeline

476 hours of contract bush regenerations works was completed. The contractor worked Tuesdays and Saturdays to assist volunteers. The contractor used Jetty Dunecare Groups' trailer to help transport tools and equipment to and from worksite and to undertake planting, watering and mulching projects. Chemical and manual removal of weed species continued with 1.5 litres of glyphosate and 2 grams of metsulfuron methyl used over the three month period. Priority weeds targeted were Glory Lily, Siratro, White Glycine, Lantana, Bitou Bush, Corkie Passionfruit, Senna, Turkey Rhubarb and Rhoades Grass. Plant propagules were bagged and removed from site. The contractor assisted Council and the Environmental Trust with tree planting, much of which occurred within or adjoining the project area. As plants were left over from the tree planting day the contractor planted a further 235 native plants.

Most native seedlings required protection from wallaby predation. A dry time followed the organised plant so the contractor mulched with mulch supplied by Council. Heavy losses are expected due to the extremely dry weather conditions. Pig face cuttings were spread around denuded areas and a small area was direct seeded with coastal wattle seed. Coastal erosion took a large section of the front dune of the project area during the project time frame, the contractor also concentrated on priority weeds in areas adjoining the project area to minimise the spread of these weeds back into the project area in the future.

No damage occurred from illegal four wheel drive use over the 12 month time frame. Some pruning of the track at the south end of the project was required for access to the project area. All rubbish was removed from the project area but in total was very little.

23. Koala / Wildlife Corridor Bakker Dr Res Bonville Stage 1

Final Camphor Laurel weed tree removal was completed and this resulted in less funds expended on removals and the balance was put into more mulching that was needed and tree planting than our original estimate. Group members contributed in-kind to printing newsletters and the small allocation to this was put towards mulching and planting. The group very much appreciated the additional contribution made by Council's Bush Regeneration team. Maintenance of plantings will be undertaken by Friends of Park Bakker Drive volunteers.

**It is recommended the remaining funds of \$170.38 be returned to the Environmental Levy reserve.**

24. Supporting Community Action in the Coffs Harbour LGA

All planned works have been completed. Spraying and weed control on over 300 ha at 21 Landcare sites was completed by contractors to support the Landcare volunteers working at these sites. Six Radiata Pines were removed at Jarrett Creek Landcare site, Woolgoolga. Bush regeneration contractors completed 180 hours of onsite training with volunteers. This training was very well received by volunteers, improving their productivity and morale. 13 volunteers achieved First Aid certification and 7 achieved Chemcert accreditation. One of the very handy volunteers at the Coffs Harbour Regional LandCare (CHRL) nursery spent many hours managing the installation of EL funded items at the nursery: a new hothouse cover, heat beds, water tank and pump. 150 volunteers have been equipped with insect shield clothing and CHRL have a stockpile of more items for equipping volunteers as required. Other plant items, tools, equipment and herbicide were purchased for use by volunteers. Landcare officers worked closely with contractors and volunteers to ensure efficient delivery of this project. Funding from other sources (NSW & Federal Government) fell well short of that budgeted for, making the EL contribution to supporting Landcare volunteers even more significant.

25. Yarrawarra Giriin Team - Bush Regeneration

The Giriin team has worked consistently throughout the year, funding has allowed the team to work on country and in endangered ecological communities and also support the work of voluntary landcare groups on the Northern Beaches of Coffs Harbour with bush regeneration works.

The Giriin team also conducted bush regeneration activities at Arrawarra Headland and Corindi Beach; spread mulch supplied by CHCC at Pollack Esplanade at the entrance to the Solitary Island Coastal Walk on Woolgoolga Headland; and planted trees with NPWS and Darrunda Wajaar team at Moonee Nature Reserve, Sandy Back Beach.

The current members of the Giriin team are developing best practice bush regeneration skills to a competent level, during this year the team developed further skills in native plant identification and bush regeneration techniques in high conservation value vegetation. An emphasis was placed on mentoring the team in gaining a broader understanding of the on ground administrative requirements when delivering a project. The team now can demonstrate the capacity to established photo points and capture before and after site works photography.

The team developed an understory of the key threatening processes to the EEC'S (Endangered Ecological Communities) by dominate weeds species along the coast vegetation communities. They identified and treated a broad range of weeds species.

The team implemented a range of bush regeneration techniques and herbicides types and application rates. Skills were consolidated in back pack spray, cut & paint, cut scrape and paint, scraping, crowning and hand removal. Prior to works commencing a site action plan was reviewed for each work location, providing a clear outline of activities for the site and potential hazards for each site discussed and identified with a risk assessment completed for each site.

**it is recommended the remaining funds of \$4,916 be returned to the Environmental Levy reserve.**



26. Coffs Harbour Community Seedbank Network

Since commencement of seed collection in July 2013 the Coffs Harbour community seed bank network has collected 65 batches of 50 species to include within our collection and stored at the EnviTE office in Coffs Harbour.

Ongoing support has been provided for the CHCC Jaliigirr project, it has been offered on a monthly basis and suitable seeds are kept on premise at the seed bank at all times. All seeds are stored within expected guidelines for each individual species. During 2013-14 a total of 1923.1g from 69 species of viable native plant seeds have been successfully delivered free of charge to local groups.

All seeds are catalogued and are available on request. Monthly species lists are distributed out to CHCC, all relevant community groups, schools, Coffs Harbour Regional Botanical Gardens and the Landcare network at the start of each month outlining the species currently available for distribution along with a seed request form.

Collected seeds are recorded using an infield seed collection data sheet, this data is transferred to an excel spread sheet and mapped using Google Earth. This ensures seeds are collected from within provenance and the best genetic variation is produced by reducing the possibility of recollection from the same material. Collation of this data also provides a running database for future seed collectors, storing information of location, timing and propagation methods used for local seeds in the Coffs Harbour area.

**It is recommended the remaining funds of \$1,982 be returned to the Environmental Levy reserve.**

27. Moonee Reserve Amenity Improvement Project 2012/13

Follow up hand weeding was completed in the March quarter along the Moonee Estuary and included a few hours of spraying of bitou bush and lantana and invasive grass species. Other species treated included Mile-a-minute, variegated Desmodium, White Passion Flower, Senna, Broad Leaved Paspalum, Ochna and Fishbone Fern.

**It is recommended the remaining funds of \$5.36 be returned to the Environmental Levy reserve.**

28. Bush Regeneration

Priority weed control, revegetation and planting works were undertaken in the final quarter across 26 reserves with 2,515 native plants planted. A total of 5,626 native plants have been planted over the year. Assistance was provided to Landcare volunteers and sites at Nana Glen, Moonee, Park Beach and Kinchella Ave. It is requested to transfer the remaining \$314.94 from the EL Environmental Weeds project towards this projects' over expenditure of \$2,325.28 and \$2,010.06 has been covered from internal revenue budget.

**It is recommended the over expenditure of \$315.22 use \$314.94 from environmental weed control and \$0.28 be covered by the Environmental Levy reserve.**

29. Darrunda Wajaar Repairs to Country High Priority Sites

Final follow up works have been completed with additional planting (approximately 100 plants) taking place in area at Sandy Beach. This was done in conjunction with Envite. Weeds have been treated as well as some planting in the midden area (additional to Envite plantings) at Sandy Beach to prevent erosion. No funding was forthcoming from Local Land Services (LLS) (formerly Northern Rivers Catchment Management Authority) or National Parks & Wildlife Services (NPWS) to assist with the ongoing treatment in the areas identified. Coffs Harbour & District Local Aboriginal Land Council has had to put additional funds into the project to overcome shortfalls to ensure ongoing sustainability of sights. The team have had assistance from LLS and NPWS in other projects for sights in and around the Land Council area. The team have also had experience with freshwater environments at Nana Glen. Total area covered with initial and follow up treatments was approximately 44,000 m<sup>2</sup>.

30. Coffs Jetty Foreshore Reserve Follow up Chemical Weeding

The entire site was sprayed three times to target annuals. Volunteers assisted ongoing manual removal of seed and tuber weeds, vine weeds and hand weeding around native plants where spraying was inappropriate. Volunteers were supervised and guided including three new volunteers oriented and trained.

Actively managed area sensitively sprayed (targeting specific species with each run). Some areas heavily infested with the most invasive species have been reduced in density and size. Sporadic outbreaks of weeds in clean areas have been managed. Vine weeds reduced by repeated follow up i.e. manual removal before seeds set.

To build on gains already made, focus has been given to maintaining the area east of Jordon Esplanade leaving areas to the west of the road with little or no treatment to date. It is envisaged that with ongoing funding which facilitates the improved resilience of the eastern area (i.e. requiring less time to maintain) that the remaining parts of the site will gain the attention they require in the future.

31. Environmental Weed Control

Bitou Bush control works were undertaken at Boambee Headland and Woolgoolga. Camphor laurel removal and restoration works were undertaken across nine Coffs Creek and tributaries reserves. Vine weeds control was carried out across 6 reserves. Privet control was undertaken in two reserves. Pine tree removal restoration works were undertaken in Bolwarra reserve. Glory Lily control was carried out across three reserves.

**It is recommended the remaining funds of \$314.94 be used to partly cover the over expenditure for the bush regeneration project.**

32. Buluunggal (Coffs Creek) Interpretive Bush Tucker Trail

An artist has been employed and has had 2 days working with students to develop art work. Unfortunately this has not been completed but should be finalised in the next few weeks, the artist is ready to assist when all is ready. Delays were incurred with school scheduling and the arrangement of excursions as well as school holidays in between; we expect art work to be ready in approximately 3-4 weeks. Due to cultural protocols and design standards it is requested that an extension of time and revote of funds to June 2015.

**It is recommended the remaining funds of \$3,244.45 be revoted to 2014/15.**

33. Botanic Gardens Education Officer

Several major programs were realised in the gardens for school students in this period, Ausbiota, a family weaving workshop and children's holiday program. Planning and promotion for a special Botanical Illustration workshop was undertaken in this period. Regular school programs continued to be delivered and active involvement with the garden volunteer guide program.

Ausbiota was conducted over three days in June. Schools from Maclean, Grafton, Coffs Harbour LGA and as far south as Port Macquarie attended to study the evolution of Australian flora and fauna with presenters from the Australian Museum, Taronga Zoo and The North Coast Regional Botanic Garden. 226 students attended the program.

During this period the education officer prepared a nine month holiday program for 2014. A graphic artist converted this to a brochure and poster which can be updated each year to advertise the holiday program for children well in advance. This program was widely distributed in hard copy and on electronic sites.

The family weaving workshop began the year's children holiday program. There were 24 participants who thoroughly enjoyed the day. They wove random structures from vines found in the garden. These were then displayed in the prime display area. Ten children participated in the children's Seed and Gift Box workshop.

The planning and promotion for the Botanical Illustration two day workshop was completed. This involved liaising with David Mackay the artist, booking facilities and preparing and distributing promotional flyers and posters.

An educational talk by Gary Fry former garden manager from Desert Park Alice Springs was organised. Guides attended this talk and found it most beneficial and interesting.

Guided tours for school groups and contact with public primary schools regarding garden programs were maintained. In April (43) children from St Patricks Primary in Macksville were guided through a study of how plants grow in the garden and each student left with their own potted plant to take home. School student visitation for this period, April to June, was 674.

**It is recommended the remaining funds of \$623.53 be returned to the Environmental Levy reserve.**

34. Darkum Headland Access Rehabilitation

In kind weed control works have been undertaken by Darkum Landcare and the Yarrowarra Aboriginal Corporation Green Team under the guidance of NPWS. The Aboriginal Heritage Impact Permit (AHIP) approval and approved Review of Environmental Factors (REF) were received in the last week of June. Inductions into the requirements of the AHIP and REF were undertaken with staff which allowed on ground works to commence. Yarrowarra Aboriginal Corporation (YAC) and Coffs Harbour & District Local Aboriginal Land Council (CH&DLALC) Sites Officers were engaged to monitor ground disturbance works in Stage 1 beach access stairs / ramp construction. Material of Aboriginal origin was collected and retained by YAC in accordance with the AHIP. Works are required to continue beyond 30 June and unexpected funds as at 30 June are requested to be revoted to complete this project.

**It is recommended the remaining funds of \$73,999.14; half EL and half NPWS contribution be revoted to 2014/15.**

35. West Coffs to CBD Cycleway (Stage 1)

The concrete footpath and drainage works have been completed for the project connecting the existing paths on Shephards Lane to Loaders Lane and Flintwood Place. Bridge design and installation has required certification by consultant structural engineer. Bridge installation is scheduled for August 2014. It is requested the remaining funds of \$27,553.27 be revoted to complete the bridge installation.

**It is recommended the remaining funds of \$27,553.27 be revoted to 2014/15.**

36. Coffs Bike Plan

The bike plan has been formatted by a graphic designer, incorporating the maps and action plans. A final draft is expected to be completed in the next two weeks. The plan will then be submitted for approval by the elected representatives and then put on public exhibition. A report detailing plans for infrastructure works will be included as an appendix to the plan.

**It is recommended the remaining funds of \$0.27 be returned to the Environmental Levy reserve.**

37. Blueberries don't have to make the catchment Blue - Hearnese Lake

The project has directly engaged with over 60 blueberry growers from within Hearnese Lake catchment (23 landholders) and surrounds as a result of working with the blueberry extension officer in NSW Department of Primary Industries (DPI) and the OzBerry growers' co-op for delivery of workshops. Workshops held covered the topics of:

- Biological control methods as alternatives to spraying and the value of retained native vegetation;
- Improved disease recognition to reduce spray application;
- Improved water and fertiliser delivery and use of soil moisture probes to monitor plant requirements; and
- Fish friendly farm principles and ways to minimise off-farm effects of on-farm activities.

Three properties took part in the installation of soil moisture probes (2 per property) to monitor water delivery and crop water use. One of these properties was the largest landholder within Hearnese Lake catchment, allowing installation of 4 moisture probes at two locations on his property.

Weed control and revegetation activities were also undertaken along creek or drainage lines on these three properties, resulting in a total of 920 plants being planted over a total of 1832m<sup>2</sup>.

Soil moisture probe installation, weed control and revegetation will lead to reduced water use on these three properties and act as demonstration sites for other landholders to observe and identify if they could work for them (thereby removing the "scare factor" sometimes present with new technologies).

Over the longer term these activities will lead to improved water quality within Hearnese Lake, including reduced nutrient and sediment inputs. The entire funding for this project was dealt through a Memorandum of Understanding (MOU) between CHCC and NSW DPI. Therefore the expenditure for this project went to the contractor (DPI) and instead of CHCC buying equipment (water meter readers) as per original EL grant submission,

the contractor undertook that expense through the MOU. The equipment is now managed by DPI and the individual blueberry farmers.

38. Korora Lagoons Aquatic Weed Control Program

Cabomba treatment in the 4 lagoons has been completed. There has been a significant reduction in the presence of aquatic weeds throughout the system. Macro-invertebrate monitoring will continue to determine trends over time in the overall health of the system. Overall the Project has been very successful and, although we were not able to achieve formation of a Landcare Group at the site to assist with ongoing management of the terrestrial areas, there has been a significant reduction in the number of community generated complaints about the Lagoons.

**It is recommended the over spent funds of \$7.75 be funded by the Environmental Levy reserve.**

39. Supporting Voluntary FOP Undertake Environmental Works in 8 Parks & Reserves

The Project has been successful with 11 groups taking the opportunity to participate in the program. Groups include Bakker Drive Reserve, Heron Park, Stingray Creek, Bellwood Park, Kotuku St Reserve, McCann Court, Tree Fern Creek, Parish Close, Gillibri Crescent, Playford Avenue, and Roselands Estate. New group inductions are planned for Woolgoolga Lake, Ulong and Lowanna. In the last quarter planting works have been conducted at Heron Park, Bakker Drive, Bellwood Reserve and Tree Fern Creek. A successful workshop was conducted in July at Tree Fern creek with 23 participants.

**It is recommended the remaining funds of \$5.35 be returned to the Environmental Levy reserve.**

40. Restoration of Grey-headed Flying Fox Maternity Camps

Works for the 2013/14 financial year have now been completed. 595 plants were planted using other funding with an estimated survival rate of 90%. Weed control activities were carried out with priority species targeted including Morning Glory, Corky Passion fruit vine, Lantana, Senna and Paspalum. 420m<sup>2</sup> of additional area was weeded and maintenance of previously weeded areas was undertaken. Weed loads have been significantly reduced. Quarterly counts of flying fox numbers at each camp indicate that the camps are relatively stable with no dramatic increases or declines noted.

**It is recommended the remaining funds of \$738.93 be returned to the Environmental Levy reserve.**

**Implementation Date / Priority:**

The recommendations of this report will be implemented immediately upon Council adoption.

**Recommendation:**

1. **That Council notes the status of Environmental Levy Projects as at 30 June 2014 as outlined in the attachment.**
2. **That the \$314.94 surplus funds from Environmental Weed Control be used towards the over expenditure of Bush Regeneration**
3. **That the following projects' surplus funds and completed projects with less than \$10 be returned to the funding pool reserve for allocation to future projects:**

<u>Project</u>	<u>Surplus Funds</u>
Project Review of the KPoM first stage Northern Precinct Area	\$ 27,217.05
KPoM Review of Koala Populations -South & West Precincts	\$ 20,000.00
Koala Plan of Management 2014 - Implementation	\$ 9,250.81
Biodiversity Action Strategy Implementation 2009/2010	\$ 3,075.38
Impact on Freshwater Ecosystems	\$ 453.66
Vertebrate Pests Management Strategy Implementation 12/13	\$ 592.15
Vertebrate Pests Management Strategy Implementation 13/14	\$ 13,700.00
Sustainable Management of Biodiversity in LGA	\$ 11.51
Building an Information Base at Multiple Scales of the Eucalypts of the Coffs Harbour Region	\$ 1,175.92
Coffs Ambassadors Interpretive Tours	\$ 8,066.50
Our Living Coast Sustainable Living Festival	\$ 1,333.87
Koala/Wildlife Corridor Bakker Dr Bonville Stage 1	\$ 170.38
Yarrowarra Giriin Team – Bush Regeneration	\$ 4,916.00
Coffs Harbour Community Seedbank Network	\$ 1,982.00
Botanic Gardens Education Officer	\$ 623.53
Restoration of Grey-headed Flying-Fox Maternity Camp	\$ 738.93
Various projects balances under \$10	\$ 3.44
<b>Total</b>	<b>\$ 93,311.13</b>

4. That it be noted the Financial Result for Year Ended 30 June 2014 incorporates the Environmental Levy Revotes as recommended in this Report summarised as follows:

<u>Project</u>	<u>Revote Funds</u>
KPoM Review of Koala Populations -South & West Precincts (balance after recommendation 3)	\$ 55,000.00
Orara River Restoration Project	\$ 47,609.40
Aquatic Biodiversity Survey & Baseline Mapping of Freshwater Crayfish & Aquatic Species of the MNC	\$ 2,000.00
Shorebirds of the Coffs Coast – Signage & Brochures	\$ 1,533.95
Strategic Planning - Biodiversity	\$ 12,309.28
Green School Sustainability Fund	\$ 19,642.01
Matching Grant Funding Pool	\$ 26,846.00
Buluunggal (Coffs Creek) Interpretive Bush Tucker 2012/13	\$ 3,244.45
Darkum Headland Access Rehabilitation	\$ 36,999.57
West Coffs to CBD Cycleway (Stage 1)	\$ 27,553.27
<b>Total</b>	<b>\$ 232,737.93</b>

5. That it be noted the Financial Result for Year Ended 30 June 2013 incorporates Contribution & Grant Revotes as follows:

Darkum Headland Access Rehabilitation	\$ 36,999.57
<b>Total</b>	<b>\$ 36,999.57</b>

Agenda - Ordinary Meeting 28 Aug 2014 - CORPORATE BUSINESS DEPARTMENT REPORTS

Attachment

**ENVIRONMENTAL LEVY SUMMARY AS AT 30/06/14**

Description	Project Officer	Finance One		TOTAL FUNDING	FUNDING SOURCE					Actual Exp 2013/2014	FUNDING OF EXPENDITURE					Total Expenditure	FUNDING OF REVOTES		
		Line Item	Job Number		Env Levy	Grants	Revenue	Contrib	Env Levy		Grants	Revenue	Contrib	Env Levy	Contrib		Total		
<b>Projects</b>																			
<b>Sustainable &amp; Precinct Planning</b>																			
Koala Plan of Management 2014 - Implementation	R Binskin	210312	20311	122,217.05	122,217.05	0.00	0.00	0.00	0.00	10,749.19	10,749.19				10,749.19	111,467.86	0.00	111,467.86	
Biodiversity Action Strategy Implementation 2009/20	R Binskin	210313	22420	9,255.38	9,255.38	0.00	0.00	0.00	0.00	6,180.00	6,180.00				6,180.00	3,075.38	0.00	3,075.38	
Impacts on Fresh Water Systems	N Cotsell	210328	20314	2,000.00	2,000.00	0.00	0.00	0.00	0.00	1,546.34	1,546.34				1,546.34	453.66	0.00	453.66	
<b>Orara River Restoration Project</b>																			
Erosion Control / Fencing	S Eager	210402	22409	10,000.00	10,000.00	0.00	0.00	0.00	0.00	0.00	0.00				0.00	10,000.00	0.00	10,000.00	
Project Officer	S Eager	210402	22411	40,827.00	40,827.00	0.00	0.00	0.00	0.00	40,826.04	40,826.04				40,826.04	0.96	0.00	0.96	
Cats Claw Eradication	S Eager	210402	22412	14,208.00	14,208.00	0.00	0.00	0.00	0.00	14,207.09	14,207.09				14,207.09	0.91	0.00	0.91	
Propagation Nursery at Nana Lane	S Eager	210402	22415	20,000.00	20,000.00	0.00	0.00	0.00	0.00	17,911.15	17,911.15				17,911.15	2,088.85	0.00	2,088.85	
Camphor/Privet Control & Regen	S Eager	210402	22418	94,947.00	44,947.00	0.00	0.00	50,000.00	0.00	94,946.32	44,946.32		50,000.00		94,946.32	0.68	0.00	0.68	
Reveg / Tree Planter	S Eager	210402	22419	35,518.00	35,518.00	0.00	0.00	0.00	0.00	0.00	0.00				0.00	35,518.00	0.00	35,518.00	
Vertebrate Pests Management Strategy Implementa	R Binskin	210411	22441	19,112.22	19,112.22	0.00	0.00	0.00	0.00	4,820.07	4,820.07				4,820.07	14,292.15	0.00	14,292.15	
Conservation & Sustainable Management of Biodiver	N Cotsell	210415	22446	209,000.00	209,000.00	0.00	0.00	0.00	0.00	208,988.49	208,988.49				208,988.49	11.51	0.00	11.51	
Building an Information Base at Multiple Scales of the Eucalypts of the Coffs Harbour Region	N Cotsell	210435	22427	11,200.00	11,200.00	0.00	0.00	0.00	0.00	10,024.08	10,024.08				10,024.08	1,175.92	0.00	1,175.92	
Aquatic Biodiversity Survey & Baseline Mapping of Freshwater Crayfish & Aquatic Species of the MNC	R Binskin	210437	22429	2,000.00	2,000.00	0.00	0.00	0.00	0.00	0.00	0.00				0.00	2,000.00	0.00	2,000.00	
Shorebirds of the Coffs Coast - Signage & Brochures	N Cotsell	210440	22442	4,391.00	4,391.00	0.00	0.00	0.00	0.00	2,857.05	2,857.05				2,857.05	1,533.95	0.00	1,533.95	
Strategic Planning - Biodiversity	N Cotsell	210441	22447	44,000.00	44,000.00	0.00	0.00	0.00	0.00	31,690.72	31,690.72				31,690.72	12,309.28	0.00	12,309.28	
Woody Weed Control at Lowanna	N Cotsell	210443	66087	6,370.00	6,370.00	0.00	0.00	0.00	0.00	6,370.00	6,370.00				6,370.00	0.00	0.00	0.00	
Hogbin Drive Koala Fencing	R Binskin	210580	51690	368.41	0.00	0.00	0.00	368.41	0.00	368.27	0.00			368.27	368.27	0.00	0.14	0.14	
<b>Environmental Services</b>																			
Green School Sustainability Fund	Nicole Larkin	230421	22404	43,748.82	43,748.82	0.00	0.00	0.00	0.00	24,106.81	24,106.81				24,106.81	19,642.01	0.00	19,642.01	
Coffs Ambassadors Interpretive Tours	Schellebeck	230428	22422	45,427.00	45,427.00	0.00	0.00	0.00	0.00	37,360.50	37,360.50				37,360.50	8,066.50	0.00	8,066.50	
Our Living Coast Sustainable Living Festival	L Delgado	230438	22430	29,000.00	29,000.00	0.00	0.00	0.00	0.00	27,666.13	27,666.13				27,666.13	1,333.87	0.00	1,333.87	
<b>Program Support</b>																			
Environmental Levy Coordination	B Dart	440106	14126	66,846.00	64,247.00	0.00	2,599.00	0.00	0.00	66,846.04	64,247.04			2,599.00	66,846.04	-0.04	0.00	-0.04	
Matching Grant Funding Pool	B Dart	440107	14127	26,846.00	26,846.00	0.00	0.00	0.00	0.00	0.00	0.00				0.00	26,846.00	0.00	26,846.00	
<b>Recreation Services</b>																			
Boambee Beach Bush Regeneration - North of Deep Sea Release Pipeline	J Holmes	522456	66078	19,992.00	19,992.00	0.00	0.00	0.00	0.00	19,992.00	19,992.00				19,992.00	0.00	0.00	0.00	
Koala / Wildlife Corridor Bakker Dr Res Bonville Stag	J Holmes	522467	34260	5,260.00	5,260.00	0.00	0.00	0.00	0.00	5,089.62	5,089.62				5,089.62	170.38	0.00	170.38	
Supporting Community Action in the Coffs Harbour L	J Holmes	522470	66501	164,848.00	164,848.00	0.00	0.00	0.00	0.00	164,848.00	164,848.00				164,848.00	0.00	0.00	0.00	
Yarrawarra Girin Team - Bush Regeneration	J Holmes	522471	66083	19,664.00	19,664.00	0.00	0.00	0.00	0.00	14,748.00	14,748.00				14,748.00	4,916.00	0.00	4,916.00	
Coffs Harbour Community Seedbank Network	J Holmes	522475	66084	9,982.00	9,982.00	0.00	0.00	0.00	0.00	8,000.00	8,000.00				8,000.00	1,982.00	0.00	1,982.00	
Moonee Reserve Amenity Improvement Project	J Holmes	522478	66085	605.36	605.36	0.00	0.00	0.00	0.00	600.00	600.00				600.00	5.36	0.00	5.36	
Bushland Regeneration	J Holmes	522480	66607	203,896.00	201,571.00	0.00	2,010.06	0.00	0.00	203,896.28	201,886.22			2,010.06	203,896.28	-0.28	0.00	-0.28	
Darunda Wajaar Repair to Country High Priority Site	J Holmes	522483	66081	19,900.00	19,900.00	0.00	0.00	0.00	0.00	19,900.00	19,900.00				19,900.00	0.00	0.00	0.00	
Coffs Jetty Foreshore Reserve Followup Chemical W	J Holmes	522484	66082	19,992.00	19,992.00	0.00	0.00	0.00	0.00	19,992.00	19,992.00				19,992.00	0.00	0.00	0.00	
Environmental Weed Control	J Holmes			0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				0.00	0.00	0.00	0.00	
Bitou Bush	J Holmes	522485	66530	10,000.00	10,000.00	0.00	0.00	0.00	0.00	10,852.52	10,852.52				10,852.52	-852.52	0.00	-852.52	
Camphor Laurel Removal	J Holmes	522485	66532	30,000.00	30,000.00	0.00	0.00	0.00	0.00	29,972.40	29,972.40				29,972.40	27.60	0.00	27.60	
Privet	J Holmes	522485	66533	4,685.06	5,000.00	0.00	0.00	0.00	0.00	3,162.69	3,162.69				3,162.69	1,837.31	0.00	1,837.31	
Glory Lily	J Holmes	522485	66535	18,000.00	18,000.00	0.00	0.00	0.00	0.00	20,953.02	20,953.02				20,953.02	-2,953.02	0.00	-2,953.02	
Pine/Celtis/Pepper Tree	J Holmes	522485	66537	20,000.00	20,000.00	0.00	0.00	0.00	0.00	17,970.27	17,970.27				17,970.27	1,714.79	0.00	1,714.79	
Vine Weeds	J Holmes	522485	66538	20,000.00	20,000.00	0.00	0.00	0.00	0.00	19,774.16	19,774.16				19,774.16	225.84	0.00	225.84	
Bullunggal (Coffs Creek) Interpretive Bush Tucker T	S Stewart	522486	66086	9,900.00	9,900.00	0.00	0.00	0.00	0.00	9,900.00	9,900.00				9,900.00	3,244.45	0.00	3,244.45	
Botanic Gardens Education Officer	I Corbett	522495	66526	16,000.00	16,000.00	0.00	0.00	0.00	0.00	15,376.47	15,376.47				15,376.47	623.53	0.00	623.53	
Darkum Headland Access Rehabilitation	J Holmes	522661	68555-7	100,000.00	50,000.00	0.00	0.00	50,000.00	0.00	26,000.86	13,000.43			13,000.43	26,000.86	36,999.57	36,999.57	73,999.14	
<b>Footpaths, Cycleways, Bus Shelters</b>																			
West Coffs to CBD Cycleway (Stage 1)	G Stulle	538504	54697	73,081.46	73,081.46	0.00	0.00	0.00	0.00	45,528.19	45,528.19				45,528.19	27,553.27	0.00	27,553.27	
<b>Survey &amp; Design</b>																			
Coffs Bike Plan	G Stulle	560054	34009	42,717.00	20,275.00	21,000.00	1,442.00	0.00	0.00	42,716.73	20,274.73	21,000.00	1,442.00		42,716.73	0.27	0.00	0.27	
Blueberries don't have to make the catchment Blue	M Robertson	560238	34247	11,000.00	11,000.00	14,327.00	3,327.00	0.00	0.00	28,654.00	11,000.00	14,327.00	3,327.00		28,654.00	0.00	0.00	0.00	
Korora Lagoons Aquatic Weed Control Program	S Stewart	560239	34246	5,012.39	5,012.39	0.00	0.00	0.00	0.00	5,019.75	5,019.75				5,019.75	-7.36	0.00	-7.36	
Supporting Voluntary FOP Undertake Environmental Works in 8 Parks & Reserves	S Stewart	560241	34251	39,000.00	39,000.00	0.00	0.00	0.00	0.00	38,994.65	38,994.65				38,994.65	5.35	0.00	5.35	
Restoration of Grey-headed Flying Fox Maternity Car	S Stewart	560242	22448	24,000.00	24,000.00	0.00	0.00	0.00	0.00	23,261.07	23,261.07				23,261.07	738.93	0.00	738.93	
<b>TOTAL</b>				<b>1,762,471.15</b>	<b>1,617,397.68</b>	<b>35,327.00</b>	<b>9,378.06</b>	<b>100,368.41</b>		<b>1,402,666.97</b>	<b>1,294,593.21</b>	<b>35,327.00</b>	<b>9,378.06</b>	<b>63,368.70</b>	<b>1,399,274.50</b>	<b>326,048.92</b>	<b>36,999.71</b>	<b>363,048.63</b>	



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## **TENDER RFT-665-TO: PROVISION OF AIRPORT CAR PARK MANAGEMENT SERVICES**

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### **Purpose:**

To report on tenders received for Contract No RFT-665-TO for the Provision of Airport Car Park Management Services at Coffs Harbour Regional Airport and to gain Council approval to accept a tender.

### **Description of Item:**

The Coffs Harbour City Council purchased the Security Car Park from the previous ownership in December 2013. The previous ownership also managed the Airport General Car Park on behalf of the Council.

Tenders were called for a lump sum contract in local and capital city newspapers and via Council's electronic TenderLink portal. The deadline for submission of tenders was 3.30 pm on Tuesday 22 July 2014. The contract is for five (5) years plus a further option of three (3) years.

Tenders were evaluated on the following criteria:

- Tender price
- Experience
- Performance
- Customer service
- Workplace health and safety

Four (4) tenders were received from the following companies and they all conformed to tender document requirements:

1. Secure Parking Pty Ltd
2. Becuda Pty Ltd
3. Point Parking Pty Ltd
4. Care Park Pty Ltd

### **Sustainability Assessment:**

- **Environment**

There are no identified environmental issues.

- **Social**

There are no adverse social implications involved in this contract.

- **Civic Leadership**

The Coffs Harbour Regional Airport (CHRA) is essential to meet the transport aspirations of the Coffs Harbour 2030 Plan.

- **Economic**

### **Broader Economic Implications**

Coffs Harbour Regional Airport (CHRA) is an important transport hub on the mid north coast of NSW and is well placed to retain its position as one of the best regional airports in Australia.

CHRA makes a significant financial contribution to the local economy and the region.

### **Delivery Program/Operational Plan Implications**

There will be no impact on the Council's budget position as the airport is self-funding. The car park management contract is within the capacity of the airport to fund, bearing in mind the car park is expected to inject a substantial net profit into total airport financial performance.

### **Risk Analysis:**

We have a robust business planning system in place and therefore there is no additional risk to Council associated with this contract. This management arrangement has also been in place for a period of years.

### **Consultation:**

As per Council's tender process and group site inspections were also conducted at the airport.

### **Related Policy and / or Precedents:**

Tendering procedures were carried out in accordance with Council's policy. Council's Tender Value Selection System was applied during the tender review process to determine the most advantageous offer. Council's policy is that the tender with the highest weighted score becomes the recommended tenderer.

### **Statutory Requirements:**

The calling, receiving and reviewing of tenders was carried out in accordance with Part 7 Tendering of the Local Government (General) Regulations 2005.

### **Issues:**

There are no new issues identified in this contract.

### **Implementation Date / Priority:**

The new contract will commence on 1 September 2014.

### **Recommendation:**

**That Council considers tenders received for the Provision of Airport Car Park Management Services, Contract No. RFT-665-TO and move the motion as detailed in the confidential attachment.**

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**CONTRACT NO. RFT-656-TO DESIGN AND CONSTRUCT FLOOD LIGHTING - COFFS COAST SPORT AND LEISURE PARK FIELD 2**

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**Purpose:**

To report on tenders received for Contract No RTF-656-TO for the construction of Design and Construct Flood Lighting – Coffs Coast Sport and Leisure Park (CCSLP) Field 2, and to gain Council approval to accept a tender.

**Description of Item:**

Open tenders were called for a Lump Sum contract in local and capital city newspapers and via Council's electronic Tenderlink portal. Tenders closed at 3:30pm on Tuesday 15 July 2014.

Tenders were evaluated on the following criteria:

- The Tenderer's experience, financial capability and Tender conformity. These criteria were hurdles and were not scored. Only conforming Tenders and Tenderers with adequate financial resources were considered further.
- Tender price.
- Compliance and logic of construction program and staging plan.
- Experience and performance in similar works.
- Life cycle costs.
- WH & S management systems and performance.
- Technical data.

Two tenders were received from the following: -

1. Alan Kneale Electrical
2. Musco Lighting Australia Pty Ltd

**Sustainability Assessment:**

- **Environment**

The Sportsground Plan of Management encourages installation of appropriate lighting. There are no adverse environmental outcomes resulting from the installation or upgrades of lighting at Sports Grounds.

The lighting design ensures there is no impact on the airport (eg from glare).

A Part V environmental assessment has been undertaken all conditions will be implemented as part of the project.

- **Social**

Sports grounds are a valuable resource and are highly valued by the community partly because they provide a low cost recreation opportunity that is within the financial reach of a broad cross section of the community. Participating in sport produces a range of benefits including improved physical fitness, enhanced mental health, skill development, increased self-esteem, and opportunities for social networking.

These benefits extend to not only players but officials and spectators, and provide opportunities to strengthen family units by encouraging families to spend time together. Sports rely heavily on the assistance of many volunteers which provides the volunteers with social connection opportunities and enhanced self-esteem.

Key initiatives of state and federal governments is development and support of programs and facilities that promote physical activity across all ages, in particular children where increasing levels of obesity and type 2 diabetes are of increasing concerns and add unnecessarily to the disease burden of the community.

- **Civic Leadership**

This proposal works towards achieving the outcomes identified within the Coffs Harbour 2030 Community Strategic Plan and is directly connected to the themes "Places for Living" and "Looking after our Community".

Relevant strategies include:

- Build pride and identity in Coffs Harbour as a community and a place.
- Create facilities and services that allow the community to reach its full development potential.
- Develop inclusive community, sporting and recreational activities.
- Promote healthy living.
- Encourage the provision of facilities, services and resources which attract and support young people.
- Provide opportunities for all, including the Aboriginal community, to contribute to the local economy.
- Facilitate shared learning and skill sharing opportunities across generational and cultural groups.
- Create youth friendly places in all community hubs.
- Create community structures which capitalise on intergenerational knowledge, experience and capacity.
- Create facilities and services that allow the community to reach its full development potential.
- Create opportunities for enhancement of the community's sense of well-being.

- **Economic**

**Broader Economic Implications**

Upgrading existing sporting infrastructure and expanding the network of sporting facilities will enhance the livability of Coffs Harbour and its attractiveness as a destination for new residents and encourage retention of existing residents.

Providing a range of sporting facilities at different levels delivers opportunities for participants to move along sporting pathways from novice to elite. Opportunities to access such facilities can be a key determinant for people choosing where to live, particularly young families. Attracting a younger demographic will bring economic benefits to Coffs Harbour and the region. Additionally, quality sporting facilities will attract sport service providers further boosting the supports industry and local economy.

### **Delivery Program/Operational Plan Implications**

The project is completely funded by Section 94 contributions collected for this area. As such there are no implications for the delivery program/operational plan.

### **Risk Analysis:**

A risk analysis has been undertaken and it is considered that granting of the contract as recommended, does not pose a significant risk to Council.

### **Consultation:**

The tender review panel consisted of three Council officers, from the Sports Unit and Strategic Asset Planning departments.

Comprehensive reference checks were undertaken with a number of other Councils who had previously contracted for similar works.

### **Related Policy and / or Precedents:**

Tendering procedures were carried out in accordance with Council policy. Council's Tender Value Selection System was applied during the tender review process to determine the most advantageous offer.

Council's policy is that the tender with the highest weighted score becomes the recommended tender.

### **Statutory Requirements:**

The calling, receiving and reviewing of tenders was carried out in accordance with Part 7 Tendering of the Local Government (General) Regulations 2005.

### **Issues:**

Upgrading sporting facilities meets part of council's obligation to effectively provide and manage community resources under the Local Government Act 1993. Lack of appropriate sports ground lighting has been identified for some time as an urgent priority for Council's consideration.

The Sports Facility Plan, adopted by Council in October 2010, notes a number of lighting upgrades as short term priorities.

The Coffs Coast Sport and Leisure Park 2 lighting design complies with the Australian Standard for Sports Ground lighting (AS2560) and the Australian Standard for Controls of the Obtrusive Effects of Outdoor Lighting (AS4282).

Assessment of the tenders is contained in the attached confidential supplement.

Both tenders submitted designs meeting the brief and adhering to relevant Australian standards for sports ground lighting.

The Alan Kneale Electrical tender highlighted their significant experience in the electrical installation component of lighting projects.

The Musco Lighting Australia tender highlighted their significant experience in design and construction and project management of lighting systems, as the Principle Contractor.

**Implementation Date / Priority:**

A contract can be awarded upon Council's resolution to accept a tender. Failing any unforeseen events it is expected that the works will be completed by Friday 28 November 2014 with a contract completion time of thirteen (13) weeks.

**Recommendation:**

**That Council consider tenders received for design and construct flood lighting, Coffs Coast Sport and Leisure Park Field 2, Contract No. RFT-656-TO, and move the motion as detailed in the confidential attachment.**

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## COUNCILLOR - REFERENCE GROUP CULTURAL FACILITY ENGAGEMENT

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### **Purpose:**

To appoint a Councillor to the reference group for the Community Engagement/Consultation regarding the provision of Cultural Facilities

### **Description of Item:**

At its meeting of the 22 May 2014, Council resolved to *endorse the community engagement strategy for the provision of cultural facilities being an entertainment centre, central library and regional art gallery.*

Part of the engagement strategy referred to above was the establishment of a reference group, to contribute to the success of the engagement and consultation regarding the need for the specific cultural facilities.

A workshop was held with Councillors on Monday 18 August to progress this engagement and consultation, one of the outcomes of the workshop, being the need to appoint a councillor for this time limited reference group.

### **Sustainability Assessment:**

- **Environment**

There are no specific environment issues associated with this report.

- **Social**

There are no specific social impacts in relation to appointment of Councillor to the reference group.

- **Civic Leadership**

The appointment of a Councillor to this group provides an opportunity for the demonstration of effective civic leadership.

- **Economic**

#### **Broader Economic Implications**

There are no specific broader economic issues associated with this report.

#### **Delivery Program/Operational Plan Implications**

There are no delivery program/operational plans associated with this report.

### **Risk Analysis:**

There are no specific risks associated with the appointment of a Councillor to this reference group.



**Consultation:**

Regarding the need for the appointment of a Councillor to this group, consultation has been undertaken with Council representatives and staff.

**Related Policy and / or Precedents:**

There are no specific related policies and/or precedents related to this matter.

**Statutory Requirements:**

Appointment of Council representatives to reference groups such as this, is in line with statutory requirements.

**Issues:**

The report considered by Council in May 2014 outlined the proposed strategy for the engagement and consultation with the community in relation to the provision of cultural facilities. Following the workshop with the Councillors on 18 August 2014, it is proposed to invite expressions of interest from the community to participate on this reference group.

This is a fixed term reference group outlined in the engagement strategy, as adopted by Council. The reference group will be required to be in place for this engagement period only, and therefore the commitment is likely to be limited to two meetings and possibly electronic communications.

**Implementation Date / Priority:**

The implementation date will be the first meeting of the reference group which is likely to be in mid-September 2014.

**Recommendation:**

**That Coffs Harbour City Council appoints Councillor \_\_\_\_\_ to the Reference Group involved with the engagement regarding provision of cultural facilities.**

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**PLANNING PROPOSAL - PP\_2013\_COFFS\_003\_00 FOR LOT 1, DP777555 HAMILTON DRIVE, BOAMBEE EAST (MI ORGANICS LANDSCAPE SUPPLIES)**

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**Purpose:**

The purpose of this report is to present a Planning Proposal (PP) for Council's consideration. This enables the subject site to be rezoned to better reflect the current use of the land.

The report recommends that Council seek a Gateway Determination from NSW Planning and Environment (P&E) requesting to place the PP on public exhibition. The report also recommends that Council consider the outcome of the exhibition in a future Council report. The PP is included as Attachment 1 to this report.

In addition, the report presents a voluntary planning agreement (VPA) which includes a vegetation management plan (VMP) for Council's consideration. The VPA has been submitted by the landowner and details the standard at which vegetation management will be undertaken on the environmentally sensitive part of the land.

The following locality plan illustrates the subject site.



**Background:**

Coffs Harbour City Council issued a Development Consent 139/88 (Development Application 121/88) for the landscape supplies operation for Lot 1, DP777555 Hamilton Drive, Boambee East on 27 April 1988.

The landscape supplies operation commenced soon after the approval was granted. Over the course of a number of years, the operation has expanded outside the approved boundary into land previously zoned 6(b) Open Space under Coffs Harbour LEP 1988; Environmental Protection 7A Habitat and Catchment and Residential 2A Low Density under the provisions of Coffs Harbour LEP 2000. These parts of the site are now zoned part E2 Environmental Conservation and part R2 Low Density Residential under the provisions of Coffs Harbour LEP 2013. Letters from the Environment Protection Authority (EPA) dated 11 September 1988, 8 September 1995 and 3 October 1997 requested a collection basin be installed outside the original approved operation boundary, bunding around the windrows of materials as a priority and concreting of all waste receivable areas, including the traffic areas. However, no formal approval from Council for these works was ever obtained (see Figure 1).

**Figure 1: MI Organics Landscape Supplies Operation**



**Description of Item:**

The main purpose of the rezoning of Lot 1, DP777555 Hamilton Drive, Boambee East is to better reflect the current use of the land in a way that is sympathetic towards the environmental constraints and to recognise the extent of the existing operation at the site. It is the landowner's intention to lodge a DA to consolidate his current operation once the PP has been finalised by NSW P&E. The PP proposes the following amendments to existing zones on the site:

Zoning	Current Area (Ha)	Proposed Area (Ha)
IN1 General Industrial	0.55	1.64
E2 Environmental Conservation	1.29	1.36
R2 Low Density Residential	1.37	0.21

**Figure 2: Existing Zones**



**Figure 3: Proposed Zones**



The PP is consistent with the outcomes identified in the Industrial Lands Strategy 2009. This strategic study concluded that there is a shortfall of industrial zoned land throughout the Coffs Harbour Local Government Area (LGA). The resultant PP and VPA delivers a better environmental outcome to satisfy Council's requirements. The benefits of the PP include an increased area to be rehabilitated, better links to vegetation on the western side of Hamilton Drive, a substantial buffer to flooding and nitrification (i.e. an increase in nutrients) and a future vegetated screen to residential areas on the southern side of Sawtell Road.

A VPA has been lodged by the proponent and details an implementation program for vegetation management of the land in accordance with the VMP. The VPA has been included within Attachment 1 to this report.

**Sustainability Assessment:**

Any amendment to the Coffs Harbour LEP must address environmental, social, civic leadership and economic sustainability criteria.

The PP is seeking to amend zones relating to existing zones in LEP 2013.

- **Environment**

Parts of the site are flood affected. However, the majority of the developed portion of the site would not be inundated for events up to and including the 100 year average recurrence interval (ARI) event. The majority of the flood prone land is to be rezoned E2 Environmental Conservation. The VPA and VMP will assist in delivering better environmental outcomes and help to reduce the impacts of future flood events.

- **Social**

Boambee Creek is a popular waterway for locals and visitors. By requiring a revised stormwater management plan as a component of the PP process, any adverse water quality impacts that may occur will be reduced especially downstream. This will ensure the creek can be continued to be enjoyed for a variety of purposes, especially recreational.

- **Civic Leadership**

Engagement with the community, by way of the exhibition of the PP, provides an opportunity to achieve outcomes which are identified by the Coffs Harbour 2030 Plan. Strategies include those that manage land use to conserve the region's unique environmental and biodiversity values, and enhance protection of the LGA's catchments and waterways through improved water quality standards.

- **Economic**

**Broader Economic Implications**

The PP provides an opportunity to increase the industrial land stock in the Coffs Harbour LGA. A shortfall of industrial zoned land throughout the LGA has already been identified in the Industrial Lands Strategy 2009 and the endorsement of this PP will assist in reducing the shortfall. The Industrial Lands Strategy 2009 recommended an IN1 General Industrial zone for the majority of the subject land but also recognised a potential ecological constraint to that part of the site that adjoins Boambee Creek. The proposed zones generally reflect this strategic line of thought.

In addition, the ongoing operation of the MI Organics landscape supplies business will ensure the continued employment of up to 10 full-time employees.

**Delivery Program/Operational Plan Implications**

There are no implications to Council's current Operational Plan. The PP is being funded by the landowner.

**Risk Analysis:**

This PP represents a minor rezoning in the context of Council's LGA wide planning strategy, namely Coffs Harbour LEP 2013.

If the PP doesn't proceed, there is the risk of ongoing illegal activity occurring on the site, water quality not meeting Australian/New Zealand industry standards in Boambee Creek, a more effective stormwater management plan not being implemented and the expansion of a viable landscape supplies business being prohibited in the current zone on the site. Furthermore, good environmental outcomes in the form of the rehabilitation of a degraded portion of the site and the expansion of a significant vegetation corridor in the area won't occur.

**Consultation:**

Since the lodgement of the PP on 1 February 2013, various stakeholders have been involved in its development to ensure issues/concerns were adequately addressed.

In addition, Council wrote to the Office of Water (Department of Primary Industries) on 16 April 2013 and on 18 September 2013 to obtain their feedback on the PP. The Office of Water advised as follows:

*"that Council require, as a condition of approval of the PP, the improvement of stormwater management and treatment on the site to reduce the impact of sediments and tannins washing from the site into the adjacent creek."*

Furthermore, should Council endorse the PP and should P&E ratify the gateway process, further consultation with the general public, State government authorities and/or stakeholders will be necessary.

**Related Policy and / or Precedents:**

Council is undertaking this process in accordance with the guidelines associated with PPs. All statutory requirements will be complied with in a timely and transparent manner.

This PP has been commissioned in response to a landowner's request and at the landowner's expense. It accords with a strategic study (i.e. Industrial Lands Strategy 2009); it has been prepared to resolve some zoning anomalies on the lands which will better recognise the existing use of the site; and to achieve appropriate environmental, economic and social outcomes.

**Statutory Requirements:**

The statutory processes under the Environmental Planning and Assessment (EP&A) Act 1979 and Regulations must be followed in the preparation of the PP and its exhibition.

**Issues:**

• **Environmental Protection**

A key issue in this PP evaluation process has been understanding what benefits may flow in confirming the existing environmental protection buffer zone along Boambee Creek other than to assert Council's strong position in not supporting developments that work outside their consent. The benefits of buffers include:

- increased bank stability;
- provision of shading and detritus inputs;
- major role in regulating nutrient influx;
- assist in removal of nutrient, sediments and some pollutants; and
- improved visual qualities.

The PP outlines that a better approach, to achieving good environmental outcomes, is through the provision of a fully costed five year VMP for the proposed E2 Environmental Conservation areas. The cost of the VMP will be borne by the landowner and will be bonded by Council until the works are completed.

• **The Voluntary Planning Agreement (VPA)**

The VPA is the legal mechanism which details the scope of works, costs associated with these works and an alternative arrangement for these works to be undertaken should the proponent not fulfill his obligations under the agreement. This arrangement is between Council and the landowner. The total costs of the works (which come in the form of the VMP) have been estimated at \$12,200 and are solely the responsibility of the landowner. The proponent has advised that a qualified bush regenerator contractor will be engaged to do these works. The planning agreement will be registered on the property title.

The purpose of the VMP is to ensure that part of the land proposed to be zoned E2 is substantially improved through weed control and revegetation. This will ultimately provide a habitat corridor and connectivity to a large portion of vegetated land to the east of Hamilton Drive.

**Implementation Date / Priority:**

The timeframe for a PP is established in the EP&A Act. The timeframe is triggered once the matter is sent to NSW P&E by Council (i.e. after Council endorsement).

**Recommendation:**

- 1. That Council endorse and forward the subject Planning Proposal to NSW Planning and Environment seeking a "Gateway Determination" for the rezoning of Lot 1, DP777555 Hamilton Drive, Boambee East as shown in Attachment 1 of this report.**
- 2. That Council agree to enter into a Voluntary Planning Agreement with the proponent in accordance with the draft planning agreement contained in the offer from John Robert William Tait as shown as an appendix in Attachment 1 of this report.**
- 3. That subject to the "Gateway Determination" from NSW Planning and Environment, Council place the Planning Proposal and Voluntary Planning Agreement on public exhibition.**
- 4. That a further report be considered by Council following the outcome of the public exhibition.**
- 5. That the landowner be informed of Council's decision.**





## MI Organics

Amendment to Coffs Harbour Local Environmental Plan 2013  
Lot 1 DP 777555, Hamilton Drive, Boambee East

18 August 2014

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## Appendices

Appendix A Figures

Appendix B Voluntary Planning Agreement

# 1. Introduction

## 1.1 Overview

GHD has been engaged by MI Organics to prepare a Planning Proposal for the rezoning of Lot 1 DP 777555, 1 Hamilton Drive, Boambee East. The site has been developed as a landscape supplies business, trading as MI Organics Landscape Supplies.

This Planning Proposal has been prepared to provide justification for the rezoning of the site by Coffs Harbour City Council (Council), as the relevant planning authority, in accordance with Clause 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

## 1.2 Background

Coffs Harbour City Council on 8 November 2010 issued MI Organics a *Direction to Take Prevention Action* (Direction No. 11/11) under the *Protection of the Environment Operations Act 1997*, in relation to wastewater discharged to Boambee Creek. Since this time several meetings have been held between the landowner and Council to discuss the existing operation and to determine the most appropriate solution to satisfy Council's requirements.

To address these requirements, a Stormwater Management Plan (SMP (GHD, February 2011)) was prepared to manage stormwater at the site. In compliance with the SMP, MI Organics have made a number of changes to their operations, including:

- Removal of leachate producing materials stored at the site. In this regard, MI Organics has relocated this material to their Grafton operation, where better handling facilities exist;
- Relocating the remaining on-site leachate producing materials into the stormwater catchment that drains to the on-site basin to maximise leachate capture; and
- Covering all leachate producing materials to minimise leachate generation.

The zoning of the site does not reflect the current land use and the developed portion of the site has encroached onto adjacent non-industrial zoned areas, over the course of time. Following a number of representations by GHD, Council advised at a meeting in July 2012, that it would accept a Planning Proposal to support the rezoning of the site in a way that better reflects the environmental constraints and the extent of the existing operation at the site.

## 1.3 Purpose of Report

Pursuant to Clause 55 of the EP&A Act, Council, as the relevant planning authority, is required to prepare a document that provides the justification for and explains the intended effect and purpose of a proposed amendment to *Coffs Harbour Local Environmental Plan 2013* (Coffs Harbour LEP 2013). This Planning Proposal addresses this requirement.

The main issues used to form the basis of the Planning Proposal are outlined in the former Department of Planning and Infrastructure's '*Guide to Preparing a Planning Proposal*.' This Planning Proposal supports the following changes to the current zoning at the site:

- Expanding the IN1 General Industrial zone from 0.55 hectares to 1.64 hectares
- Expanding the E2 Environmental Conservation zone from 1.29 hectares to 1.36 hectares
- Reduction of R2 Low Density Residential zone from 1.37 hectares to 0.21 hectares.

#### 1.4 Landowner Consent

Jon Tait, as managing director of MI Organics is the owner of Lot 1 DP 777555, 1 Hamilton Drive, Boambee East and has provided consent to submit this Planning Proposal.

## 2. Site Description

### 2.1 Site Locality

The subject site is referred to as Lot 1 DP 777555, 1 Hamilton Drive, Boambee East and is located adjacent to Boambee Creek. Figure 1 in Appendix A shows the regional location of the site. The site encompasses an area of approximately 3.2 hectares with the MI Organics operation located on the northern 1.49 hectares of the site.

### 2.2 Existing Development

Figure 2 in Appendix A shows the existing development at the site, which has been predominantly developed in its northern portion. This development has extended beyond the currently zoned General Industrial (IN1) area into the adjacent Low Density Residential (R2) and Environmental Conservation (E2) zones. Offices and maintenance sheds have been built on the site's northern boundary. The maintenance sheds are used for general maintenance of site vehicles and store a variety of fuels and oils.

Over the course of time, concrete bays which accommodate the various landscaping supplies including gravel, sand, compost, wood chip and mulch and stockpiles of raw compost material, situated along the western boundary of the site, have extended beyond the area zoned for industrial use. This includes a sediment/detention basin in the south-western corner of the site, and a stormwater swale bisecting the southern quarter of the site. The site is predominantly devoid of vegetation with the exception of trees fringing Boambee Creek, fronting Hamilton Drive and along the edge of the open drainage swale.

### 2.3 Access

Access to the site is via Hamilton Drive with internal access roads between the concrete bays and stockpiled material.

### 2.4 Current Site Zoning

The site is currently zoned partly R2 Low Density Residential, partly IN1 General Industrial and partly E2 Environmental Conservation under Coffs Harbour LEP 2013. Figure 3 in Appendix A shows the current zoning of the site.

### 2.5 Topography

The developed portion of site is concrete sealed and has a relatively flat topography which generally drains in a south-westerly direction towards:

- An open swale with a storage volume of approximately 604 m<sup>3</sup>, provided by a low weir
- A detention basin with a storage volume of approximately 1,824 m<sup>3</sup>
- A 7 m<sup>3</sup> treatment pit

The catchment of the basin is approximately 8,270 m<sup>2</sup> and the catchment of the open swale is approximately 6,620 m<sup>2</sup>. A small 25 m<sup>2</sup> area adjacent to the office/maintenance shed drains to the treatment pit. This pit would overflow to Boambee Creek, however we have been advised (pers. Comms Jon Tait) that this rarely occurs, as the pit is emptied daily. Water from the pit is also used for dust suppression across the site.

The two larger catchments comprise numerous storage bays that contain various landscape supplies, including gravel, sand, compost, wood chip and mulch.

## 2.6 Flooding

The site is affected by flooding, in particular the 100-year ARI event (see Figure 2 in Appendix A), which has been adopted by Coffs Harbour City Council in defining the Flood Planning Level (100-year ARI event plus 0.5m freeboard). The flood level associated with this event is approximately RL 3m AHD at the site. This inundates a small area of the developed portion of the site, with flood depths of 0.2m to 0.5m along the north-western boundary. However the majority of the developed portion of the site is at topographic levels of greater than approximately RL 3.3m AHD and would thus not be inundated for events up to and including the 100-year ARI event.

The area between and over the two drainage swales is located at a lower topography and would experience a higher risk of flooding. In a 100-year ARI event flood depths of 1.2 m to 1.9 m could be expected at the location of the open drainage swale.

The southern corner of the site adjacent to Sawtell Road and Hamilton Drive is located at RL 3.5 m AHD and greater, and is thus not be inundated for events up to and including the 100-year ARI event.

## 2.7 Development History

Council issued Development Consent 139/88 (DC 139/88) for the landscape supplies operation on the site on 27 April 1988.

The site commenced operation soon after the approval was granted. The operation appears to have expanded outside the approved boundary into land previously zoned 6(b) Open Space (Proposed) under *Coffs Harbour Local Environmental Plan 1988* which is currently zoned E2 Environmental Conservation and R2 Low Density zones. Letters from the EPA, dated 8 September 1995, 3 October 1997 and 11 September 1998 request a collection basin be installed outside the original approved operation boundary, bunding around the windrows as a priority and concreting of all waste receival areas, including the traffic areas. However, no formal approval from Council for these developments was obtained.

The site was also inspected a number of times by the EPA and Council, after expanding outside the approved boundary.

### 3. Planning Proposal

#### 3.1 Part 1 - Statement of Objectives or Intended Outcomes of the Proposed Local Environmental Plan

The objective of this Planning Proposal and any subsequent LEP amendment is to rezone Lot 1 DP 777555, 1 Hamilton Drive, Boambee East to partly IN1 General Industrial, partly E2 Environmental Conservation and partly R2 Low Density Residential consistent with Coffs Harbour LEP 2013. A plan of the proposed rezoning is provided in Figure 4, Appendix A.

The proposed rezoning would be subject to a Voluntary Planning Agreement (VPA) and associated Vegetation Management Plan (VMP), as provided in Appendix B. The VPA and VMP would ensure the area zoned E2 would be improved through weed control and revegetation which would provide a habitat corridor to the area of vegetation to the east of Hamilton Drive.

#### 3.2 Part 2 - Explanation of the Provisions

The proposed rezoning of the site is as follows:

Zoning	Current Area (Ha)	Proposed Area (Ha)
IN1 General Industrial	0.55	1.64
E2 Environmental Conservation	1.29	1.36
R2 Low Density Residential	1.37	0.21

#### 3.3 Part 3 - Justification of Proposal

##### 3.3.1 Section A - Need for a Planning Proposal

***Is the planning proposal a result of any strategic study or report?***

The Planning Proposal is not the result of a strategic study or report but has been prepared to resolve some zoning anomalies at the site and to recognise the existing and historic use at the site.

***Is the planning proposal the best means of achieving the objectives or intended outcomes or is there a better way?***

The Planning Proposal recognises the inherent environmental constraints at the site. There is no other long term resolution to achieve the objectives or intended outcomes of the Planning Proposal.

A SWOT analysis of the Planning Proposal has been undertaken to inform the rezoning process and provide an overview of the key issues, as tabulated below.

Strengths	Weaknesses
-----------	------------



<ul style="list-style-type: none"> <li>• Established business operating at present and contributing to local economy.</li> <li>• Site is located close to arterial road network.</li> <li>• Site is generally isolated from residential development.</li> </ul>	<ul style="list-style-type: none"> <li>• A portion of the site is affected by the 100 year ARI flood event.</li> <li>• Site is located adjacent to Boambee Creek.</li> </ul>
Opportunities	Threats
<ul style="list-style-type: none"> <li>• Protection of flood constrained land.</li> <li>• Creation of a wildlife/ vegetation corridor between Boambee Creek and the vegetation to the east.</li> <li>• Landowner is prepared to undertake remediation and supplementary stormwater management works in close proximity to Creek.</li> <li>• Opportunity to fix anomalies in current zoning, particularly extent of current R2 zones.</li> </ul>	<ul style="list-style-type: none"> <li>• Operation may close if land area is significantly reduced.</li> <li>• Increased nutrient loadings if no action is taken in relation to stormwater management and flooding.</li> </ul>

***Is there a net community benefit?***

The existing MI Organics operation has been trading since 1988, and every effort has been made to minimise pollution from the operation to Boambee Creek, more recently under the direction of the SMP (GHD 2012).

The Planning Proposal will mean the existing landscaping supplies operation and R2 zoned land would be relocated outside of the critical 5 and 20 year ARI flood events as well as the majority of the 100 year ARI flood event by protecting the most western riparian zone adjacent to Boambee Creek and the flood flow path through the southern portion of the site. The rezoning of these portions of the site to E2 Environmental Conservation zone would also create a wildlife/ vegetation corridor between the Boambee Creek riparian zone and the vegetation to the east, thereby providing better habitat connectivity and fauna movement in the locality.

3.3.2 Section B - Relationship to Strategic Planning Framework

***Is the Proposal Consistent with the objectives and actions contained within the applicable Regional or Sub-Regional Strategy?***

The Planning Proposal is considered to be consistent with the Mid North Coast Regional Strategy in regard to maintaining and identifying additional industrial land for future employment opportunities at the site without compromising the environment.

*Is the Planning Proposal Consistent with applicable State Environmental Planning Policies?*

State Environmental Planning Policy (SEPP)	Statement of Consistency
SEPP No 1 – Development Standards	Not applicable as SEPP has been replaced by clause 4.6 of Coffs Harbour LEP 2013.
SEPP No 4 – Development without consent and miscellaneous exempt and complying development	Complies. There would be no provisions in the Planning Proposal that contravene this SEPP.
SEPP No 33 – Hazardous and offensive development	The Planning Proposal would not contravene this SEPP.
SEPP No 44 – Koala habitat protection	The Planning Proposal would not contravene this SEPP.
SEPP No 52 – Farm dams and other works in land water management plan areas	The Planning Proposal would not contravene this SEPP.
SEPP No 55 – Remediation of land	Complies. There would be no provisions in the LEP amendment that contravene this SEPP.
SEPP No 60 – Exempt and complying development	Complies. There would be no provisions in the Planning Proposal that contravene this SEPP.
SEPP No 71 – Coastal Protection	<p>Clause 8 of the SEPP outlines the matters for consideration. The relevant matters are addressed below:                      The matters for consideration are the following:</p> <p><i>(a) the aims of this Policy set out in clause 2,</i>                      The Planning Proposal is considered to be consistent with the aims of the policy set out in Clause 2.</p> <p><i>(b) existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved,</i>                      There is presently no direct access to the coastal foreshore adjacent to the site. Opportunities for access are provided further downstream near the mouth of the estuary.</p> <p><i>(c) opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability,</i>                      Whilst the Planning Proposal would increase the environmental conservation zone at the site, the nature of the coastal foreshore adjacent to the site is not conducive to providing new public access.</p> <p><i>(d) the suitability of development given its type, location and design and its relationship with the surrounding area,</i>                      The existing MI Organics operation is considered to be suitable at the site provided the Planning Proposal and</p>

State Environmental Planning Policy (SEPP)	Statement of Consistency
	<p>identified stormwater management measures are implemented.</p> <p><i>(e) any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore,</i></p> <p>The Planning Proposal would not result in any overshadowing or loss of views to the foreshore.</p> <p><i>(h) measures to conserve fish (within the meaning of Part 7A of the Fisheries Management Act 1994) and marine vegetation (within the meaning of that Part), and their habitats</i></p> <p>The Planning Proposal and identified stormwater management measures when implemented would act to conserve fish and marine vegetation and their habitats.</p> <p><i>(i) existing wildlife corridors and the impact of development on these corridors,</i></p> <p>The Planning Proposal would improve the Boambee Creek riparian zone and create a wildlife/ vegetation corridor between Boambee Creek and the vegetation to the east of the site, thereby providing better habitat connectivity and fauna movement in the locality.</p> <p><i>(j) the likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards,</i></p> <p>The Planning Proposal and identified stormwater management measures when implemented would minimise any impacts of coastal processes and coastal hazards on development and any subsequent water quality impacts.</p> <p><i>(k) measures to reduce the potential for conflict between land-based and water-based coastal activities,</i></p> <p>The Planning Proposal and identified stormwater management measures when implemented would reduce the potential for conflict between land-based and water-based coastal activities.</p> <p><i>(m) likely impacts of development on the water quality of coastal waterbodies,</i></p> <p>The Planning Proposal and identified stormwater management measures when implemented would reduce the potential for water quality impacts in Boambee Creek.</p> <p><i>(o) only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities,</i></p> <p>The Planning Proposal would be consistent with the matter.</p> <p><i>(p) only in cases in which a development application in relation to proposed development is determined:</i></p> <p><i>(i) the cumulative impacts of the proposed development on the environment, and</i></p> <p>Consideration would be given to cumulative impacts as part of any subsequent development application submitted for the proposal.</p>

State Environmental Planning Policy (SEPP)	Statement of Consistency
	<p><i>(ii) measures to ensure that water and energy usage by the proposed development is efficient.</i>                      Consideration would be given to water and energy use as part of any subsequent development application submitted for the proposal.</p>
SEPP Exempt and Complying Development 2008	Complies. The exempt and complying tables in Coffs Harbour LEP 2013 have been carefully developed to be consistent with this SEPP.
SEPP Infrastructure 2007	The Planning Proposal would not contravene this SEPP.
SEPP Major Development 2005	The Planning Proposal would not contravene this SEPP.

*Is the Planning Proposal consistent with applicable Ministerial Directions (Section 117 Directions)?*

Section 117(2) Direction	Relevant to the Planning Proposal	Consistent with the Direction?	Justification	
<b>1. Employment and Resources</b>				
1.1	Business and Industrial Zones	Yes	Yes	The Planning Proposal would increase the area of land zoned for industrial purposes from 0.55 hectares to 1.64 hectares. Whilst this increase has not been identified within an approved strategy, the proposed rezoning would allow for additional future employment opportunities in an existing successful operation free from significant environmental constraints and land use conflicts.
1.4	Oyster Aquaculture	Yes	Yes	The Planning Proposal is substantially consistent with the terms of the direction.
<b>2. Environment and Heritage</b>				
2.1	Environment Protection Zones	Yes	Yes	The Planning Proposal would facilitate the protection and conservation of environmentally sensitive areas through the expansion of the environmental protection zone from 1.29 hectares to 1.36 hectares.
2.2	Coastal Protection	Yes	Yes	The Planning Proposal is substantially consistent with the terms of the direction.
<b>4. Hazard and Risk</b>				
4.1	Acid Sulfate Soils	Yes	Yes	The Planning Proposal is substantially consistent with the terms of the direction.
4.3	Flood Prone Land	Yes	No	Due to proximity to Boambee Creek, parts of the site are affected by the 100-year ARI flood event. The Planning Proposal however proposes to rezone that land affected by the critical 5 and 20 year ARI flood events and the majority of the 100-year ARI flood event as E2 Environmental Conservation in accordance with this direction.
4.4	Planning for Bushfire Protection	Yes	Yes	The Planning Proposal does not propose the release of any urban land subject to significant bushfire risk. The Planning Proposal is considered consistent with this direction.
<b>5. Regional Planning</b>				
5.1	Implementation	Yes	Yes	The Planning Proposal is substantially consistent with the terms of the direction.

Section 117(2) Direction	Relevant to the Planning Proposal	Consistent with the Direction?	Justification
of Regional Strategies			
<b>6. Local Plan Making</b>			
6.1 Approval and Referral Requirements	Yes	Yes	The Planning Proposal is substantially consistent with the terms of the direction.
6.2 Reserving Land for Public Purposes	Yes	Yes	The Planning Proposal is consistent with this direction because it does not affect land reserved for public purposes.
6.3 Site Specific Provisions	Yes	Yes	Direction applies substantially to amending LEPs. The Planning Proposal is considered consistent with this clause as it does not require any site specific provisions but rather a change in the area of the proposed zones.

### 3.3.3 Section C - Environmental, Social and Economic Impacts

***Is there any likelihood that critical habitat, threatened species, populations or ecological communities or their habitats will be adversely affected as a result of the Proposal?***

Outside the landscape supplies operation, the site contains a degraded vegetation community with species that correspond with the swamp sclerophyll forest on coastal floodplains endangered ecological listing (EEC) under the *Threatened Species Conservation Act 1995*. Adjacent to this vegetation community is the river mangrove low closed forest community associated with the riverbank.

The Planning Proposal, VPA and VMP are expected to provide a net benefit ecological outcome by:

- Increasing the area zoned for environmental protection
- Restoring an area of EEC and improving the condition of the vegetation along the riparian zone
- Improving the quality of stormwater runoff from the site
- Providing a wildlife/ vegetation corridor between Boambee Creek and the extensive vegetation area to the east of Hamilton Drive, thereby providing a faunahabitat corridor.

The Planning Proposal is therefore considered likely to have a positive benefit on any threatened species, populations and ecological communities and their habitats located in the proximity of the site.

***Are there any other likely environmental affects as a result of the Planning Proposal and how are they proposed to be managed?***

#### **Flooding**

The Planning Proposal addresses Boambee Creek flooding by:

- Ensuring that the proposed IN1 zone is flood free for the 5 and 20 year ARI flood events. In a 100-year ARI event, over 90% of the site is flood free, with the inundated localised area flooding to an average depth of approximately 200 mm, with a Low Flood Hazard rating in accordance with the NSW Floodplain Development Manual.
- Reducing the R2 zone so that it is outside the 100 year ARI flood event.
- Providing a rehabilitated Core Riparian Zone, where existing flow impediments in the floodplain will be removed, providing improved conveyance along Boambee Creek.
- Protecting the existing flood bypass flow path through the southern portion of the site, via an E2 Environmental Conservation zone.



Limiting the development to outside this area and implementing the identified stormwater management controls at the site would act to reduce the potential for ongoing water quality impacts at the site.

### Stormwater Management

In conjunction with the Planning Proposal, a series of management actions and facilities are recommended that reduce the volume of pollutants at source and treat any runoff before discharge from the site. These management actions are:

- Remove all infrastructure including existing detention basin within the proposed E2 zone and rehabilitate this area.
- Fill and regrade the proposed IN1 zoned portion of the land (16,000m<sup>2</sup>) towards the existing drainage swale within the southern portion of the site.
- Redesign and augment existing drainage swale within the southern portion of the site by installing several weirs and increasing capacity in order to develop a treatment train before discharge to Boambee Creek.
- Potentially provide a new detention/water reuse basin, adjacent to the swale as part of the treatment train and reduce the risk of site overflow to Boambee Creek during long extended wet periods.
- Construct a 40 metre x 40 metre roofed shed to house all leachate producing materials, sheltering these from rainfall. Ensure the site, outside of the shed, would accommodate only those materials that readily settle, such as gravel, rock, sand and soil stockpiles.
- Redirect clean water (subject to a first flush facility) from the shed roof to Boambee Creek.
- Regularly maintain (sweep and suppress dust) at the site.
- Storing chemicals in a dedicated, bunded area.

The actions proposed are considered to provide a practical approach, which manages the stormwater discharge from the MI Organics site.

The existing stormwater management infrastructure on the site requires modification to satisfy Council's *Direction to Take Prevention Action* (the Direction) dated 8 November 2010. A revised SMP would be prepared as part of a development application to seek approval for the modification of the site to address this direction relating to the catchments at the site and the construction of a first flush storage.

### ***How has the Planning Proposal adequately addressed any social and economic effects?***

Boambee Creek, downstream of the site, is a popular waterway for locals and visitors alike. The Planning Proposal together with the implementation of a revised SMP would improve the quality of stormwater runoff from the site and therefore reduce the potential to impact upon the water quality within Boambee Creek. The Planning Proposal would reduce the potential for any closure of the waterway for recreational uses.

Furthermore, the on-going operation of the MI Organics business ensures the employment of up to 10 full-time employees.

#### 3.3.4 Section D – State and Commonwealth Matters

##### ***Is there adequate public infrastructure for the Planning Proposal?***

The site is currently serviced by Hamilton Drive, a bitumen sealed two lane road with an excess capacity for the MI Organics operation and adjoining properties. Hamilton Drive links with Sawtell Road, a major arterial road servicing Toormina and Sawtell to the east and Boambee to the west. A grade separated interchange to the Pacific Highway is situated approximately 600 metres to the west of the site which provides access to Coffs Harbour to the north and Urunga to the south. Traffic related public infrastructure is considered to adequately service the existing and any future operation at the site.

The site is also serviced by reticulated water and sewer and these services are adequate for the existing and any future operation at the site.

##### ***What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?***

Consultation undertaken as part of this Planning Proposal has been limited to meetings with Council. It is assumed that consultation with Office of Environment and Heritage, Department of Primary Industries and Environment Protection Authority would be undertaken by Council as part of its consideration of the Planning Proposal.

## 4. Conclusion

The current zoning of the site does not reflect the environmental constraints at the site nor the existing land use of the site. Whilst a range of management actions are required at the site to address stormwater management, the current zoning needs to be amended to better reflect the environmental characteristics of the site and to limit the potential for future land use conflicts.

This Planning Proposal recommends that Coffs Harbour City Council, as the relevant planning authority, prepare an amendment to Coffs Harbour LEP 2013, to reflect the proposed rezoning. The suggested rezoning of the site is shown in Figure 4 in Appendix A and recommends that over half of the site (1.64ha) be rezoned to IN1 General Industrial, with limited area (0.21ha) of R2 Low Density, whilst the E2 Environmental Conservation zone would be extended to 1.36ha to better reflect the flooding constraint at the site.

This rezoning would resolve the potential conflict created by having industrial and more intensive residential land uses adjacent to each other and enable a development application to be lodged that includes the modification to the operation.

The Planning Proposal has the added benefit of creating a wildlife/ vegetation corridor between Boambee Creek and the vegetation to the east of the site, thereby providing better habitat connectivity and fauna movement in the locality.

The Planning Proposal together with the implementation of a revised SMP and VMP would improve the quality of stormwater runoff from the site and therefore reduce the potential to impact upon the water quality within Boambee Creek

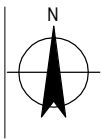
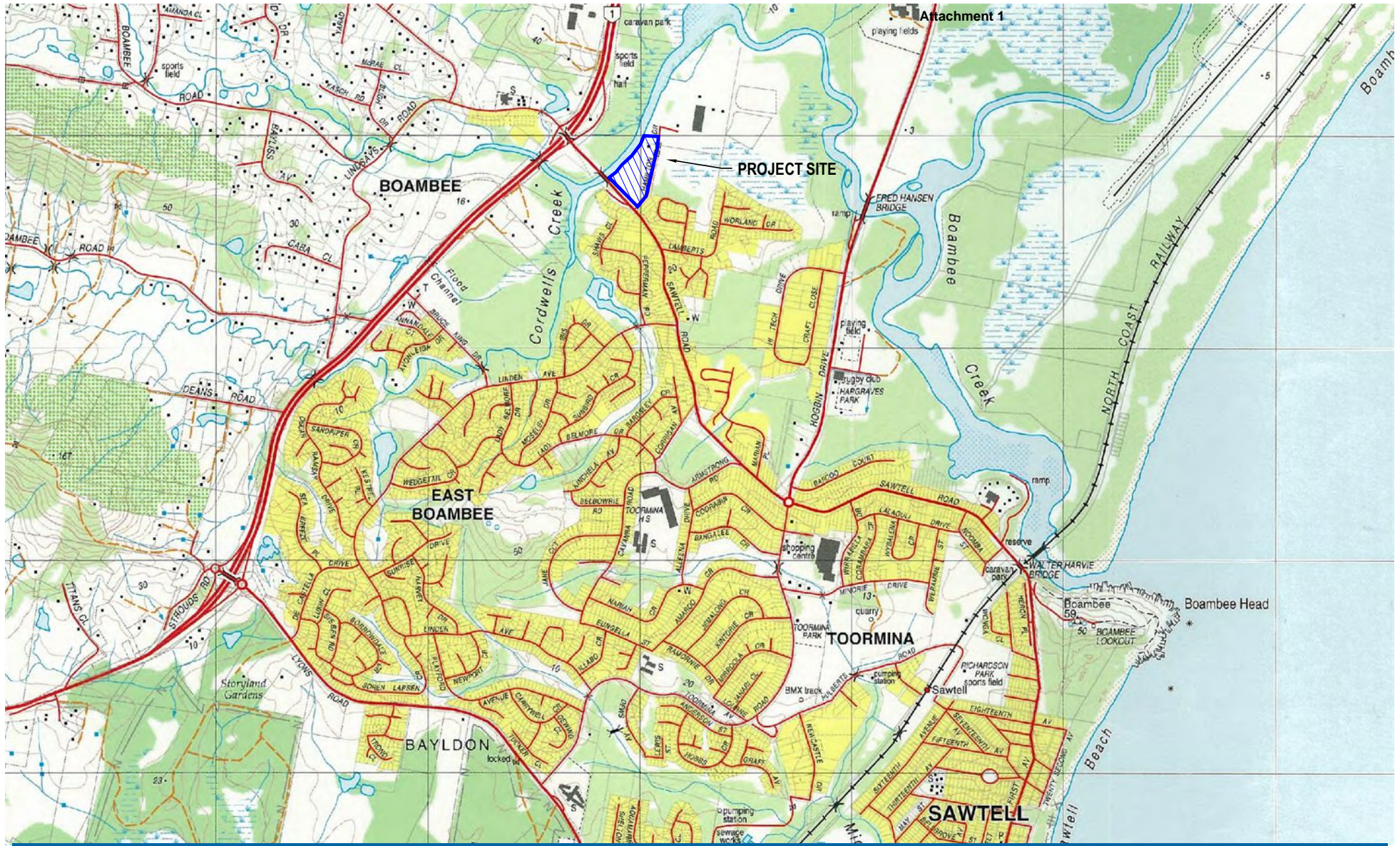




Appendices

## Appendix A Figures



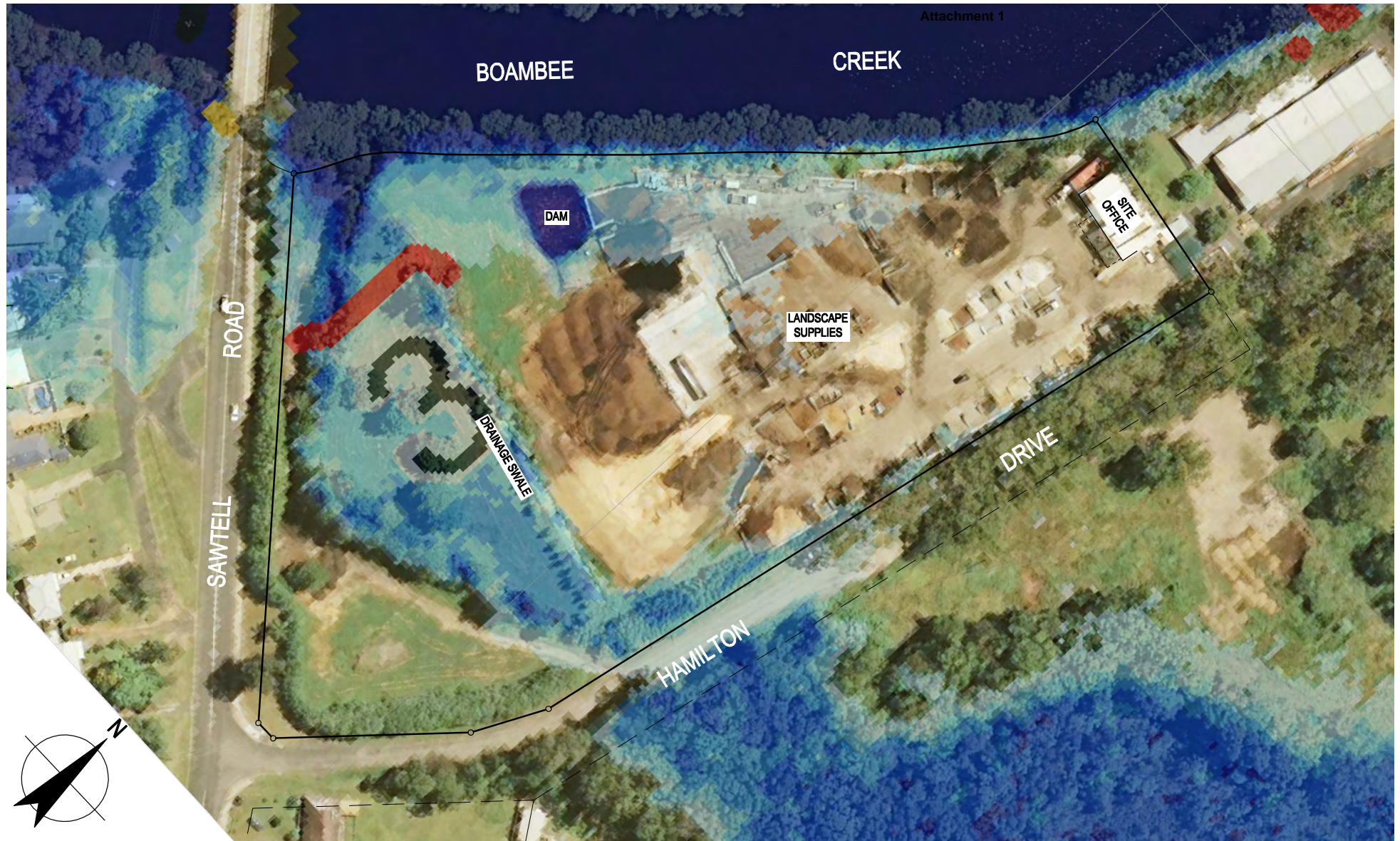


MI ORGANICS  
 LOT1 D.P. 777555  
 HAMILTON DR, BOAMBEE  
 REGIONAL LOCATION

Job Number | 22-15475  
 Revision | A  
 Date | SEPT.2012

Figure 01





Attachment 1

BOAMBEE

CREEK

SAWTELL ROAD

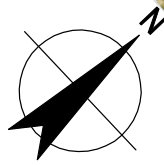
DRAINAGE SWALE

LANDSCAPE SUPPLIES

SITE OFFICE

DRIVE

HAMILTON



SOURCE: BOAMBEE & NEWPORTS CREEK FLOOD STUDY



1 IN 100 YEAR FLOOD LEVEL



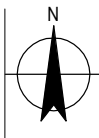
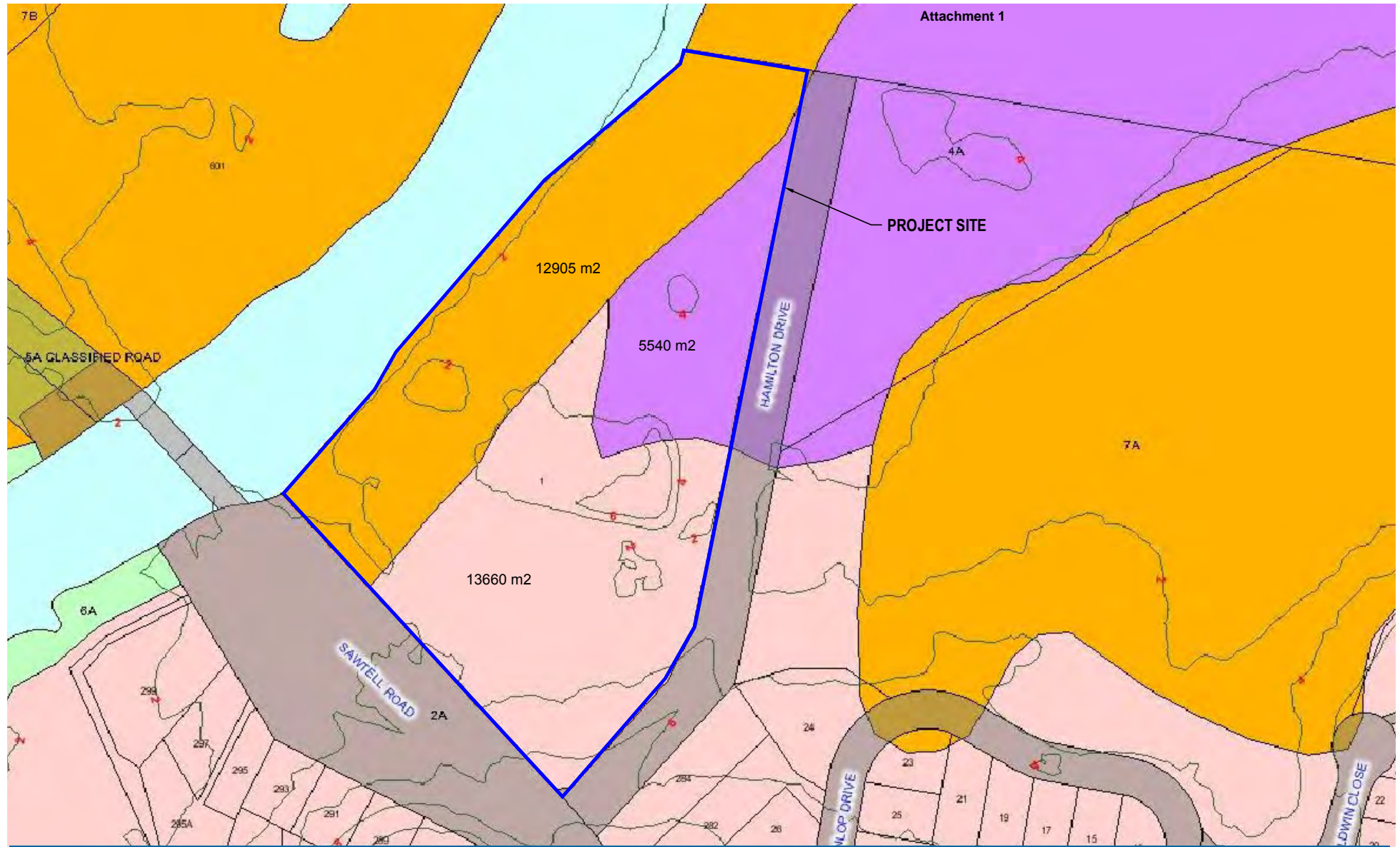
MI ORGANICS  
 LOT 1 D.P.777555  
 HAMILTON DR, BOAMBEE  
 EXISTING DEVELOPMENT

Job Number | 22-15475  
 Revision | A  
 Date | JUL. 2014

Figure 02

230 Harbour Drive Coffs Harbour NSW 2450 Australia T 61 2 6650 5600 F 61 2 6650 5601 E cfsmail@ghd.com W www.ghd.com





ZONING LEGEND

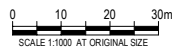
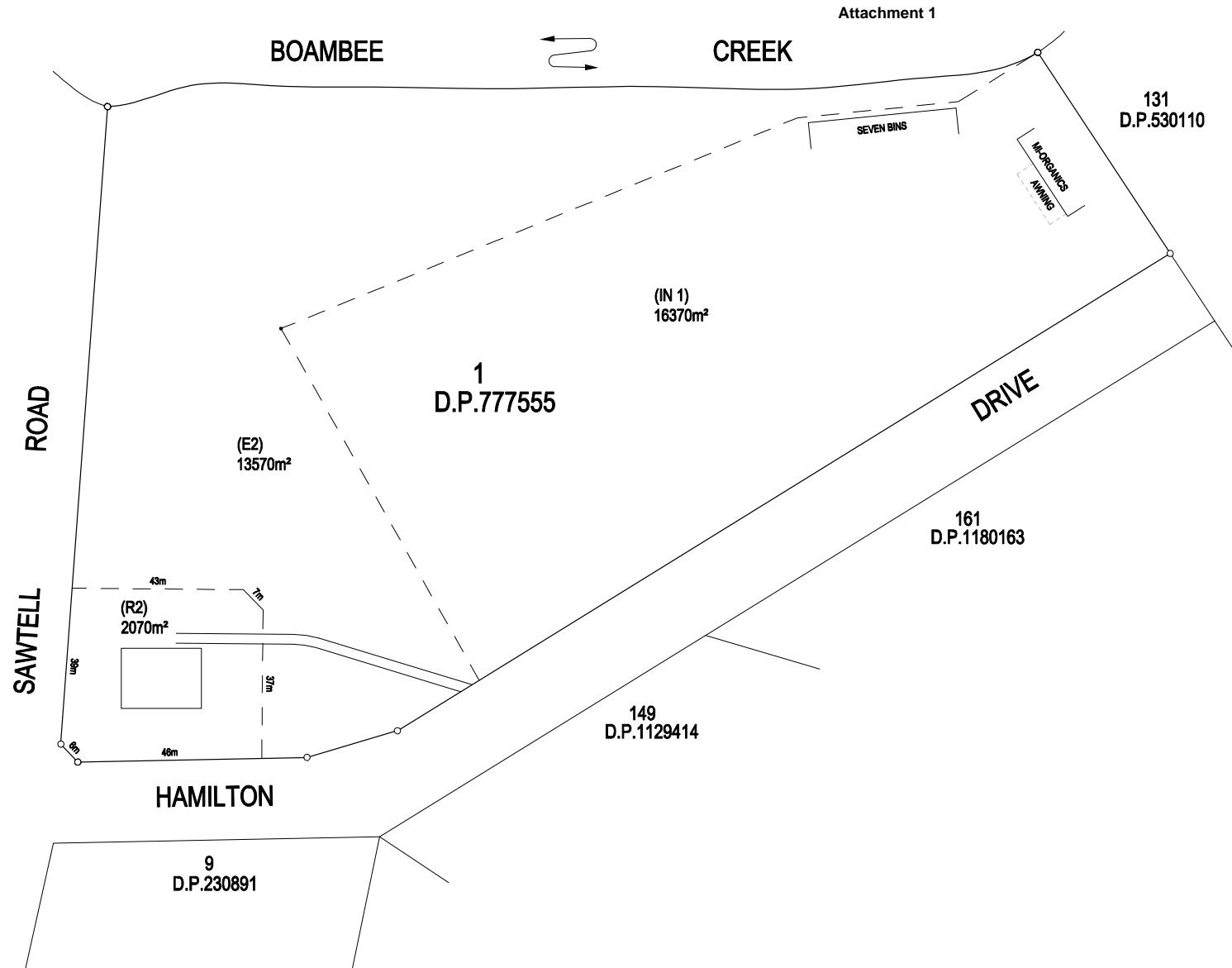
- IN1 GENERAL INDUSTRIAL
- E2 ENVIRONMENTAL CONSERVATION
- R2 LOW DENSITY RESIDENTIAL



MI ORGANICS  
 LOT 1 D.P.777555  
 HAMILTON DR, BOAMBEE  
 CURRENT ZONING

Job Number | 22-15475  
 Revision | A  
 Date | SEPT.2012

Figure 03



PROPOSED NEW ZONE BOUNDARY - - - - -



MI ORGANICS  
LOT 1 D.P.777555  
HAMILTON DRIVE, BOAMBEE  
PROPOSED ZONING

Job Number | 22-15475  
Revision | A  
Date | MAR.2014

Figure 04

## Appendix B Voluntary Planning Agreement

**COFFS HARBOUR CITY COUNCIL (COUNCIL)**

**JON ROBERT WILLIAM TAIT (APPLICANT)**

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THIS DEED is made the            day of

**1. PARTIES**

- 1.1 Coffs Harbour City Council ABN 79 126 214 487 of Cnr Coff and Castle Streets, Coffs Harbour, NSW 2450 ("**Council**")
- 1.2 Jon Robert William Tait c/- GHD Level 1, 230 Harbour Drive, Coffs Harbour NSW 2450 ("**the Applicant**").

**2. BACKGROUND**

- 2.1 The Applicant is the registered proprietor of the Land.
- 2.2 The Applicant has sought a change to an environmental planning instrument and has lodged the Planning Proposal with Council in support of the Rezoning.
- 2.3 The Applicant has voluntarily offered to enter into a planning agreement with Council under section 93F of the Act to provide for a material public benefit by enhancement of the natural environment by implementing vegetation management of the Land in accordance with the VMP.
- 2.4 Council accepts the above offer.
- 2.5 The Applicant has voluntarily agreed to enter into this Agreement.

**3. DEFINED TERMS**

In this document the following definitions apply:

- 3.1 **Act** means the *Environmental Planning and Assessment Act 1979* (NSW).
- 3.2 **Agreement** means this Agreement and includes any schedules, annexures and appendices to this Agreement.
- 3.3 **Coffs Harbour LEP 2013** means Coffs Harbour Local Environmental Plan 2013.
- 3.4 **Council** means Coffs Harbour City Council.



- 3.5 **GST** has the same meaning as in the GST Law.
- 3.6 **GST Law** has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.
- 3.7 **Land** means Lot 1 DP 777555 known as 1 Hamilton Drive, Boambee NSW 2452.
- 3.8 **Planning Proposal** means the proposal to adjust the existing zone boundaries applying to the Land under Coffs Harbour LEP 2013 generally as identified in the plan set out in Schedule 1 of this Agreement.
- 3.9 **Registered Proprietor** means the registered proprietor of the Land from time to time.
- 3.10 **Rezoning** means the adjustment of the existing zone boundaries applying to the Land under Coffs Harbour LEP 2013 in accordance with the Planning Proposal.
- 3.11 **VMP** means the Vegetation Management Plan set out in Schedule 2 to this Agreement.

#### 4. OFFER

This document, executed only by the Applicant, is to be read and construed as containing the Applicant's irrevocable offer to enter into this Agreement to cause vegetation management of the Land to be provided in accordance with the VMP, on the terms set out in this Agreement, once the Rezoning has been effected.

#### 5. OPERATIVE PROVISIONS

- 5.1 The parties agree that this Agreement is a planning agreement governed by Subdivision 2 of Division 6 of Part 4 of the Act.
- 5.2 This Agreement takes effect on the date of execution by both parties.
- 5.3 This Agreement applies to the Land.

**6. REGISTERED PROPRIETOR'S OBLIGATIONS**

- 6.1 Words used in this clause which are defined in the VMP have the same meaning given in that plan.
- 6.2 Upon the Rezoning being effected the Registered Proprietor must (unless other arrangements acceptable to Council are made):
- 6.2.1 immediately pay bank guarantee
- 6.2.2 cause the VMP to be implemented, including by causing the following to be done (without limitation):
- completion of Site Preparation – within 3 months of the Rezoning being effected;
  - completion of initial Planting – within 6 months of the Rezoning being effected;
  - provision to Council of a report on completion of initial Planting – within 7 days of such completion;
  - undertaking of the 5 year period of Maintenance and Monitoring activities – in accordance with the Schedule in the VMP; and
  - provision to Council of reports after each maintenance and monitoring period – in accordance with the Schedule in the VMP.

**7. APPLICATION OF S94, S94A AND S94EF OF THE ACT TO THE DEVELOPMENT**

- 7.1 The application of sections 94, 94A and 94EF of the Act to any development on the Land is not excluded under this Agreement.

**8. REGISTRATION OF THIS AGREEMENT**

- 8.1 The Applicant represents and warrants that he is the registered proprietor of the Land.
- 8.2 The Applicant agrees that he will procure the registration of this Agreement, under the *Real Property Act 1900* (NSW) against the title to the Land in accordance with section 93H of the Act.
- 8.3 The Applicant will, at his expense, promptly after this Agreement comes into operation, take all practical steps, and otherwise do anything that Council reasonably requires, to procure:
- 8.3.1 the consent of each person who has an estate or interest in the Land;
- 8.3.2 an acceptance of the terms of this Agreement and an acknowledgment in writing from any existing mortgagee in relation to the Land that the mortgagee will adhere to the provisions of this Agreement if it takes possession of the Land as mortgagee in possession;
- 8.3.3 the execution of any documents; and

- 8.3.4 the production of the relevant duplicate certificate of title,
- to enable the registration of this Agreement in accordance with clause 7.2.
- 8.4 The Applicant will, at his expense, take all practical steps and otherwise do anything that Council reasonably requires:
- 8.4.1 to procure the lodgement of this Agreement with Land and Property Information as soon as reasonably practicable after this Agreement comes into operation but in any event, no later than 90 business days after that date; and
- 8.4.2 to procure the registration of this Agreement against the title to the Land as soon as reasonably practicable after this Agreement is lodged for registration.
- 8.5 Council will provide a release and discharge of this Agreement so that it may be removed from the folios of the register for the Land (or any part of it) provided that the Registered Proprietor has provided Council with a Statement of Completion by GHD or some other suitably qualified consultant that the VMP has been materially satisfactorily completed.
- 8.6 The Applicant acknowledges and agree that:
- 8.6.1 this Planning Agreement creates an equitable estate and interest in the Land for the purpose of section 74F(1) of the Real Property Act 1900 (NSW);
- 8.6.2 Council has a sufficient interest in the Land in respect of which to lodge with Land and Property Information a caveat notifying that interest;
- 8.6.3 he will raise no objection to Council entering a caveat in the relevant folio of the register for the Land provided the caveat does not prevent registration of any dealing other than a transfer of the Land; and
- 8.6.4 he will obtain the consent to the lodgement of the caveat of each person who has an estate or interest in the Land.

## **9. REVIEW OF THIS AGREEMENT**

This Agreement is not subject to review, other than in accordance with clause 20.

## **10. DISPUTE RESOLUTION**

- 10.1 This clause applies to any dispute under this Agreement.
- 10.2 Such a dispute is taken to arise if one party gives another party a notice in writing specifying particulars of the dispute.
- 10.3 If a notice is given under clause 10.2 the parties are to meet within 14 days of the notice in

an attempt to resolve the dispute.

- 10.4 If the dispute is not resolved within a further 28 days, the parties must mediate the dispute in accordance with the Mediation Rules of the Law Society of New South Wales published from time to time and must request the President of the Law Society, or the President's nominee, to select a mediator.
- 10.5 If the dispute is not resolved by mediation within a further 28 days, or such longer period as may be necessary to allow any mediation process which has been commenced to be completed, then the parties may exercise their legal rights in relation to the dispute, including by the commencement of legal proceedings in a court of competent jurisdiction in New South Wales.

## 11. ENFORCEMENT

- 11.1 Without limiting any other remedies available to the parties, this Agreement may be enforced by the parties in any court of competent jurisdiction.
- 11.2 For the avoidance of doubt, nothing in this Agreement prevents:
  - 11.2.1 a party from bringing proceedings in the Land and Environment Court to enforce any aspect of this Agreement or any matter to which this Agreement relates; or
  - 11.2.2 Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Agreement or any matter to which this Agreement relates.

## 12. NOTICES

- 12.1 Any notice, consent, information, application or request that must or may be given or made to a party under this Agreement is only given or made if it is in writing and sent in one of the following ways:
  - 12.1.1 delivered or posted to that party at its address set out below,
  - 12.1.2 faxed to that party at its fax number set out below, or
  - 12.1.3 emailed to that party at its email address set out below.

### **Coffs Harbour City Council**

Attention: The General Manager  
Address: Locked Bag 155 Coffs Harbour NSW 2450  
Phone: (02) 6648 4000  
Fax Number: (02) 6648 4199  
Email: [coffs.council@chcc.nsw.gov.au](mailto:coffs.council@chcc.nsw.gov.au)

**Jon Robert William Tait**

Attention: Jon Robert William Tait  
 Address: c/- Shaun Lawer, GHD Level 1, 230 Harbour Drive Coffs Harbour  
 NSW 2450  
 Phone: (02) 6650 5605  
 Fax Number: (02) 6650 5601  
 Email: [Shaun.Lawer@ghd.com](mailto:Shaun.Lawer@ghd.com)

- 12.2 If a party gives the other party 3 business days' notice of a change of its address or fax number, any notice, consent, information, application or request is only given or made by that other party if it is delivered, posted or faxed to the latest address or fax number.
- 12.3 Any notice, consent, information, application or request is to be treated as given or made at the following time:
  - 12.3.1 if it is delivered, when it is left at the relevant address;
  - 12.3.2 if it is sent by post, 2 business days after it is posted;
  - 12.3.3 if it is sent by fax, as soon as the sender receives from the sender's fax machine a report of an error-free transmission to the correct fax number.
- 12.4 If any notice, consent, information, application or request is delivered, or an error-free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

**13. ASSIGNMENT AND DEALINGS**

- 13.1 The Applicant must procure from any mortgagee in relation to the Land an acceptance of the terms of this Agreement and an acknowledgement that the mortgagee will adhere to the provisions of this Agreement if it takes possession of the Land as mortgagee in possession.
- 13.2 Unless the matters specified in clause 13.3 are satisfied, the Applicant is not to do any of the following:
  - 13.2.1 transfer, assign or dispose of the whole or any part of their right, title or interest in the Land to any person; or
  - 13.2.2 assign or novate to any person the Applicant's rights or obligations under this Agreement.
- 13.3 The matters required to be satisfied for the purposes of clause 13.3 are as follows:
  - 13.3.1 Council being satisfied, acting reasonably, that the proposed transferee is financially capable of complying with the Applicant's obligations under this Agreement;

13.3.2 Council being satisfied that its rights will not be diminished or fettered in any way;

13.3.3 The Applicant has, at no cost to Council, first procured the execution, by the person to whom the Applicant's rights or obligations under this Agreement are to be assigned or novated, an agreement in favour of Council under which that person agrees to comply with all the outstanding obligations of the Applicant under this Agreement; and

13.3.4 Any default by the Applicant under the provisions of this Agreement have been remedied by the Applicant or waived by Council.

13.4 The Applicant and the proposed transferee must pay Council's reasonable costs in relation to any assignment or novation of the rights and obligations under this Agreement.

**14. COSTS**

The Applicant is to pay Council's reasonable external legal costs of preparing, negotiating and executing this Agreement.

**15. ENTIRE AGREEMENT**

This Agreement contains everything to which the parties have agreed in relation to the matters it deals with. No party can rely on an earlier document, or anything said or done by another party, or by a director, officer, agent or employee of that party, before this Agreement was executed, except as permitted by law.

**16. FURTHER ACTS**

Each party must promptly execute all documents and do all things that another party from time to time reasonably requests to effect, perfect or complete this Agreement and all transactions incidental to it.

**17. GOVERNING LAW AND JURISDICTION**

This Agreement is governed by the law of New South Wales. The parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them. The parties will not object to the exercise of jurisdiction by those courts on any basis.

**18. NO FETTER**

Nothing in this Agreement shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

**19. REPRESENTATION AND WARRANTIES**

The parties represent and warrant that they have power to enter into this Agreement and comply with their obligations under the Agreement and that entry into this Agreement will not result in the breach of any law.

## **20. SEVERABILITY**

20.1 If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.

20.2 If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.

## **21. MODIFICATION**

No modification of this Agreement will be of any force or effect unless it is in writing and signed by the parties to this Agreement.

## **22. WAIVER**

22.1 The fact that a party fails to do, or delays in doing, something the party is entitled to do under this Agreement does not amount to a waiver of any obligations of, or breach of obligation by, another party.

22.2 A waiver by a party is only effective if it is in writing. A written waiver by a party is only effective in relation to the particular obligations or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach, or as an implied waiver of that obligation or breach in relation to any other occasions.

## **23. GST**

23.1 Words used in this clause which are defined in the GST Law have the meaning given in that legislation.

23.2 If GST is payable on a Taxable Supply made under, by reference to or in connection with this Agreement, the party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration. This clause does not apply to the extent that the Consideration for the Taxable Supply is expressly agreed to be GST inclusive.

23.3 Unless otherwise expressly stated, all prices or other sums payable or Consideration to be provided under or in accordance with this Agreement are exclusive of GST.

23.4 Any reference in the calculation of Consideration or of any indemnity, reimbursement or



similar amount to a cost, expense or other liability incurred by a party, must exclude the amount of any Input Tax Credit entitlement of that party in relation to the relevant cost, expense or other liability.

23.5 This clause will continue to apply after expiration or termination of this Agreement.

**24. INTERPRETATIONS**

24.1 A reference to person includes a reference to a natural person, a company or other legal entity whether acting as a trustee or not.

24.2 A reference to a party in this Agreement is a reference to that party in its personal capacity as well as in its capacity as trustee of a trust (if any) and a party is obligated in terms of this Agreement in its personal capacity and in its capacity as trustee for a trust (if any).

24.3 A reference to:

24.3.1 a person includes the person's executors, administrators, successors, substitutes, including persons taking by novation and assigns; and

24.3.2 a group of persons includes them collectively and each of them individually.

24.4 An agreement, representation or warranty:

24.4.1 in favour of 2 or more persons is for the benefit of them jointly and severally; and

24.4.2 on the part of 2 or more persons binds them jointly and severally.

24.5 A reference to a gender includes any gender.

24.6 The singular includes the plural and vice versa.

24.7 The word 'person' includes a firm, a body corporate, an unincorporated association or an authority.

24.8 A reference to a document includes any amendment or supplement to or replacement or novation of the document.

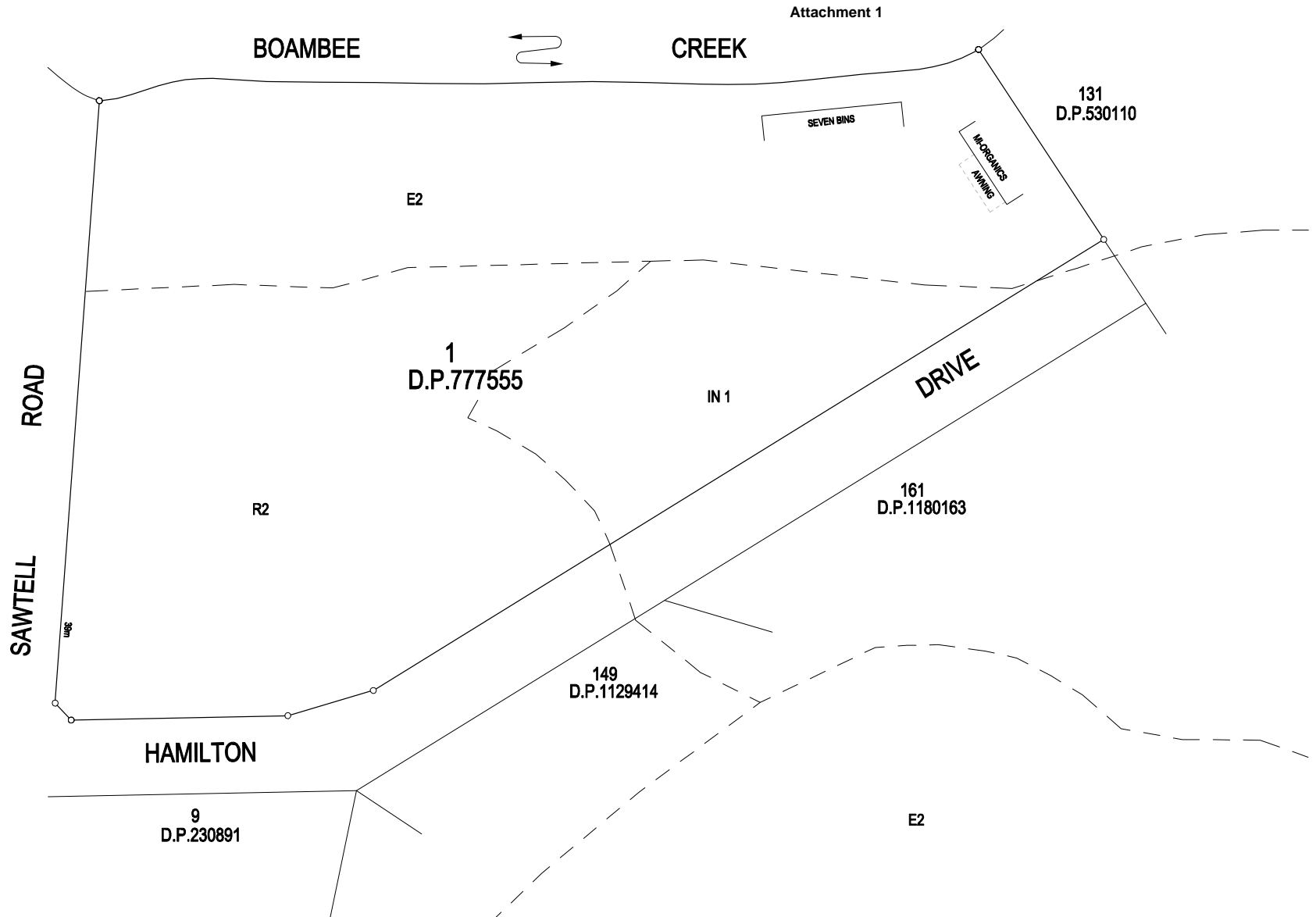
24.9 Headings are for convenience only and do not affect the interpretation of this Agreement.

24.10 References to a statute or statutory provision include that statute or statutory provision as amended, extended, consolidated or replaced by subsequent legislation and any orders, regulations, documents or other subordinate legislation made under the relevant statute.

24.11 A clause number means the respective clause of this Agreement.

- 24.12 President of a body or authority includes a person acting in that capacity.
- 24.13 A thing includes the whole and each part of it.
- 24.14 A reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
- 24.15 'Include' or 'including' when introducing a list of items does not limit the meaning of the words to which the list relates to those items or to items of a similar kind.
- 24.16 If a party is required to do something, that includes a requirement to cause that thing to be done. If a party is prohibited from doing anything, it is also prohibited from doing or omitting to do anything which allows or causes that thing to be done.
- 24.17 No rule of construction applies to the disadvantage of a party because that party was responsible for the preparation of this Agreement.

**SCHEDULE 1 – PLAN IDENTIFYING THE LAND, INCLUDING EXISTING AND PROPOSED ZONE BOUNDARIES**



Attachment 1

BOAMBEE

CREEK

131  
D.P.530110

SEVEN BINS

MICROBINS  
JIMING

E2

ROAD

1  
D.P.777555

IN 1

DRIVE

R2

161  
D.P.1180163

SAWTELL

149  
D.P.1129414

HAMILTON

9  
D.P.230891

E2



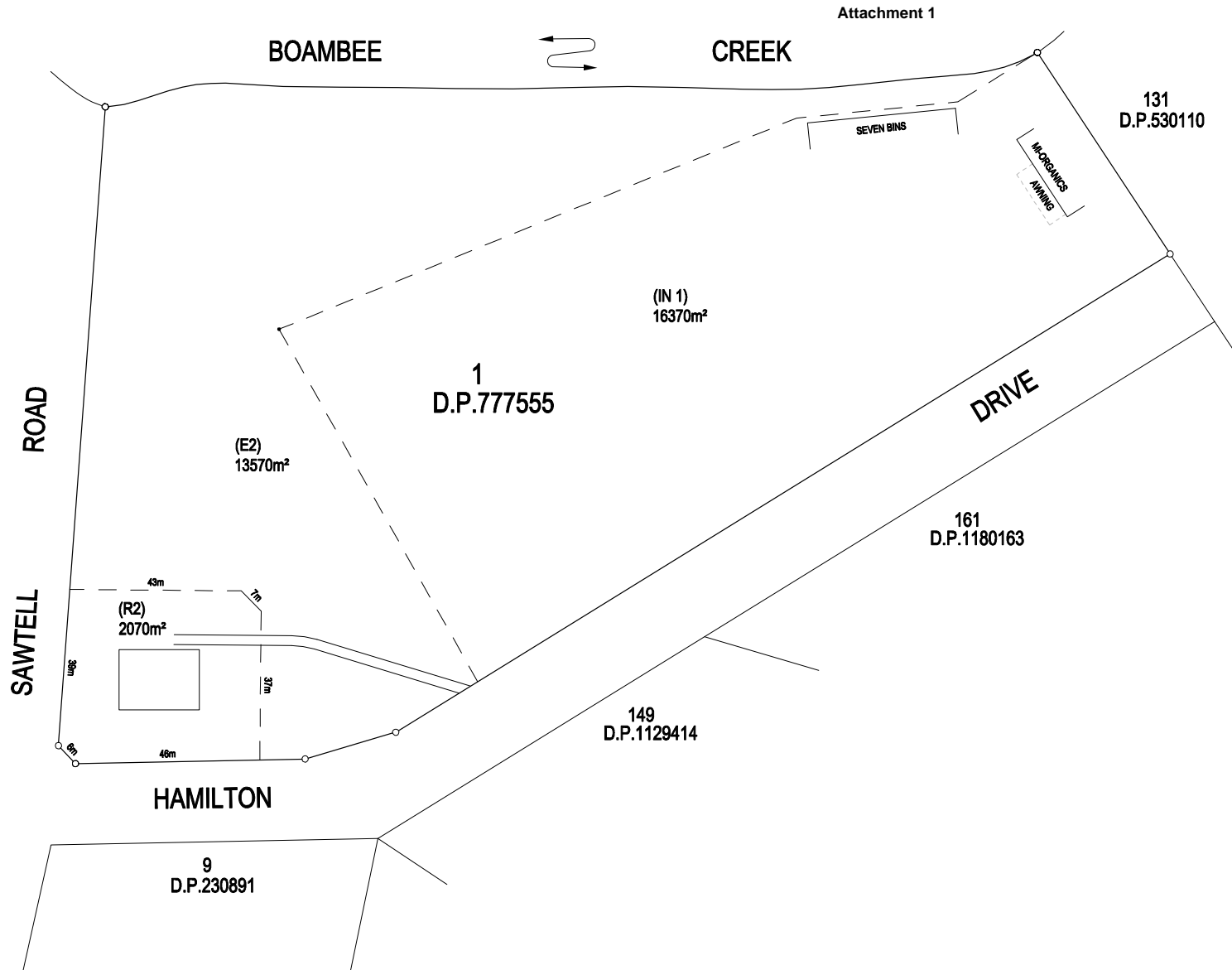
EXISTING ZONE BOUNDARY



MI ORGANICS  
LOT 1 D.P.777555  
HAMILTON DRIVE, BOAMBEE  
CURRENT ZONING

Job Number | 22-15475  
Revision | A  
Date | AUG. 2014

Figure 01



Attachment 1

BOAMBEE

CREEK

131  
D.P.530110

SEVEN BINS

MICROGRAPHS  
PLANTING

(IN 1)  
16370m<sup>2</sup>

1  
D.P.777555

(E2)  
13570m<sup>2</sup>

161  
D.P.1180163

ROAD

DRIVE

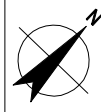
SAWTELL

(R2)  
2070m<sup>2</sup>

149  
D.P.1129414

HAMILTON

9  
D.P.230891



PROPOSED NEW ZONE BOUNDARY - - - - -

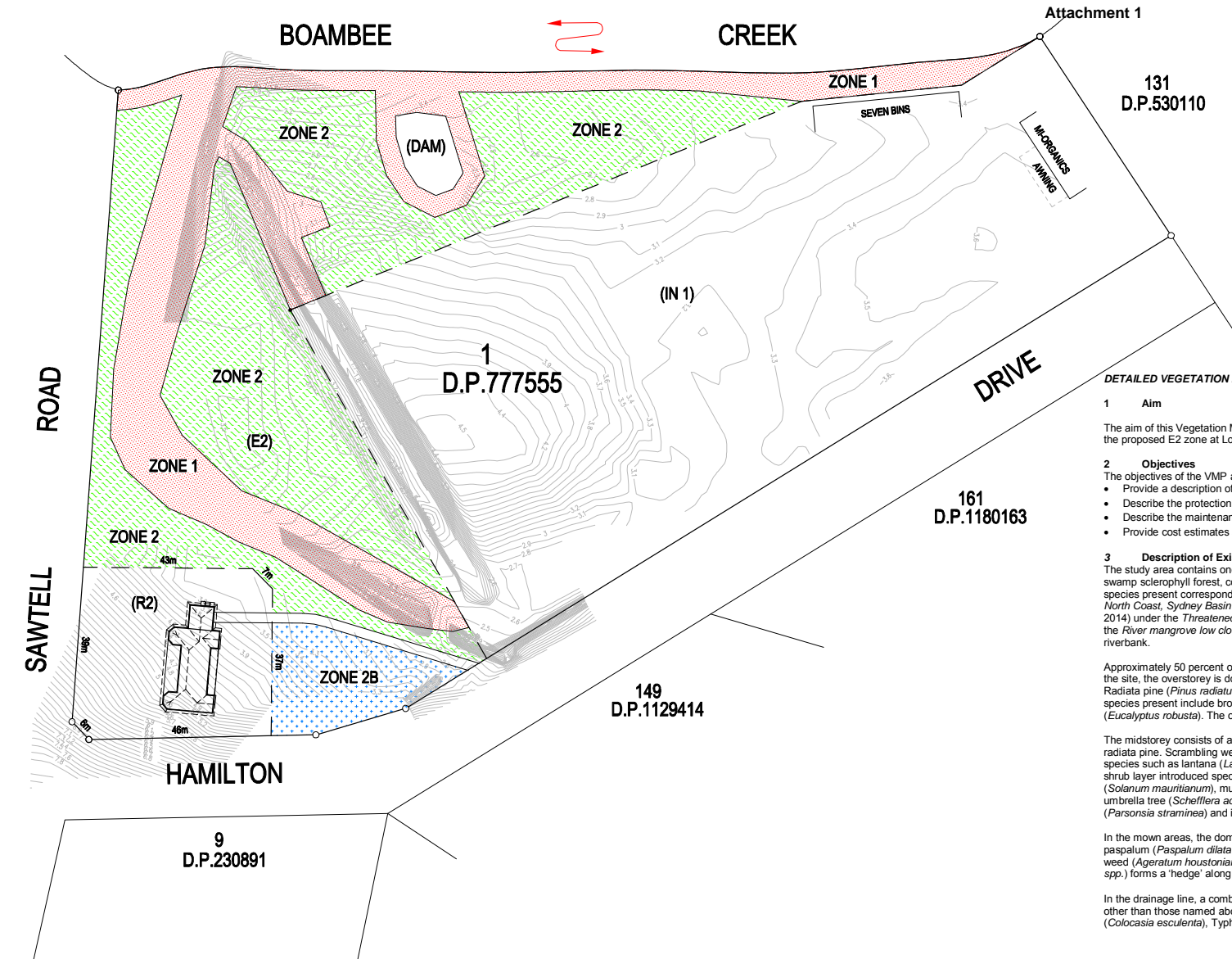


MI ORGANICS  
LOT 1 D.P.777555  
HAMILTON DRIVE, BOAMBEE  
PROPOSED ZONING

Job Number | 22-15475  
Revision | A  
Date | AUG. 2014

Figure 02

**SCHEDULE 2 – VEGETATION MANAGEMENT PLAN (VMP)**



**DETAILED VEGETATION MANAGEMENT PLAN**

**1 Aim**

The aim of this Vegetation Management Plan (VMP) is to rehabilitate the vegetation community within the proposed E2 zone at Lot 5 DP 777555, Hamilton Drive, Boambee.

**2 Objectives**

The objectives of the VMP are:

- Provide a description of the existing vegetation at the site.
- Describe the protection, revegetation and weed control methods required.
- Describe the maintenance activities.
- Provide cost estimates and schedule for the revegetation works.

**3 Description of Existing vegetation**

The study area contains one disturbed vegetation type which is considered to be representative of swamp sclerophyll forest, covering an area of 1.4 ha which includes drainage lines and a dam. The species present correspond with the *Swamp sclerophyll forest on coastal floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions* – endangered ecological listing (OEH 2014) under the *Threatened Species Conservation Act 1995*. Adjacent to this vegetation community is the *River mangrove low closed forest of the NSW Coastal Bioregions* community associated with the riverbank.

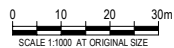
Approximately 50 percent of the E2 site is cleared, and mown grasses dominate. In the remainder of the site, the overstorey is dominated by swamp she-oak (*Casuarina glauca*) along Boambee Creek. Radiata pine (*Pinus radiatus*) dominates along the drainage line which divides the site. Other canopy species present include broad-leaved paperbark (*Melaleuca quinquenervia*) and swamp mahogany (*Eucalyptus robusta*). The overstorey is estimated to be between 10 and 20 metres high.

The midstorey consists of a mixture of immature canopy species including swamp she-oak and radiata pine. Scrambling weed species constitute the main dense shrub layer at this site and include species such as lantana (*Lantana camara*) and Easter cassia (*Senna pendula* var. *glabrata*). Other shrub layer introduced species include tree of heaven (*Ailanthus altissima*), wild tobacco plant (*Solanum mauritanium*), mulberry (*Morus alba*), camphor laurel (*Cinnamomum camphora*) and umbrella tree (*Schefflera actinophylla*). Vines species present include the native monkey rope (*Parsonsia straminea*) and introduced balloon vine (*Cardiospermum grandiflorum*).

In the mown areas, the dominant grass species is introduced kikuyu (*Pennisetum clandestinum*) and paspalum (*Paspalum dilatatum*) with scattered herbaceous weeds throughout, such as blue billygoat weed (*Ageratum houstonianum*) and marshmallow (*Malva parviflora*). A row of Cypress pines (*Callitris* spp.) forms a 'hedge' along the southern boundary.

In the drainage line, a combination of native and introduced species occurs and includes species other than those named above such as coastal morning glory vine (*Ipomoea cairica*), elephants ear (*Colocasia esculenta*), Typha (*Typha orientalis*) and Johnson grass (*Sorghum halepense*).

Continue next figure



PROPOSED NEW ZONE BOUNDARY - - - - -



MI ORGANICS  
 LOT 1 D.P.777555  
 HAMILTON DRIVE, BOAMBEE  
 DETAILED VEGETATION  
 MANAGEMENT PLAN

Job Number | 22-15475  
 Revision | A  
 Date | MAY 2014

Figure 01



**4 Zone 1 – Riparian zones**

Zone 1 includes the water's edge adjacent to the mangrove community on Boambee Creek, around the dam and within the drainage line for a buffer width of 4 m. This zone makes up approximately 0.46 ha (or approx. 34% of the site) and will be comprised of a slightly different combination of species to the remaining zone. The native species in this zone are likely to regenerate when weeds are controlled. To assist the natural regeneration process, revegetation with the species included in Table 1 is recommended.

The actions for Zone 1 are:

- Site preparation including
  - Any erosion control works required to assist with retaining the banks of the creek, drainage line and dam
  - Weed control
- Revegetation
- Maintenance

**Table 1: Suggested Species List**

Species <sup>1</sup>	ZONE 1		ZONE 2	
	Density <sup>2</sup>	Plant # <sup>3</sup>	Density <sup>2</sup>	Plant # <sup>3</sup>
<b>Upper storey/canopy</b>				
River she-oak ( <i>Casuarina glauca</i> )		20		50
Swamp mahogany ( <i>Eucalyptus robusta</i> )	1/10m <sup>2</sup>	5	1/15 m <sup>2</sup>	15
Broad-leaved paperbark ( <i>Melaleuca quinquenervia</i> )		5		15
Swamp box ( <i>Lophostemon suaveolens</i> )		5		15
<b>Mid storey</b>				
Green Wattle ( <i>Acacia irrorata</i> )		10		30
Willow Bottlebrush ( <i>Callistemon salignus</i> )		10		30
Tantoon ( <i>Leptospermum polygalifolium</i> subsp. <i>polygalifolium</i> )	1/10m <sup>2</sup>	10	1/10 m <sup>2</sup>	30
Large-leaved hop-bush ( <i>Dodonaea triquetra</i> )		10		20
Sandpaper Fig ( <i>Ficus coronata</i> )		10		20
Cheesetree ( <i>Glochidion ferdinandi</i> )		10		20
<b>Lower storey/groundcover</b>				
Blue flax lily ( <i>Dianella caerulea</i> )		10		50
Bracken ( <i>Pteridium esculentum</i> )		10		40
Kangaroo grass ( <i>Themeda australis</i> )	1/5m <sup>2</sup>	10	1/5 m <sup>2</sup>	60
Lomandra ( <i>Lomandra longifolia</i> )		10		50
Tall sedge ( <i>Carex appressa</i> )		20		
<b>TOTAL</b>		<b>155</b>		<b>445</b>

<sup>1</sup> If the recommended species are unavailable consult CHCC for suitable replacement species.

<sup>2</sup> This is the desired density of storey not the density of individual species.

<sup>3</sup> This accounts for natural regeneration.

**5 Zone 2 – Mown area**

Zone 2 is the area that is currently mown and dominated by introduced grasses. This Zone covers approximately 0.87 ha (or approx. 64% of the site). It is recommended that revegetation in this area includes the species listed in Table 1, planted into clumps or groups associated with the riparian plantings, rather than evenly distributed across the site. This will more closely resemble a natural distribution.

Zone 2B is essentially the same as Zone 2 but it has overhead power lines, includes the access to the dwelling and is adjacent to the dwelling. This means tall species should not be planted below the power lines or near the boundary of the R2 zone and the density of planting should be less than the remaining Zone 2 area.

The actions for Zone 2 are:

- Site preparation including weed control
- Revegetation
- Ongoing maintenance

**6 Site Preparation**

The removal of weeds and their seeds from the site is very important to the success of the revegetation works. All weeds and their seeds should be bagged and removed from the site to an appropriate waste facility. The appropriate treatment methods should be employed as described in Table 2 where complete removal is not appropriate. No machines will be used within the restoration zones in order to avoid compaction of the soil.

**7 Weed Control**

Weed control is vital to the success of the revegetation. The noxious and environmental weed species observed at the site and their recommended control method are provided below. Some plants may require a follow-up treatment. Extra care should be taken when manually removing plants with underground tubers, in order to remove all underground parts and prevent regrowth. Removal of mature pine trees may be undertaken by stem injection and allowing to rot away in place, or alternatively they can be chainsawed close to ground level and painted with herbicide (chainsaw work has not been costed).

Weed control with herbicide should always be undertaken during active growing periods. The appropriate amount and application method for herbicides should be achieved through adherence to the directions on the label. Only herbicides approved for use near waterways should be used given the proximity of the site to Boambee Creek.

Scientific Name	Common Name	Noxious in Coffs Harbour City Council <sup>6</sup>	Control Methods				
			Cut & paint <sup>1</sup>	Scape & Paint <sup>1</sup>	Direct Inject <sup>1</sup>	Spot Spraying <sup>1</sup>	Manual Remove
<i>Ageratum houstonianum</i>	Blue Billy Goat Weed					v	v
<i>Allanhus altissima</i>	Tree of heaven		v				v3
<i>Cardiospermum grandiflorum</i>	Balloon vine			v			v
<i>Cyperus spp.</i>	Cyperus pine				v4		v
<i>Dactyloctenium aegyptium</i>	Farmers Friends					v	v
<i>Cinnamomum camphora</i>	Camphor laurel		v3		v4		v3
<i>Colocasia esculenta</i>	Elephant's ear					v	v
<i>Gomphocarpus fruticosus</i>	Cotton Bush		v			v	v
<i>Bomarea calrica</i>	Coastal morning glory		v4			v	v
<i>Lantana camara</i>	Lantana	4 & 5			v	v	v
<i>Malva parviflora</i>	Marshmallow					v	v
<i>Morus alba</i>	Mulberry				v4		v3
<i>Paspalum dilatatum</i>	Paspalum					v	v
<i>Pennisetum clandestinum</i>	Kikuyu					v	v
<i>Pinus radiata</i>	Radiata pine				v4		v
<i>Senna pendula</i>	Eastern Cassia/Senna		v			v5	
<i>Schefflera actinophylla</i>	Umbrella tree				v4		v2
<i>Solanum mauritanium</i>	Wild tobacco plant		v				v2
<i>Sorghum halepense</i>	Johnson grass	4				v	v

<sup>1</sup> Glyphosate unless specified; <sup>2</sup> Seedlings; <sup>3</sup> Saplings; <sup>4</sup> Mature plants; <sup>5</sup> Large infestations; <sup>6</sup> Small infestations; <sup>7</sup> Grazon;

<sup>8</sup> Metsulfuron-methyl; <sup>9</sup> Glyphosate & Metasulfuron-methyl mix; <sup>10</sup> Penetrant; <sup>11</sup> Bromoxynil

<sup>12</sup> Class = control level required under the Noxious Weeds Act 1993

**8 Revegetation**

Ideally, planting should be done at the start of autumn but due to the mild climate of the area, planting anytime during the year should not cause a significant problem. The tube stock, where possible, should be sourced from nurseries that use local seed stock, ideally from within the Coffs Harbour area (e.g. Coffs Coast Bush Regeneration, Orara Valley Nursery, Thumb Creek Nursery or Lace Bark Native Nursery).

The planting method includes:

- If the area is vegetated by grass spot spray or halo spray a 1 m diameter area with a suitable herbicide, one week before planting
- Soak all plants before planting
- Make a hole large enough for the tube stock
- Add water crystals and a slow release fertiliser suitable for native species
- Remove the plant from the container being careful not to damage the roots
- Insert the plant into the hole so that the base of the stem is a little below the surrounding ground
- Firm the soil around the root ball to remove air gaps
- Water the plant with at least 2L of water
- Mulch the plant using native tree mulch, weed mats or saw dust. Make sure the mulch is not against the stem of the plant
- Install a protective guard using wooden/bamboo stakes or milk carton
- Water weekly for the first month. Further watering may be required if there is no rain

**Attachment 1**

**9 Maintenance and Monitoring**

Regular maintenance activities will include:

- Follow-up watering
- Repairing damaged tree guards
- Monitoring survival rates and installing replacement plants where required
- Weed control and continued follow-up spot spraying, hand removal, etc as required

**10 Reporting**

Reporting may be required to be completed by the proponent or their qualified representative at the following stages:

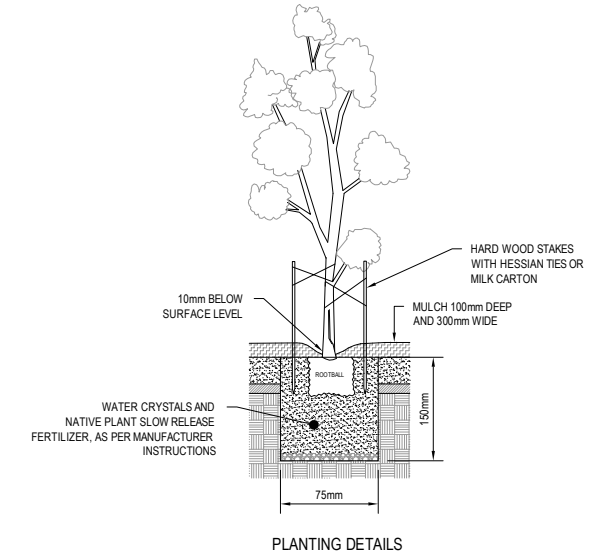
- Completion of initial planting
- After each maintenance and monitoring period – 3 monthly in Year 1, 6 monthly thereafter
- At completion of 5 year maintenance and monitoring period

**11 Costing and Schedule**

The following table provides an indicative schedule and costs for the revegetation works. Completion of the revegetation works is the responsibility of the landowner but it is recommended that a qualified bush regenerators contractor be engaged to do the works. The indicative costs are based on commercial rates 2013/14 with an accuracy of ± 40%.

Task <sup>*</sup>	Year 1	Year 2	Year 3	Year 4	Year 5	Costs
Site Preparation						\$1,000
Planting						\$5,120
Maintenance/Monitoring						\$5,080
<b>Total</b>	\$9,300	\$680	\$680	\$680	\$680	\$12,200

<sup>\*</sup> See details for requirements of each task.



MI ORGANICS  
LOT 1 D.P.777555  
HAMILTON DRIVE, BOAMBEE  
VMP NOTES

Job Number | 22-15475  
Revision | A  
Date | MAY 2014

**Figure 02**



Executed as an Agreement

Executed for and on behalf of Coffs Harbour City Council by its authorised delegate, in accordance with a resolution of the Council dated \_\_\_\_\_ :

\_\_\_\_\_  
Signature of authorised delegate

\_\_\_\_\_  
Signature of witness

\_\_\_\_\_  
Name of authorised delegate

\_\_\_\_\_  
Name of witness

Executed by Jon Robert William Tait in the presence of:

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Jon Robert William Tait

\_\_\_\_\_  
Name of Witness

\_\_\_\_\_  
Address of Witness

GHD

230 Harbour Drive  
 Coffs Harbour NSW 2450  
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Document Status

Rev No.	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
1	S Lawer	B Luffman		R Berg		Jul 14
2	B Luffman	S Lawer		R Berg		Aug 14
3	B Luffman	S Lawer	<i>S Lawer</i>	R Berg	<i>R Berg</i>	18 Aug 14

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**PLANNING PROPOSAL - PP\_2014\_COFFS\_004\_00 FOR LOT 1, DP417132, 2  
ARRAWARRA ROAD, MULLAWAY**

---

**Purpose:**

The purpose of this report is to present to Council a Planning Proposal (PP) for the land cited above, consistent with Council's Our Living City (OLC) Settlement Strategy.

The report recommends that Council seek a Gateway Determination from NSW Planning and Environment (P&E) requesting to place the PP on public exhibition. The report also recommends that Council consider the outcome of the exhibition in a future Council report. The PP is included as Attachment 1 to this report.

The following locality plan illustrates the subject site.



**Background:**

Council's OLC Settlement Strategy was endorsed by the then Department of Planning (now NSW P&E) in 2009.

This report refers to the identification of this land by that Strategy as a Priority 3 (2016+) Urban Investigation Area.

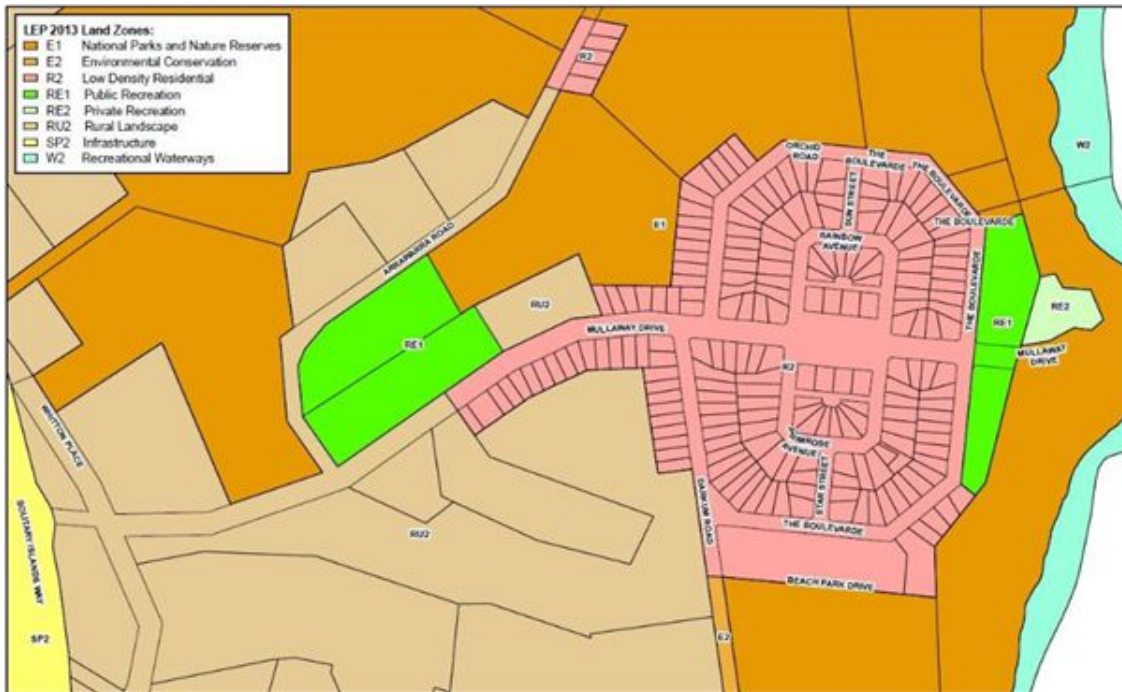
Council has undertaken significant urban rezonings of Priority 1 areas such as South Coffs, North Coffs and Bonville Golf Resort. In this case, Council has received a privately funded PP for a smaller area of land which adjoins Mullaway village. It is proposed that the subject land (Lot 1, DP417132) be rezoned from Part RU2 Rural Landscape and Part RE1 Public Recreation to R2 Low Density Residential, consistent with Council's OLC Settlement Strategy.



**Description of Item:**

The subject land is located on the northern side of Mullaway Drive, between the existing village of Mullaway and Solitary Islands Way (formerly Pacific Highway).

A map of the current zoning of the land is shown below:



This PP seeks to rezone the land from its current zones to R2 Low Density Residential. The land has an area of 3.112 hectares and a potential yield of 22 additional residential lots.

The proposed zoning, as per the PP, is shown on the following map:



The proposed zoning also necessitates amendment to the following attribute map of Coffs Harbour Local Environmental Plan (LEP) 2013:

- Minimum Lot Size (LSZ): from 40 hectares in the RU2 zone to 400m<sup>2</sup> in the proposed R2 zone.

#### **Sustainability Assessment:**

Any amendment to the Coffs Harbour LEP must address environmental, social, civic leadership and economic sustainability criteria.

- **Environment**

Environmental sustainability issues which are addressed by the PP include:

- flora, fauna and biodiversity;
- hydrology;
- geotechnics;
- slope;
- contaminated land;
- bush fire risk; and
- archaeology.

- **Social**

Social sustainability issues which are addressed by the PP include:

- visual amenity and urban design; and
- new housing opportunities located close to the village of Mullaway.

- **Civic Leadership**

Civic Leadership is demonstrated in this report by the PP addressing the following themes and objectives of Coffs Harbour 2030 Community Strategic Plan:

- **Places for Living**
  - Our infrastructure and urban development is designed for sustainable living.
  - We reinforce the unique identity of villages and communities.
- **Looking after our Environment**
  - Our natural environment and wildlife are conserved for future generations.
  - We reduce our impact on the environment.

- **Economic**

#### **Broader Economic Implications**

The PP aims to create a new residential option for Mullaway and provides a liveable residential area which is sensitive to the surrounding environment. The location is close to existing services and will not impact on Council's Operational Plan.



### **Delivery Program/Operational Plan Implications**

There are no immediate financial implications or impacts on Council by progressing the PP – this process is on a user pays basis – i.e. the administration and processing costs associated with the PP are funded by the proponent/ land owner.

### **Risk Analysis:**

Supply of the following infrastructure is required should the land be developed for residential purposes:

- extension of reticulated water and sewerage services;
- half-road reconstruction of Mullaway Drive at the frontage of the land;
- stormwater drainage; and
- kerb, gutter and concrete footpath/cycleway from Arrawarra Road to Orchid Road.

These issues are to be addressed at development application (DA) stage and are to be funded by the applicant according to the current rate of developer contributions which apply to the land.

This PP is considered to be of low risk to Council and has no detrimental impacts on Council's Operational Plans.

### **Consultation:**

The PP was referred to all relevant Council departments and input has been received from those departments.

Should Council resolve to progress the PP, and NSW P&E endorse the public exhibition, the PP will be required to be exhibited under the terms of the Gateway Determination, and the provisions of the Environmental Planning and Assessment (EP&A) Act 1979.

### **Related Policy and / or Precedents:**

The following policies and statutory documents are relevant to this report, and have been addressed by the PP:

- Coffs Harbour LEP 2013;
- Our Living City Settlement Strategy 2009;
- Open Space Strategy 2010;
- Planning for Bush Fire Protection 2006;
- Mid North Coast Regional Strategy and Growth Area Maps;
- State Environmental Planning Policies (SEPPs);
- NSW P&E Section 117 Ministerial Directions;
- Environmental Planning and Assessment Act 1979 and Regulations;
- Coffs Harbour 2030 Plan; and
- Land Use Conflict in Rural Areas.

### **Statutory Requirements:**

The PP has been prepared in accordance with the EP&A Act 1979 and Regulations.

**Issues:**

- **Our Living City Settlement Strategy**

The land has been identified as a Priority 3 (2016+) Urban Investigation Area by the OLC Settlement Strategy. It is reasonable to consider this land in the shorter term to provide residential opportunities in the village of Mullaway. It is the only land in Mullaway village which is identified by the OLC Settlement Strategy, and adjoins the existing residential area of Mullaway to the east. The PP demonstrates a logical extension to Mullaway village, is consistent with the long-term objectives of Council's OLC Settlement Strategy, and can be serviced by extending existing water and sewer infrastructure.

- **Bush Fire Risk**

The northern boundary of the land adjoins a National Parks and Wildlife Service holding which is identified as being Bush Fire Prone. It is considered that the subject land is of sufficient area to provide adequate buffers and allows for provision of a six metre wide fire trail (dedicated to Council) to be used as emergency access in the case of a bush fire. Council will be responsible for the maintenance of this proposed fire trail. The fire trail also acts as a visual buffer between the bushland and proposed housing, which will enhance the overall visual amenity of the residential area. The proposed dedication to Council has been supported by Council's Parks Branch.

It is anticipated that Bush Fire Risk will also be addressed during the public exhibition period as it is likely that Council will be required to consult with the NSW Rural Fire Service (RFS) to ensure compliance with *Planning for Bush Fire Protection 2006*, which is the regulatory instrument which applies when assessing Bush Fire Risk.

- **Open Space Strategy 2010**

Part of the land is zoned RE1 Public Recreation. In most cases, land that is zoned RE1 is owned and managed by Council. In this instance, the land is privately owned.

The land zoned RE1 was considered by Council in the preparation of the Open Space Strategy 2010. It was determined, by that Strategy, that the land was not suitable (in size or configuration) to achieve a sports field without encroaching into adjoining holdings of bushland which are managed by the National Parks and Wildlife Service.

As the land is not required by Council, the current RE1 zoning is inappropriate and amendment to a low density residential zoning is supported.

**Implementation Date / Priority:**

Should Council resolve to progress this PP, it will be immediately forwarded to P&E requesting the Gateway Determination.

The timeframe for a PP is governed by the EP&A Act 1979. The timeframe commences on the date that the PP is forwarded to P&E, and under the terms of the Gateway Determination.

**Recommendation:**

1. That Council endorse and forward the subject Planning Proposal to NSW Planning and Environment seeking a "Gateway Determination" for the rezoning of Lot 1, DP417132, 2 Arrawarra Road, Mullaway as shown in Attachment 1 to this report.
2. That subject to the "Gateway Determination" from NSW Planning and Environment, Council place the Planning Proposal on public exhibition.
3. That a further report be considered by Council following the outcome of the public exhibition.
4. That the landowner be informed of Council's decision.

# BENNELL & ASSOCIATES

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**Report:** Planning Proposal

**Proposal:** Rezoning of the land to R2 Low  
Density Residential

**Property:** Lot 1 DP 417132,  
Mullaway Drive, Mullaway

**Owners:** Amarjit Singh More, Jagiro Mann and  
Jagtar Singh Mann

**Author:** Bennell & Associates

**Date:** 23 June 2014



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# Section 1

## Summary

*Bennell and Associates* has been engaged by Messer's Amarjit Singh More, Jagiro Mann and Jagtar Singh Mann to prepare this Planning Proposal Report in support of the rezoning of the subject land to R2 Low Density Housing to allow the land to be subdivided into 23 allotments and developed for detached dwellings.

The subject land is almost rectangular in shape and supports a single dwelling house, a small dam, cleared grasslands and scattered trees. The land has been used for the grazing of horses for close to 20 years. The real property description of the land is Lot 1, DP417132 and the land has an area of 3.122 hectares. The land is relatively flat and has an extensive frontage to Mullaway Drive of over 400m.

Part of the land was identified as a site for a future sports field and subsequently zoned 6A Open Space (Public Recreation) under Coffs Harbour City Local Environmental Plan 2000. The land has since been zoned part 'RU2 Rural Landscape' and part 'RE1 Public Recreation' under Coffs Harbour LEP 2013. That part of the land zoned for open space purposes was considered in the preparation of the 2010 Open Space Strategy wherein it was found that the land was not of a suitable size or configuration to achieve a sports field without significant incursion into the adjacent National Parks and Wildlife Service (NPWS) holding. The land is not suitable and is no longer required for a sports field and the current zoning for this purpose is inappropriate.



Concept Development Plan

Planning Proposal Report ..... 1



The Coffs Harbour City Council Our Living City (OLC) Settlement Strategy to guide urban development in the LGA for the next 23 years nominated those parts of the subject land outside of the open space zone as an investigation area for residential purposes for release after 2016. The land was nominated for long term release, instead of short or medium term release, because of concerns over the traffic and safety issues associated with the old Pacific Highway (now the Solitary Islands Way). The Pacific Highway now bypasses Mullaway and the Solitary Islands Way is effectively a collector road. Safe ingress and egress is available from the Solitary Islands Way to Mullaway Drive and this impediment to the release of land has been removed. Nevertheless, allowing for rezoning and development lead times, it is expected that the land will be not available for housing development in until 2016.

The Planning Proposal is for the rezoning of the land to 'R2 Low Density Residential' in keeping with the zoning applying to the adjoining land. The proposed rezoning is to allow the development of the land as shown in the concept development plan. Whilst the R2 zone allows a wide range of uses compatible with a low density housing environment, the most likely development of the land, and indeed the owner's intention, is for detached housing development upon the land.

The concept plan envisages the development of the land for 23 Torrens title allotments with each allotment having an area in excess of 1000m<sup>2</sup>. A fire trail is proposed to be provided and dedicated to Council as public land along the bushland interface. The area to be dedicated will include some bushland areas that extend into the property and beyond the existing fence line. A 30m asset protection zone (bushfire buffer) is available to all allotments. The proposed concept layout has been designed to protect the existing trees on the land; the rezoning does not necessitate the removal of any trees on the land.

The proposal presents an opportunity to provide street trees and to extend the off road cycleway along Mullaway Drive to connect with the existing off road cycleway in Arrawarra Road; this is particularly important for the safety of children accessing Mullaway Primary School.

The subject land is free of prohibiting constraints and adjoins land zoned for residential purposes. The land can be serviced with reticulated water and sewer and has direct, safe access to Mullaway Drive. The proposal represents a logical extension of the residential zone and will provide for additional housing stock in an area with limited supply. The proposal also represents a better outcome from an ecological and land use conflict point of view than the use of the land for a sports field as originally envisaged; adequate sports fields are available in the district to service the local population.

The land adjoins an important bushland reserve and is subject to bushfire hazard. The land is of sufficient area to allow for the provision of adequate fire buffers and a fire trail that can provide for emergency access in the case of a fire and will also provide a demarcation between the bushland and the residential area to help reduce impacts upon the bushland. This report recommends other measures to reduce impacts upon the ecology of the area and to maintain water quality.

The proposal will provide for a contribution of over \$500,000.00 to community services and facilities and will provide for a significant boost to the local economy through housing construction and development of the land. The proposal will provide an overall socio- economic benefit to the local community.

The proposal is in keeping with Council's settlement strategy which provides for ecologically sustainable human settlement and provides for a logical extension of the Mullaway Village and is worthy of Council's support.

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## Section 2

# Introduction

*Bennell and Associates* has been engaged by the owners of the land (Amarjit Singh More, Jagiro Mann and Jagtar Singh Mann) to prepare this Planning Proposal Report in support of the rezoning of the land to R2Low Density Housing. The subject land and the locality are shown in Figures 1 and 2 below.



Figure 1: Locality (source CHCC GIS)



Figure 2: Subject Land (source CHCC GIS)

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## 2.1 Background:

The subject land is almost rectangular in shape and supports a single dwelling house, a small dam, cleared grasslands and forested lands. The existing dwelling house is a single storey brick dwelling with an access driveway to Arrawarra Road and Mullaway Drive. The cleared lands have been used for the grazing of horses for close to 20 years. The real property description of the land is Lot 1, DP417132 and the land has an area of 3.11 hectares; Appendix A includes a Survey Plan by Blair Lanskey Russel Surveyors. The land has an extensive frontage of approximately 408m to Mullaway Drive and a frontage of 81m to Arrawarra Road. The land has an average depth of approximately 75m and has a gradual fall from west (33m Australian Height Datum (AHD)) to east (12m AHD) and a cross fall from the front (i.e. south) of the site to the rear (i.e. north).

The land was zoned 'Rural 1(b) Secondary Agriculture' under Coffs Harbour Local Environmental Plan (LEP) 1988. Following approaches to Coffs Harbour City Council from the local community of Mullaway and Arrawarra and development of Council's Open Space Needs Study, part of the land was identified as a site for a future sports field and subsequently zoned 6A Open Space (Public Recreation) under Coffs Harbour City Local Environmental Plan 2000. The land has since been zoned part 'RU2 Rural Landscape' and part 'RE1 Public Recreation' under Coffs Harbour LEP 2013.

In 2008 Coffs Harbour City Council prepared the Our Living City (OLC) Settlement Strategy to guide urban development in the LGA for the next 23 years; this Strategy is an update of the earlier 1996 Urban Development Strategy. The OLC Settlement Strategy was prepared to meet the obligations for urban release strategies under the North Coast Regional Environmental Plan. The OLC Settlement Strategy nominates areas to be zoned or investigated for urban and rural residential purposes. The OLC Settlement Strategy nominated those parts of the subject land outside of the open space zone as an "investigation area for residential purposes. The land was identified as a 'Long Term' priority to be released after 2016.



Figure 3: Extract from 2008 OLC Settlement Strategy



The land was nominated for long term rerelease because of concerns over the traffic and safety issues associated with the old Pacific Highway (now the Solitary Islands Way). The Pacific Highway now bypasses Mullaway and the Solitary Islands Way (old Pacific Highway) is effectively a collector road. Safe ingress and egress is available from the Solitary Islands Way to Mullaway Drive and this impediment to the release of land has been removed.

That part of the land zoned for open space purposes was considered in the preparation of the 2010 Open Space Strategy wherein it was found that the land was not of a suitable size or configuration to achieve a sports field without significant incursion into the adjacent National Parks and Wildlife Service (NPWS) holding.

A meeting was held with Council officers on 8 October 2013 to discuss the possible rezoning of the land and it was agreed that the most appropriate way forward is to prepare a Planning Proposal for the rezoning of the land for low density housing. Council noted that neither Council nor the NPWS would be willing to inherit management of any future asset protection zones required as part of the development of the land for housing.

## 2.2 Planning Proposal Process

A gateway determination is issued by the Minister for Planning (or delegate) and specifies whether a planning proposal is to proceed and, if so, in what circumstances (Environmental Planning and Assessment Act, 1979 (EP&A Act 1979) - Section 56).

The purpose of the gateway determination is to ensure there is sufficient justification early in the process to proceed with a planning proposal. The gateway determination is a checkpoint for planning proposals before significant resources are committed to carrying out technical studies and investigations.

**Gateway Process:** The gateway process has the following five steps:

- **Step 1 Planning proposal** – the relevant planning authority is responsible for the preparation of a planning proposal, which explains the effect of and justification for the plan. If initiated by the Minister (rather than the local council which is mostly the case) the Minister can appoint the Director-General or a joint regional planning panel to be the relevant planning authority.
- **Step 2 Gateway** – The Minister or delegate) determines whether the planning proposal is to proceed. This Gateway acts as a checkpoint to ensure that the proposal is justified before further studies are done and resources are allocated to the preparation of a plan. A community consultation process is also determined at this time. Consultations occur with relevant public authorities and, if necessary, the proposal is varied.
- **Step 3 Community consultation** – the proposal is publicly exhibited (generally low impact proposals for 14 days, others for 28 days). A person making a submission may also request a public hearing be held.
- **Step 4 Assessment** – The relevant planning authority considers public submissions and the proposal may be varied as necessary. Parliamentary Counsel then prepares a draft local environmental plan – the legal instrument.
- **Step 5 Decision** – With the Minister’s (or delegate’s) approval the plan becomes law.

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## 2.3 Scope of Report

This report provides for the information with respect to Step 1 and provides an outline of the proposal, a justification of the proposal and deals with the matters that are required to be addressed by Council. The structure of the report is as follows:

### The Proposal

- Objectives
- Intended outcomes
- Planning proposal

### Local Strategies

- Our Living City Settlement Strategy
- Local Environmental Plan
- Development Control Plans
- Contribution Plans

### State and Regional Policies, Ministerial Directions

- Mid North Coast Regional Strategy;
- North Coast Regional Environmental Plan;
- State Environmental Planning Policies;
- NSW Coastal Policy; and
- Ministerial Directions

### Environmental Impacts

- Flora and fauna/biodiversity;
- Visual amenity and Urban Design;
- Geotechnics, slope and contaminated land;
- Potential acid sulphate soils;
- Bushfire risk; and
- Archaeology.

### Urban Capability Assessment

- Hydrology (i.e. flooding, water quality and groundwater);
- Traffic network and access (e.g. pedestrian and cycleway access, public transport); and
- Water and sewer supply.

### Other Issues

- Land use conflicts;
- Consultation; and
- Commonwealth interests.

## Section 3

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# The Proposal

## 3.1 Objectives

The objectives of this planning proposal are:

- To provide for the development of the land for low density housing in keeping with the land’s environmental and servicing capacity;
- To help provide for the future housing needs of the locality;
- To ensure the development of the land can be provided in a cost effective manner and in keeping with Coffs harbour City Council’s growth management Strategy; and
- To enable the protection of the land’s biodiversity.

## 3.2 Intended Outcomes

The intended outcomes from the rezoning are:

- The development of the land for low density housing that adds 22 dwellings to the housing supply in the Mullaway and Arrawarra locality;
- A rezoning that removes the cost burden to the community of acquiring land that is no longer needed for open space purposes;
- A development that provides the impetus for an extension to the off road cycle way network;
- A neutral impact in terms of water management, flora and fauna and a beneficial impact in terms of urban design and good strategic planning;
- A new development upon the land that meets the best practice measures in relation to environmental hazards;
- The creation of jobs during subdivision and housing construction and investment from household expenditure after construction and contribution of over \$500,000.00 to community services and facilities;
- The development of a low density housing estate that is in keeping with Council’s design excellence criteria and that makes a positive contribution to the settlement pattern and urban form of the Arrawarra and Mullaway locality; and
- Protection of the biodiversity values of the land.

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### 3.3 Planning Proposal

The land is currently zoned part 'RU2 Rural Landscape' and part RE1 Public Recreation under Coffs Harbour Local Environmental Plan (LEP) 2013 as shown in Figure 4 below. Refer to land use tables below for the permitted and prohibited uses.



Figure 4: Current Zoning under LEP 2013 (source CHCC GIS)

The Planning Proposal is for the rezoning of the land to 'R2 Low Density Residential' in keeping with the zoning applying to the adjoining land.



Figure 5: Proposed Zoning

Figure 6 below shows the site plan of the existing site proposed to be rezoned..



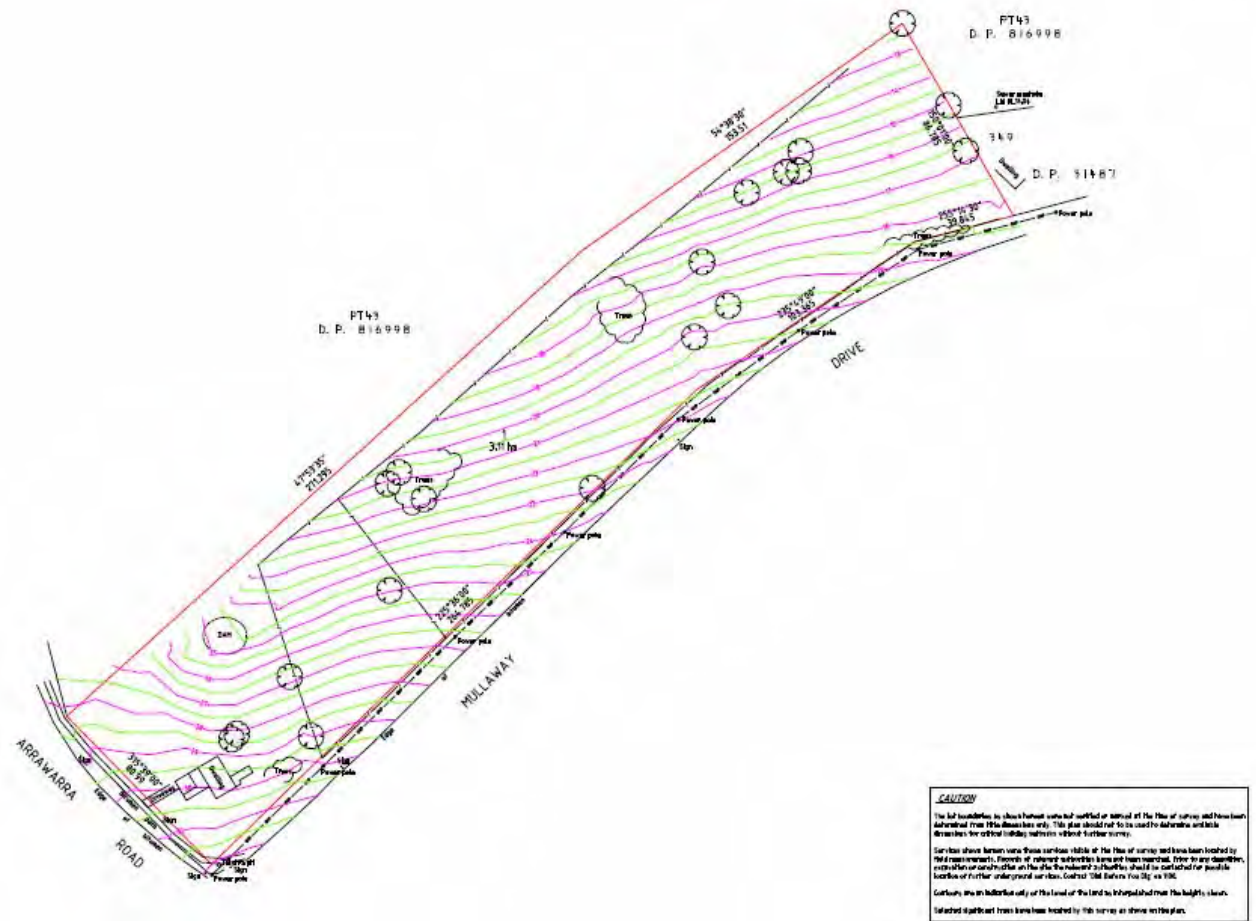


Figure 6: Site Plan

The proposed rezoning is to allow the development of the land as shown in the concept subdivision plan and housing development plan included in Figures 7 and 8; details of these plans are included in Appendix B. The concept plans envisage the development of the land for 20 Torrens title allotments with the asset protection zone accommodated within each allotment. The proposed concept layout has been designed to protect the existing trees on the land; the rezoning does not necessitate the removal of any trees on the land.

The lots are to be in the range of 1000m2 and are likely to be developed for single detached dwelling houses; this is despite the range of uses permitted under the R2 zone, refer to land use table below. Access to the lots will be via Mullaway Drive. A 6m wide fire trail extending along the rear of the properties is also proposed. The concept plan envisages the development of the land for 23 Torrens title allotments. A fire trail is proposed to be provided and dedicated to Council as public land. This will include some bushland areas that extend into the property and beyond the existing fence line. A 30m asset protection zone is available to all allotments. The proposed concept layout has been designed to protect the existing trees on the land; the rezoning does not necessitate the removal of any trees on the land.

The fire trail will provide access for emergency fire fighting vehicles will also provide a buffer and demarcation between the bushland and the residential area to reduce edge conflicts. An opportunity to extend the off road cycleway and to provide street trees along Mullaway Drive is also presented in the proposal.



Figure 7: Subdivision Concept



Figure 8: Housing Development Concept



Zone R2 Low Density Residential	
<b>1.Objectives of zone</b>	To provide for the housing needs of the community within a low density residential environment. To enable other land uses that provide facilities or services to meet the day to day needs of residents.
<b>2. Permitted without consent</b>	Building identification signs; Home-based child care; Home occupations.
<b>3. Permitted with consent</b>	Attached dwellings; Bed and breakfast accommodation; Boarding houses; Business identification signs; Caravan parks; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Kiosks; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Water storage facilities
<b>4. Prohibited</b>	Any development not specified in item 2 or 3



View of subject land



Existing dwelling on subject land

## Section 4

# Local Strategic Directions

There are a number of local policy documents that are used to guide rezoning and development decisions within the Coffs Harbour City Local Government Area. The main documents of relevance to this proposal are:

- Our Living City Strategy.
- Coffs Harbour Local Environmental Plan 2013;
- Draft North Coffs Development Control Plan; and
- Coffs Harbour City Contribution Plans.

### 4.1 Our Living City Strategy

As stated above, the Our Living City Strategy (OLC Strategy) is Council’s Growth Management Strategy prepared in 2008 to set out a future for the growth and development of the Local Government Area to the year 2031. The goal of the OLC Strategy is to foster healthy urban communities which contribute to delivering the following Vision for the City:

*The Healthy City, the Smart City and the Cultural City for our Future.*

The OLC strategy projects a population of 99,000 people by 2031 with 94,000 accommodated in existing zoned areas and the balance of 6000 people accommodated in Greenfield sites. The OLC Strategy states that;

The OLC Strategy calculates a demand for 15,499 new dwellings to house the additional population and suggests that 3,726 dwellings will be required in new residential zones by 2031. The OLC Strategy states that the Coffs Harbour Urban area will experience a shortfall in land in the next 3-8 years and has identified the North Coffs Area, which includes the subject land, as part of the residential land supply to meet this demand.

As can be seen by the extract from OLC Strategy map above (Figure 3) the subject land was identified as a ‘Long Term’ priority to be released after 2016. The rezoning of the subject land will enable the supply of land to be available after 2016 as there is a significant lag time between the resolution to rezone land; preparation of planning documents; gazetting of the rezoning; lodgement and determination of the subdivision application; certification of the subdivision; and eventual sale and development of housing on the identified land. It is expected that this process takes over two years to complete and will in effect provide for housing from 2016 -2018 in accordance with Council’s projected timetable.

With the supply of land in Corindi Beach and Safety Beach coming close to exhaustion and limited supply of land in Mullaway and Arrawarra, the upper Northern Beaches District will have severely restricted land stocks in the near future which will lead to increases in land costs. Increases in the cost of land reduces affordability, restricts first home owners from entering the housing market and ultimately skews the population profile so that a younger household cohort is not well represented. It being noted that a more balanced heterogeneous population is likely to make better use of a broader range of commercial and retail services and community services and facilities; this in turn improves economic sustainability.

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The Arrawarra Mullaway area is strategically positioned in close proximity to the Woolgoolga Town Centre and is well served by a primary school that will be in need of an increased resident population to maintain pupil numbers in the future.

In terms of environmental sustainability, the OLC Strategy seeks to protect existing habitat areas and protect these areas from adverse impacts; the OLC Strategy is particularly interested in ensuring that the beaches, natural habitat, clean water and open spaces areas are preserved and maintained for enjoyment by existing and future generations.

As stated above, part of the proposal is for the protection of the vegetated parts of the land to help maintain water quality and the flora and fauna values of the land.

The proposal is consistent with this strategy.

## 4.2 Coffs Harbour Local Environmental Plan

The proposal is for an amendment to the Coffs Harbour Local Environmental Plan (LEP 2013) by way of a change to the 'Land Zoning map' and 'Lot Size map'; these are addressed below.

LEP 2013 has a number of provisions that provide for the orderly development of the land and any future development of the land; the relevant Clauses are 2.3, 2.6, 4.1, 4.3, 5.5, 7.1, 7.4, 7.8, 7.11, 7.13 and these are addressed below:

**Clause 2.3 Zone Objectives and Land Use Table:** This clause requires the consent authority to have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. As stated above the proposal is for rezoning of the land to the land R2 Low Density Residential. The objectives of this zone are:

### R2 Zone Objectives

*To provide for the housing needs of the community within a low density residential environment.*

*To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Any future development of the land will be tested against these objectives and will need to meet these objectives. The development of the cleared parts of the land for housing and protection of the existing trees on the land is in keeping with the intent of these broad objectives.

**Clause 2.6 Subdivision:** Requires consent for the subdivision of the subject land.

**Clause 4.1 Minimum Subdivision Lot Size:** Under this clause the size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land. The proposal is for an amendment to the lot size map to allow for the subdivision of the land as shown in the concept plan above. In this regard it is proposed to have a minimum lot size of 400m<sup>2</sup> applying to the land consistent with the minimum lot size applying to nearby lands. This will then allow for conventional lots in a Torrens title subdivision with lots in the order of 1000m<sup>2</sup> in area. As can be seen by Figure 9 below part of the land has a 40ha minimum lot size and part of the land has no minimum lot size.



Figure 9: Lot Size Map extract from LEP 2013

**Clause 4.3 Height of Buildings:** Under this clause the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. The subject land is currently subject to an 8.5m height limit and this is considered appropriate for the subject land which can tolerate buildings with a two storey height limit. Any future development will be subject to this height limit which will help ensure the scenic qualities can be protected and the 'sense of place' being proposed can be met.



Figure 10: Height Map extract from LEP 2013

**Clause 5.5 Development within the Coastal Zone:** The table below outlines the matters to be considered under this clause for any development of the land and how these may be responded to; the land is within the coastal zone.

Table: Clause 5.5 Matters	
Matters for Consideration	Response
Existing public access along the foreshore is to be retained and opportunities for new public access to the foreshore to be considered...	The proposal will have no impact upon public access to the foreshore.
Suitability of development in terms of type, location and design and its relationship with surrounding areas.	This report demonstrates the suitability of the land for the proposed rezoning and likely development of the land.
Any detrimental impacts upon foreshore amenity, including overshadowing of foreshores or loss of significant views and scenic qualities of the NSW Coast.	The land is set well away from the foreshore. The proposal will change the scenic qualities of this location with a horse paddock replaced with a residential estate. No significant impact in terms of overshadowing, views or scenic qualities are anticipated.
Measures to conserve biodiversity and ecosystems including native coastal vegetation and existing wildlife corridors, rock platforms, water quality of coastal waterbodies, and native fauna and native flora, and their habitats.	The measures to protect the habitat values and water quality are described in this report.
The cumulative impacts of the proposed development and other development on the coastal catchment.	The wider cumulative impacts upon the Coffs Creek catchment are taken into account, the proposal will not add to the overall load of pollutants within the catchment.
The consent authority is to be satisfied that: the proposed development will not impede or diminish, where practicable, the physical, land-based right of access of the public to or along the coastal foreshore,	The proposal will have no impact upon access to the coastal foreshore.
The consent authority is to be satisfied that: if effluent from the development is disposed of by a non-reticulated system, it will not have a negative effect on the water quality of the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform,	Reticulated sewer services are available to the development.
The consent authority is to be satisfied that: the proposed development will not discharge untreated stormwater into the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform.	No untreated stormwater will be discharged from the site to the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform.
The consent authority is to be satisfied that: the proposed development will not: be significantly affected by coastal hazards, or have a significant impact on coastal hazards, or increase the risk of coastal hazards in relation to any other land.	The proposal is expected to have a neutral impact in terms of coastal hazards such as sea level rise and flooding.



**Clause 7.1 Acid Sulfate Soils:** Under this clause development consent is required for the carrying out of works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. As can be seen by Figure 11 below the subject land is mapped as a low risk (i.e. C class 5) of potential acid sulphate soils being present. Given the nature of the likely development which will not involve any considerable excavation, it is considered that any development of the land is likely to have neutral impact in terms of acid sulphate soils disturbance. The land is a relatively flat elevated parcel of land that will not require any significant excavations for building pads or services.

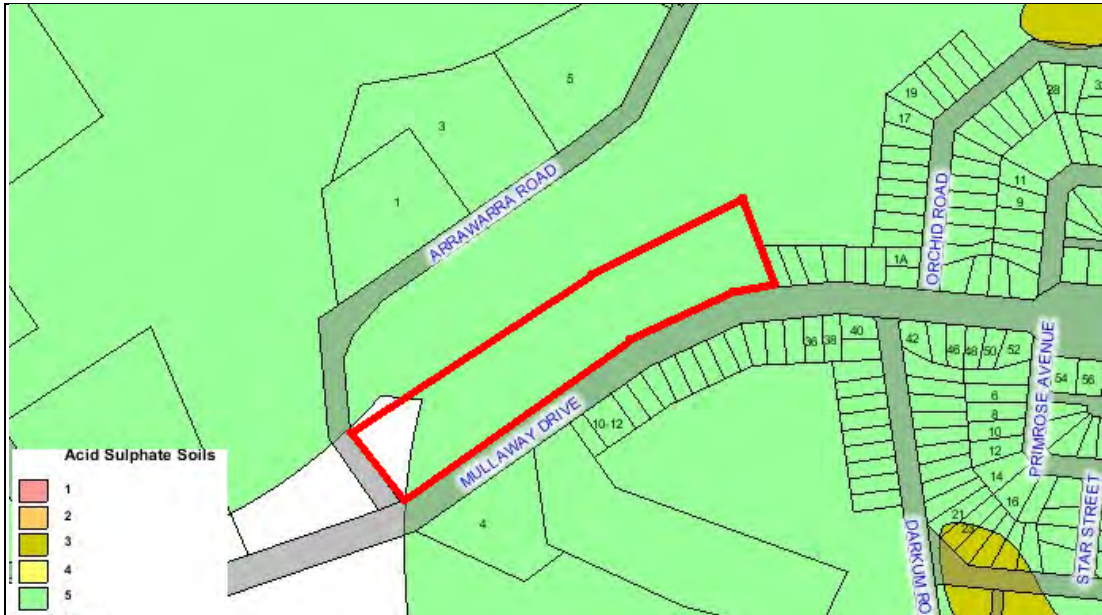


Figure 11: Acid Sulfate Soils (source CHCC GIS)

**Clause 7.4 Terrestrial biodiversity:** The land is identified as “biodiversity”; refer Figure 12 below. This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map and requires that the following matters be considered before determining a development application.

- *whether the development is likely to have:*
  - *any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and*
  - *any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and*
  - *any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and*
  - *any adverse impact on the habitat elements providing connectivity on the land, and*
- *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*
- *Whether the development satisfies the following:*
  - *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
  - *if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or*
  - *if that impact cannot be minimised—the development will be managed to mitigate that impact.*



Figure 12: Terrestrial Biodiversity (source CHCC GIS)

An Ecological Assessment by FloraFauna Consulting was carried out to address the potential ecological impacts of the rezoning and ultimate development of the land. This report is included in Appendix C. The main findings and recommendations of the report are outlined below.

During the field survey two main terrestrial plant communities (*Coast and Escarpment Blackbutt Dry Forest*; and *Lowlands Swamp Box Paperbark – Red Gum Dry Forest*) were recorded within the study area and on the adjoining land to the north. However, the majority of the land within the study area was occupied by a derived grassland community dominated by exotic/weed species.

Potential impacts on biodiversity from the rezoning and subsequent development of the land include removal of vegetation associated with future development of the site, interruption to ecosystem processes, and other impacts associated with increased human activities including changes in animal behaviour and artificial lighting.

It is recommended that the following measures be adopted to mitigate impact:

- where possible Koala feed tree species should be retained;
- a 1:1 tree re-planting strategy should be applied for each tree that is
- removed;
- each replacement tree shall be of the same species as the tree it is replacing; and
- fencing along the bushland interface be excluded to discourage disposal of green waste.

The report noted that the provision of a fire trail adjacent to the interface along the northern boundary of the study area as indicated in the subdivision concept plan appended to this report will help to clearly define the plant community boundary and to discourage the disposing of green waste at the interface by residents.

The report also noted that the proposed rezoning will prevent the land being developed as a sports field as originally envisaged; a sports field would have had a significant impact upon the ecology of the area.

The Assessment concluded that the proposal has the potential to impact on some threatened species and populations, however, the impacts can be mitigated by the measures outlined above.

**Clause 7.8 Koala habitat:** This clause requires the Coffs Harbour City Koala Plan of Management (KPOM) to be taken into account. The KPOM applies to the whole of the LGA and applies to land mapped as koola habitat and land adjoining land mapped as Primary Koala Habitat. The KPOM maps koala habitat in terms of the level of importance with ‘Primary habitat’ being the most important resource for koalas and ‘Tertiary habitat’ being the least important. The subject land supports land mapped as Secondary Koala habitat; this habitat is located generally along the northern boundary of the land and around the existing dwelling house; refer to Figure 13 below.

The KPOM is supplemented by Biodiversity Guideline No5 which sets out criteria for development that may impact upon koala habitat.

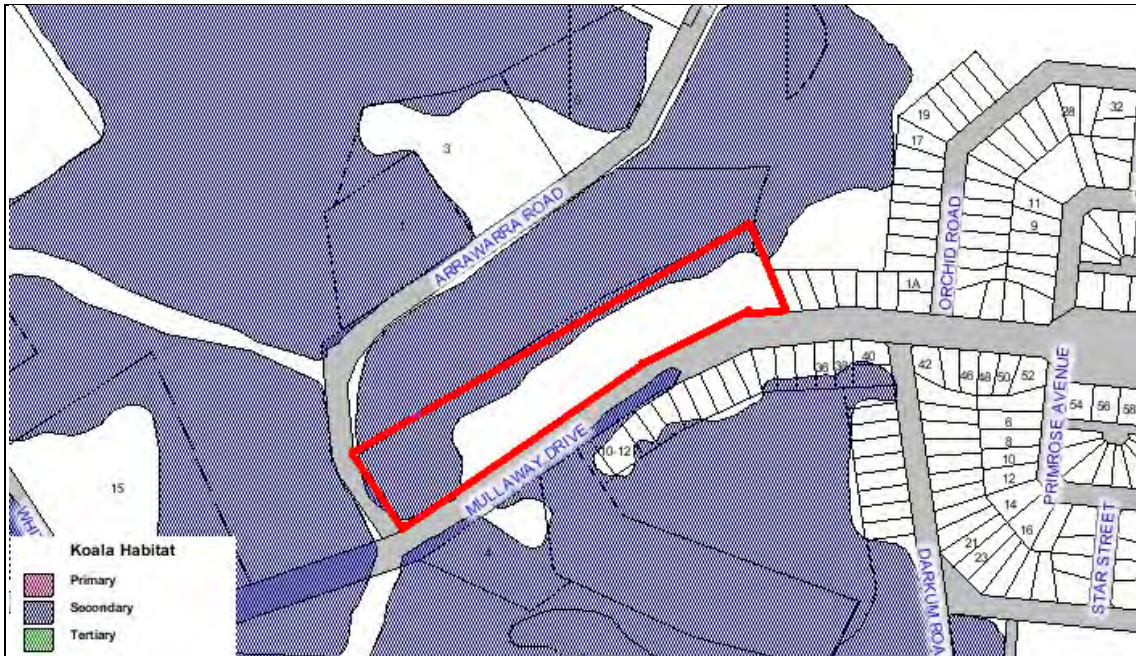


Figure 13: Koala Habitat (source CHCC GIS)

The ecological Assessment by FloraFauna Consulting noted that the majority of the site has been cleared of native vegetation and the remaining trees that were recorded within the study area occurred as either components of small remnant patches or isolated trees; a stand of Forest Red Gum (*Eucalyptus tereticornis*) was recorded in the eastern part of the study area.

The Assessment involved a survey of the entire study area for actual Koala sightings and included a SAT survey and a search for other signs such as scratch markings on trees. This survey found no individuals of the species present or any evidence of Koala activity within the study area. Nevertheless, the Assessment suggested the incorporation of the measures detailed above to mitigate any impacts upon Koala habitat.

**Clause 7.11 Essential services:** This clause requires that development consent must not be granted unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

- the supply of water,
- the supply of electricity,
- the disposal and management of sewage,

- stormwater drainage or on-site conservation,
- suitable road access.

The subject land can be satisfactorily provided with all the listed services to accommodate the likely development of the land if it is rezoned for residential purposes. These matters are addressed in more detail later in the report.

**Clause 7.13 Central Business District:** Under this clause consent must not be granted to development on any land unless the consent authority has considered whether the development maintains the primacy of the CBD as the principal business, office and retail hub of the Coffs Harbour City. The CBD covers the land in the area identified as “CBD” on the Central Business District Map as the principal business, office and retail hub of the Coffs Harbour City Centre.

The primacy of the CBD is derived from the collective functions of civic services, retail outlets, recreation facilities, and entertainment facilities. The CBD has the largest commercial area in the Local Government Area and it has the Regional Art Gallery, City library, Council Administration Centre, large swimming centre, extensive retail areas and some high density housing. The City Centre has the farmer’s market and other festivals and is to be embellished with a new City Park and Performance Centre in the future. The City Centre is also home to the largest conglomeration of community and social service providers.

The proposal is for a residential development that will help add to the available labour market and will provide additional household expenditure to serve the CBD. The proposal will have a neutral to positive impact upon the primacy of the City Centre and its function as the foci for business, community and social services. In this context the proposal supports the primacy of the CBD.

### 4.3 Coffs Harbour City Development Control Plan 2013

The land is subject to the Coffs Harbour Development Control Plan (DCP) 2013. This DCP includes a series of components that apply to development. The following components of DCP 2013 are relevant to this proposal:

- Component B1 Subdivision Requirements
- Component B2 Residential Development Requirements
- Component B7 Biodiversity Requirements
- Component C1- Design Requirements
- Component C2- Access, Parking and Servicing Requirements
- Component C3- Landscaping Requirements
- Component C6- Minor Earthworks Requirements
- Component C7- Waste Management Requirements
- Component C8 - Integrated (Natural) Water Cycle Management
- Component D1- Erosion and Sediment Control Requirements

**Component B1 Subdivision Requirements:** The proposal allows for relatively large residential allotments that will have a building envelope outside the bushland areas and all lots can be provided with the required infrastructure services.

**Component B2 Residential Development Requirements:** The lots will be well over 400m<sup>2</sup> and will have sufficient area to meet the density, building setbacks, frontage width, and private open space controls detailed in this component.

**Component B7 Biodiversity Requirements:** The Assessment by FloraFuana Consultants addresses the biodiversity requirements outlined in this component.

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**Component C1- Design Requirements:** The proposed concept layout meets the subdivision pattern in the locality and the size of the lots (i.e. approximately 1000m<sup>2</sup>) and orientation of the lots will ensure that all lots can meet the privacy, setbacks, frontage width and energy efficiency requirements of this component.

**Component C2- Access, Parking and Servicing Requirements:** The site has access to Mullaway Drive which provides good stopping sight distances for the new allotments. Council will require the extension of the kerb and gutter, stormwater drainage system and footpath along Mullaway Drive. The land will be connected to the reticulated water and sewer network. The allotments are of sufficient width to allow for on -site parking as required.

**Component C3- Landscaping Requirements:** A landscape plan for the street trees will be prepared at the subdivision stage. The potential for an off- road shared pedestrian and cycle link could be considered.

**Component C6- Minor Earthworks Requirements:** The land is relatively flat and will not require any significant land shaping to provide level building pads.

**Component C7- Waste Management Requirements:** The subject land is within the Coffs Harbour City Council garbage collection area and sufficient space is available on all parcels of land for the storage of the three 240L mobile bins for general waste, green waste and recyclables.

**Component C8 - Integrated (Natural) Water Cycle Management:** A treatment train of water quality management measures are available to the development including:

- grass swales;
- soil erosion and sediment control during construction;
- water tanks;
- deep soil zones; and
- detention areas.

**Component D1- Erosion and Sediment Control Requirements:** An erosion and sediment control plan will be required as part of the subdivision of the land.

## 4.4 Contribution Plans

The development of the subject land for housing would be subject to a number of Contribution Plans (CPs) prepared under Section 94 of the EP&A Act 1979 including:

- Regional, District and Neighbourhood Facilities Contributions Plan 2008;
- Coffs Harbour Road Network Developer Contributions Plan 2008;
- Surf Rescue Facilities Developer Contributions Plan 2012; and

The proposed rezoning is likely to provide for an additional population of between 50 and 60 people which is not of sufficient size to warrant the provision of any new community facilities or higher order open space and recreation facilities.

It is to be noted that the development of the land is also subject to contributions under Section 64 of the Local Government Act 1993 for water and sewer services. The land is subject to the 'Coffs Harbour Water Supply Development Servicing Plan 2002' and the 'Coffs Harbour Wastewater Development Servicing Plan 2002',

## Section 5

# State and Regional Policies and Ministerial Directions

The principal State and Regional policies applying to the land are embodied within:

- Mid North Coast Regional Strategy;
- North Coast Regional Environmental Plan;
- State Environmental Planning Policies;
- The NSW Coastal Policy; and
- Ministerial Directions.

### 5.1 Mid North Coast Regional Strategy:

The Mid North Coast Regional Strategy was introduced in March 2009 and is the principal blueprint for managing growth and development on the Mid North Coast of NSW; the Mid North Coast extends from Hawkes Nest in the south to Yamba in the North. The Strategy envisages a population increase of 94,000 people and a growth rate of 1.1% per annum; the current population of the Mid North Coast is 330,000 people.

The Strategy nominates Coffs Harbour, Port Macquarie and Great Lakes/Taree as the main areas under population growth pressure. An additional 59,600 dwellings will be required to meet the housing demands of this population by 2031 according to the Strategy.

The Strategy requires the Coffs Coast to have a minimum of 19,200 dwellings. Interestingly, the Strategy observes that while 80% of all dwellings are detached dwellings at present, a greater proportion of future housing should be in the form of multi-unit housing; the benefits of accessible and adaptable housing for an ageing population are cited as the main reasons for the necessity in this housing choice shift.

The Strategy outlines a number of planning principles in relation to Settlement and Neighbourhood Planning that are of relevance to any housing development on the subject land. The extracts below outline these principles.

SETTLEMENT PLANNING PRINCIPLES		
<p>When preparing local growth management strategies councils will be required to identify the growth areas for their centres, towns and villages using the following settlement planning principles:</p> <ul style="list-style-type: none"> <li>• The four major regional centres will be promoted as the focus of settlement, employment and regional services. Major towns will provide major local services, as well as outreach centres for the provision of regional services. Potential opportunities for the growth in retail and commercial capacity of these centres are to be identified.</li> <li>• Development within all centres, towns and villages will respect and respond to the character of the area.</li> <li>• Planning for new settlement will respect the environmental, coastal and cultural heritage values of the landscape. Key environmental, cultural and coastal features will be protected, while settlement will be directed towards less valuable areas.</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Any growth of coastal towns and villages will protect environmentally fragile areas and preserve the scenic values of the coastal landscape.</li> <li>&gt; Growth of inland towns and villages will be focused in areas where extra population is needed to make existing services more viable and if the risk of environmental degradation is low.</li> </ul> <ul style="list-style-type: none"> <li>• New settlement areas will be located so as to enable the integration of transport services with the provision of community services and retail activity.</li> <li>• Settlement areas will be appropriately located and designed to maximise the affordability of housing, as well as to provide the type of housing styles and dwelling mixes that are appropriate to the ageing of the population.</li> <li>• New settlement areas are only to be identified after infrastructure capacities have been reviewed</li> </ul>	<p>and environmental suitability assessed.</p> <p>Greater detail on the application of these settlement planning principles and the preparation of local growth management strategies is provided in the Settlement Planning Guidelines (2007) prepared by the Department of Planning for the Mid and Far North Coast. These guidelines will assist councils in preparing their local growth management strategies and implementing the Regional Strategy at the local level. They include:</p> <ul style="list-style-type: none"> <li>• guidance on the preparation of a local growth management strategy, including its content and scope</li> <li>• settlement planning principles for development</li> <li>• a framework for a new Mid North Coast housing and land monitor</li> <li>• application of regional mapping data.</li> </ul>
NEIGHBOURHOOD PLANNING PRINCIPLES		
<ul style="list-style-type: none"> <li>• A range of land uses to provide the right mix of houses, jobs, open space, recreational space and green space.</li> <li>• Easy access (including public transport where viable) to major centres with a full range of shops, recreational facilities and services along with smaller village centres and neighbourhood shops.</li> </ul>	<ul style="list-style-type: none"> <li>• Jobs available locally and regionally, reducing travel times and the demand for transport services.</li> <li>• Streets and suburbs planned so that residents can walk and cycle to shops for their daily needs.</li> <li>• A wide range of housing choices to provide for different</li> </ul>	<p>needs and incomes. Traditional houses on their own block will be available along with smaller lower maintenance homes, units and terraces.</p> <ul style="list-style-type: none"> <li>• Conservation lands in and around development sites to help protect biodiversity and provide open space for recreation.</li> </ul>

Figure 11: Extract from the Mid North Coast Regional Strategy

The proposal provides for a well planned estate with an appropriate layout that will assist in housing affordability in an area that has reasonable access to transport, employment opportunities and community services. The proposal is in accordance with the Mid North Coast Regional Strategy.



## 5.2 North Coast Regional Environmental Plan:

The North Coast Regional Environmental Plan (REP) was gazetted on 15 January 1988 and from 1 July 2009 is a deemed State Environmental Planning Policy. The REP aims to:

- *to develop regional policies that protect the natural environment, encourage an efficient and attractive built environment and guide development into a productive yet environmentally sound future,*
- *to consolidate and amend various existing policies applying to the region, make them more appropriate to regional needs and place them in an overall context of regional policy,*
- *to provide a basis for the co-ordination of activities related to growth in the region and encourage optimum economic and social benefit to the local community and visitors to the region, and*
- *to initiate a regional planning process that will serve as a framework for identifying priorities for further investigation to be carried out by the Department and other agencies. regional policies that protect the natural environment, encourage an efficient and attractive built environment and guide development into a productive yet environmentally sound future,*

The REP sets out regional objectives and regional policies to guide the preparation of LEPs and the assessment of development applications. In terms of plan preparation for any residential development on the subject land the relevant clauses are 38, 40, 42, 45, 50,56A, 58 and 65.

### Clause 38 Plan preparation—urban land release strategy

Under this Clause council should not prepare a draft local environmental plan which permits development that, in the opinion of the council, constitutes significant urban growth unless it has adopted an urban land release strategy for the whole of its local government area. The clause also states that a draft local environmental plan referred to should be generally consistent with the strategy.

**Comment:** As can be seen by the extract from OLC Strategy (Council’s Urban Release Strategy) map above, the land is identified as an area to be released after 2016. As stated above, there is a significant lag time between the resolution to rezone land; preparation of planning documents; gazetting of the rezoning; lodgement and determination of the subdivision application; certification of the subdivision; and eventual sale and development of housing on the identified land. The proposal will provide for housing from 2016 -2018 in accordance with Council’s projected timetable.

The proposal is in keeping with this Clause.

### Clause 40 Plan preparation—principles for urban zones

*A draft local environmental plan applying to urban areas should adopt the following principles:*

- (a) zoning should be simple and flexible,*
- (b) provisions for flexible zone boundaries may apply to any zones except environmental protection zones,*
- (c) detailed guidelines within the broad zone parameters should be identified in a development control plan, and*

*(d) the principle of minimising energy use, in particular in the design of buildings and effective transport systems.*

**Comment:** The proposal is for a simple rezoning that will rely largely on the existing provisions in LEP 2013. Coffs Harbour City Council has in place a new Development Control Plan that supplements LEP 2013. As demonstrated above this DCP and LEP 2013 set guidelines for:

- Height limits
- Floor Space Ratio Limits
- Water Sensitive Urban Design;
- Stormwater Management and Flooding;
- Landform Modification;
- Water and Sewer Services;
- Landscaping;
- Acid Sulfate Soils; and
- Energy Efficiency.

Adequate planning and development controls are in place for the control of development of the subject land.

The proposal is in keeping with this Clause.

**Clause 42 Plan preparation—principles for housing**

This Clause requires a draft local environmental plan to permit dwellings in urban areas should incorporate provisions that: allow the alteration or addition of a dwelling so as to create 2 dwellings in either attached or detached form; allow a wide range of housing types and densities; separate residential development from other incompatible development, including agricultural activity on adjoining land; require that development for residential purposes should not take place until the council is satisfied that the land on which any dwellings are to be erected is adequately serviced with water and sewage disposal facilities; retain existing provisions to enable a dwelling to be erected on an existing allotment; and permit the use of manufactured home estates for permanent occupation.

The Clause also states that a draft local environmental plan that will permit dwellings to be erected in urban areas should not require development consent for a dwelling-house in a residential zone, except where there are special environmental or hazard considerations, or specify a minimum allotment size for residential zones.

**Comment:** The Draft LEP will be in keeping with current planning practice under the Standard LEP Template of LEP 2013. The draft LEP will allow for dual occupancy development, a range of dwelling types in a low density context and reasonable separation from agricultural activities by Mullaway Drive ; it being noted that the nearest rural lands are located on the opposite side of Mullaway Drive from the subject land. The land will be connected to the reticulated water and sewer network and consent will be required for dwellings as per the current practice.

The proposal is in keeping with the general intent of this clause.

**Clause 45 Plan preparation—hazards**

Under this clause a draft local environmental plan should not permit development for tourism, rural housing or urban purposes on land subject to the following hazards, namely:

- (a) coastal processes,*
- (b) flooding or poor drainage,*
- (c) dangers arising from potential or actual acid sulphate soils,*
- (c1) dangers arising from contaminated land,*
- (c2) geological or soil instability,*
- (d) bush fire,*
- (e) aircraft noise at levels of more than 25 (measured according to the Australian Noise Exposure Forecast),*
- (f) air or water pollution, or airborne pollution, within 400 metres of sewage treatment works,*
- (g) disposal of septic effluent,*
- (h) existing offensive or hazardous industries, and*
- (i) high tension electrical power lines,*

*unless the council has made an assessment of the extent of the hazard and included provisions in the plan to minimise adverse impact.*

The Clause also states that in the event of a bush fire hazard being identified for land on which dwellings are proposed to be permitted, the council shall not permit development unless it is satisfied that arrangements where appropriate have been made to:

- (a) require the creation of a perimeter road or reserve which circumscribes the hazard side of the land intended for that development,*
- (b) require the creation of a fire radiation zone located on the bushland side of the perimeter road,*

**Comment:** The land is not subject to any coastal processes or any identified geological instability or soil instability. The land is not located near any aircraft noise generation areas, offensive or hazardous industries and is not located near a sewerage treatment works or high voltage power lines. The land is subject to bushfire hazard and a low risk of acid sulfate soil. The investigations have shown that these risks are manageable and will not prevent the land being developed for low density housing as shown in the Draft Concept Plan. The environmental hazards are addressed in detail later in this report.

The proposal is in keeping with Clause 45.

**Clause 50 Plan preparation—height controls**

*Before preparing a draft local environmental plan applying to an urban area, the council should consider the necessity for height controls on buildings and include such controls as it considers appropriate.*

**Comment:** The land will be subject to the 8.5m height limit under LEP 2013.

The proposal is in keeping with this Clause.

**Clause 56A Plan preparation—bus services**

In the preparation of a draft local environmental plan involving an alteration to the zoning of land which could give rise to the need for bus services or the revision of existing bus services, the council should take into consideration the guidelines in *Technical Bulletin 19—Planning for Bus Services* (published in 1989 by the Department of Planning and the Ministry of Transport at that time) to ensure that the draft plan allows for the provision of an adequate and efficient bus route system.

**Comment:** The land is located on the local bus route of the Grafton to Coffs Harbour Service. The main bus shelter is located near the Mullaway General Store, approximately 300m from the subject land. This distance is within a reasonable walking distance and the bus services are considered to be reasonable in the context of the northern beaches locality.

The proposal is in keeping with this Clause.

**Clause 58 Plan preparation—servicing urban areas**

Under this Clause a draft local environmental plan should not permit development for urban purposes unless the council is satisfied that:

- (a) *the proposed development will make the most economic use of existing services,*
- (b) *where the proposed development is adjacent to an existing urban area and that urban area will be substantially increased, the provision of a reticulated water and sewer system will be provided at reasonable cost to each lot,*
- (c) *the proposed development is located in an area which is consistent with the findings of any urban land release strategy prepared for the local government area or, where no such strategy has been prepared, the proposed development is located in the area to which services can be provided most readily,*
- (d) *consideration has been given to the identification of effluent disposal and discharge points,*
- (e) *domestic water catchment areas and water storage areas are not likely to be polluted as a result of the proposed development, and*
- (f) *consideration has been given to the provision of public transport facilities, pedestrian and cycleways.*

**Comment:** The development of the land represents an economically efficient use of the land with water, sewer and road services readily available to the land.

As stated above, the land is located in a release area and in keeping with the Coffs Harbour City land release strategy as expressed in the OLC Strategy.

The land can be connected to the reticulated sewer network and will have *no effluent discharge points.*

The land is not within a *domestic water catchment area and water storage area.*

The land is located in an existing urbanised area that is serviced by buses and can be accessed by cyclists and pedestrians. An on-road cycleway is located along Mullaway Drive and an off-road pedestrian/cycleway is located along Arrawarra Road. This development provides an opportunity for a safer off- road cycleway to be provided along Mullaway Drive.

The proposal meets the criteria of this Clause.

**Clause 65 Plan preparation—provision of community, welfare and child care services**

Under this Clause a draft local environmental plan should:

- (a) *not zone land for residential purposes (including rural residential) unless the council has made an assessment of the need for additional community and welfare services and is satisfied that the plan contains adequate provisions to enable the provision of those services, and*
- (b) *include child care centres as a land use which is permissible with the council's consent in all rural, residential and business zones*

**Comment:** This proposal is expected to accommodate a population of approximately 50-60 people. Mullaway has a Primary School (Mullaway Primary School) and an aged care facility is proposed to be developed on the land almost opposite the school on Mullaway Drive. The area is provided with outreach services from a number of welfare providers, but a trip to Woolgoolga or Coffs Harbour is required for higher order community and welfare services. The site has good accessibility to the regional road network for access to these services.

The site has reasonable access to social support facilities.

### 5.3 State Environmental Planning Policies

The subject land is located within the coastal zone and is subject to State Environmental Planning Policy (SEPP) No. 71 – Coastal Protection. Under Clause 7 of this SEPP Council is required to take into account the matters listed in Clause 8 of the Policy when preparing a Draft LEP. These are listed below together with a response on how the proposal meets the requirement.

Matters for Consideration	Response
Aims of the Policy which seek to protect and better manage the NSW Coast.	The proposal is for a development in keeping with Council's Settlement Strategy which in turn has been prepared in keeping with coastal management policies.
Existing public access along the foreshore is to be retained.	Proposal will have no impact on public access.
Opportunities for new public access to the foreshore to be considered.	NA
Suitability of development in terms of type, location and design and its relationship with surrounding areas.	Site is suitable for this scale of development and is in keeping with the zoning of the adjoining lands to the east.
Any detrimental impacts upon foreshore amenity, including overshadowing of foreshores or loss of significant views.	The proposal will have no impact upon the foreshore.
Scenic qualities of the NSW Coast.	The subject land provides little contribution to the scenic qualities of the coast at present; it supports vacant grasslands. A well designed housing estate can add to the scenic qualities of the area.

Matters for Consideration	Response
Measures to conserve animals (including fish and marine vegetation) and existing wildlife corridors.	Habitat areas are to be protected and enhanced to provide an improved outcome for native flora and fauna.
The likely impact of coastal hazards and processes.	The land is not subject to any significant coastal hazards or processes.
Measures to reduce potential conflict between land-based and water based coastal activities.	There are no land or water based conflicts to deal with.
Measures to protect Aboriginal culture.	The land is a highly disturbed site that is unlikely to be the source of any Aboriginal cultural values.
Likely impact on the water quality of coastal waterbodies.	The land can be developed to have a positive impact in terms of water quality with the imposition of WSUD measures.
Conservation and preservation of heritage items.	There are no identified heritage items on the land or on the adjoining lands.
Encouragement of compact towns and cities.	The proposal assists in creating a compact urban area; it is a logical extension of the adjoining residential zone.
Cumulative impacts upon the environment and measures to ensure water and energy efficiency.	The proposal is in keeping with the City Settlement Strategy that has considered the wider cumulative impacts. It is an urban release in accordance with Council's settlement strategy. Future dwellings will be subject to BASIX requirements.

The proposal is in keeping with this SEPP.

## 5.4 NSW Coastal Policy:

The NSW Coastal Policy was released in 1997 and provides a vision for a sustainable future for the NSW Coast. The Policy establishes a number of strategic actions relating to the Natural Environment, Natural Processes and Climate Change, Aesthetic Qualities, Cultural Heritage, Ecologically Sustainable Human Settlement and Public Access and Use.

As stated above, the proposal can be developed to have a positive impact upon the natural environment with the protection of the bushland areas and incorporation of water quality measures. In terms of natural processes and environmental hazards, the proposal can be developed in a manner that will have a neutral to positive impact upon the natural systems. Hazards relating to acid sulfate soils and bushfire impacts can be adequately managed and the existing koala habitat areas on the land can be protected and enhanced through the measures outlined earlier.

The subject land is an elevated site located well away from the coast and above predicted levels for sea level rise. The development of the land in an energy efficient manner is in keeping with Climate Change policies.

The land has potential to provide a well designed housing estate with landscaping and protection of the nature reserve which can deliver benefits to the visual qualities of the locality and Coast generally.

The land does not accommodate a listed heritage item, is not within a heritage conservation area and is unlikely to be the source of any cultural heritage significance.

The proposal is in keeping with Council's settlement strategy which provides for ecologically sustainable human settlement; the proposal provides for a logical extension of the existing urban area.

The land has access to pedestrian and cycleway links that add to the network of non- motorised transport links in the locality.

The proposal is in keeping with the Coastal Policy.

## 5.5 Ministerial Directions:

Ministerial Directions are directions that apply to a planning proposal to meet the state Government planning policies and strategies. The directions apply to the following policy areas:

1. Employment and Resources;
2. Environment and Heritage;
3. Housing, Infrastructure and Urban Development;
4. Hazard and Risk;
5. Regional Planning;
6. Local Plan Making; and
7. Metropolitan Planning.

The Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act 1979 of relevance to this proposal are addressed below:

### Direction 1.5 Rural Lands

Under this Direction a planning proposal a Draft LEP must be consistent with the Rural Planning Principles listed in *State Environmental Planning Policy (Rural Lands) 2008* unless an inconsistency is justified by a strategy that meets the criteria listed in the Direction.

The Rural Subdivision Principles are as follows:

- *the minimisation of rural land fragmentation,*
- *the minimisation of rural land use conflicts, particularly between residential land uses and other rural land uses,*
- *the consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands,*
- *the consideration of the natural and physical constraints and opportunities of land,*
- *ensuring that planning for dwelling opportunities takes account of those constraints.*

**Comment:** The land is earmarked for urban purposes and is located in an urbanised setting with lands used for rural purposes located well away from the subject land. The only rural enterprises in the immediate area of the subject land is an alpaca grazing area and poorly maintained coffee plantation on the opposite side of Mullaway Drive near the Old Highway ( Solitary Islands Drive), The subject land is well buffered from these lands and will have no impact upon these agricultural enterprises in the locality.



The land can be developed in accordance with its environmental capacity and measures to responsibly manage the limited environmental constraints are addressed in this report.

The proposal is consistent with this Direction.

**Direction 2.2 Coastal Protection**

This direction requires draft LEP to include provisions that give effect to and are consistent with:

- the *NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997*, and
- the *Coastal Design Guidelines 2003*, and
- the manual relating to the management of the coastline for the purposes of section 733 of the *Local Government Act 1993* (the *NSW Coastline Management Manual 1990*).

**Comment:** The proposal is consistent with these policy documents as it incorporates the following:

- management of environmental hazards;
- protection of existing trees;
- connection with existing urban areas;
- consistency with settlement strategies for the creation of compact towns;
- conservation of habitat links and habitat areas; and
- efficient connection to services, including transport, water and sewer services.

The proposal is consistent with this Direction.

**Direction 3.1 Residential Zones**

The Direction states that a draft LEP shall include provisions that encourage the provision of housing that will:

- broaden the choice of building types and locations available in the housing market, and
- make more efficient use of existing infrastructure and services, and
- reduce the consumption of land for housing and associated urban development on the urban fringe, and
- be of good design.

The Direction also requires a draft LEP to:

- contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and
- not contain provisions which will reduce the permissible residential density of land.

**Comment:** The proposal provides for the rezoning of the land for low density housing. The zone does allow for a wide range of dwelling types that could be developed on the land. The rezoning will add to housing choice by increasing the stock of low density housing lots in an area with readily available infrastructure services. The area has limited supply of vacant housing lots and the rezoning of this land will assist with the increase in supply and indirectly assist in making the cost of land more affordable in this locality.

The Draft LEP will be in the form of an amendment to Coffs Harbour LEP 2013 which requires servicing and allows for a density of one dwelling per 400m<sup>2</sup>.

**Direction 3.3 Home Occupations**

Under this Direction Draft LEPs shall permit home occupations to be carried out in dwelling houses without the need for development consent.

**Comment:** If the land is zoned R2 and subject to the current provisions under LEP 2013, home occupations will be able to be carried out in dwelling houses without the need for development consent.

**Direction 3.4 Integrating Land Use and Transport**

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- (a) improving access to housing, jobs and services by walking, cycling and public transport, and
- (b) increasing the choice of available transport and reducing dependence on cars, and
- (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and
- (d) supporting the efficient and viable operation of public transport services, and
- (e) providing for the efficient movement of freight.

A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:

- (a) *Improving Transport Choice – Guidelines for planning and development* (DUAP 2001), and
- (b) *The Right Place for Business and Services – Planning Policy* (DUAP 2001).

**Comment:** The proposal provides the following measures to integrate land use and transport planning in accordance with the DUAP documents:

- land is located with 500m of main arterial road for transport;
- land is able to be connected to available pedestrian and cycleway networks;
- proposal provides opportunity to make land part of a pedestrian cycle network; and
- land adjoins an existing residential zone.

The proposal is consistent with this Direction.

**Direction 4.1 Acid Sulfate Soils:** The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.

**Comment:** The land is in the lowest risk Class (i.e. Class 5) and no impact upon acid sulphate soils are expected from the development of the land for housing. The Class 5 land is generally a buffer to the more sensitive higher class risk lands.

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**Direction 4.4 Planning for Bushfire Protection:** The objectives of this direction are:

- (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and
- (b) to encourage sound management of bush fire prone areas.

A planning proposal must:

- (a) have regard to Planning for Bushfire Protection 2006,
- (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and
- (c) ensure that bushfire hazard reduction is not prohibited within the APZ.

A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:

- (a) provide an Asset Protection Zone (APZ) incorporating at a minimum:
  - (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and
  - (ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,
- (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with,
- (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,
- (d) contain provisions for adequate water supply for fire fighting purposes,
- (e) minimise the perimeter of the area of land interfacing the hazard which may be developed,
- (f) introduce controls on the placement of combustible materials in the Inner Protection Area.

**Comment:** These matters are addressed in the bushfire assessment in Appendix D.

**Direction 5.1 Implementation of Regional Strategies:** The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies. Planning proposals must be consistent with a regional strategy released by the Minister for Planning.

**Comment:** As stated above the proposal is consistent with the Mid North Coast Regional Strategy; the proposal provides for a logical extension of an existing residential zone and is in keeping with the objectives of providing housing close to existing urban areas.

The proposal is consistent with this Direction.

## Section 6

### Environmental Impacts

The key environmental impact issues to consider in relation to this proposal concern:

- Flora, fauna and biodiversity;
- Visual amenity and Urban Design;
- Geotechnical issues/slope and contaminated land;
- Bushfire risk; and
- Archaeology (Indigenous and Post-settlement).

#### 6.1 Flora, Fauna and Biodiversity

The ecological Assessment by FloraFauna Consulting addressed the Flora, Fauna and Biodiversity impacts of the proposed development. The Assessment stated that the majority of the land within the study area is occupied by a derived grassland community dominated by exotic/weed species. As stated earlier, the land has two native plant communities, namely, a Coast and Escarpment Blackbutt Dry Forest community and a Lowlands Swamp Box – Paperbark – Red Gum Dry Forest community. It is noted that remnants of these plant communities extend into the study area where they were recorded at the along the northern boundary and *'as small groups of canopy trees containing an anomalous assemblage of understorey species and as 'isolated 'paddock trees'.*

The Lowlands Swamp Box – Paperbark – Red Gum Dry Forest community was identified as the endangered ecological community – *Subtropical Coastal Floodplain Forest of the NSW North Coast bioregion.*

The observations made during the field survey indicate that the land within the study area *is degraded and heavily infested with exotic/weed species.* The report notes that there are generally no significant impediments to the proposed rezoning.

From the habitat assessment and database/literature review, it was considered that 11 threatened species as listed under the Threatened Species Conservation Act 1995 and Environment Protection and Biodiversity Conservation Act 1999 could potentially utilise the limited resources available in the habitat within the study area. The Assessment concluded that the proposal is unlikely to impact significantly on any threatened species and populations.

The rezoning and development of the land can be achieved without the necessity to remove any significant native trees on the site and can assist in the management of weeds on the site. The fire trail outlined in the concept plan has been located away from the areas of bushland on the site and the layout has been designed to allow the retention of all significant native trees on site. With the imposition of the recommendations from the Ecological Assessment, it is anticipated that the proposal will have a neutral to beneficial impact upon the existing biodiversity values on site.

## 6.2 Visual Amenity and Urban Design

The land is located on Mullaway Drive at the entry to the Mullaway village residential areas. Mullaway Drive at this location is a straight road with a gradual slope down towards Mullaway Beach. The road is a two way sealed road with a painted cycleway on the road pavement. On the opposite side of the roadway from the subject land are detached dwelling houses with a mix of single storey and two storey construction. A kayak sales centre (“Skee Kayak Centre”), a child care centre (“Pied Piper Preschool”) and a diving enterprise (“Dive Quest”) are located within this residential area. To the east of the subject land are a mix of single storey and two storey detached dwelling houses.

The residential areas have an eclectic mix of building styles, fencing and landscaping with the only significant unifying feature being a relatively consistent front and side building setbacks; refer to photos below. The settlement pattern in the main part of the village is a unique, formal, generally symmetrical pattern with a circulating decagonal ring road (i.e. The Boulevard) enclosing decagonal inner circulating avenues (i.e. Rainbow Avenue/Primrose Avenue) that frame two radiating laneways; these laneways and adjoining subdivision pattern reflect a rising or setting sun and are connected by appropriately named link roads (i.e. “Sun Street” and “Star Street”). Mullaway Drive at the central point has generous road reserves which consist of expansive mown lawn areas. Fingers of residential allotments extend along the entrways (i.e Mullaway Drive, Orchid Road and Darkum Road) to the formal decagonal road network. Figure 13 below shows the existing settlement pattern.





The symmetry of the road network is not obvious at ground level with the variation in topography, mixed treatment of the road verges and variations in housing forms making it difficult to fully interpret the layout. Nevertheless, the rezoning of the subject land to allow for housing lots would be in keeping with the entryway character established on the opposite side of the road from the subject land and would be a logical extension of the housing development adjoining the eastern boundary and extending along Orchid Road. Housing on the subject land would also assist in contributing visually to the sense of entry to the residential areas.

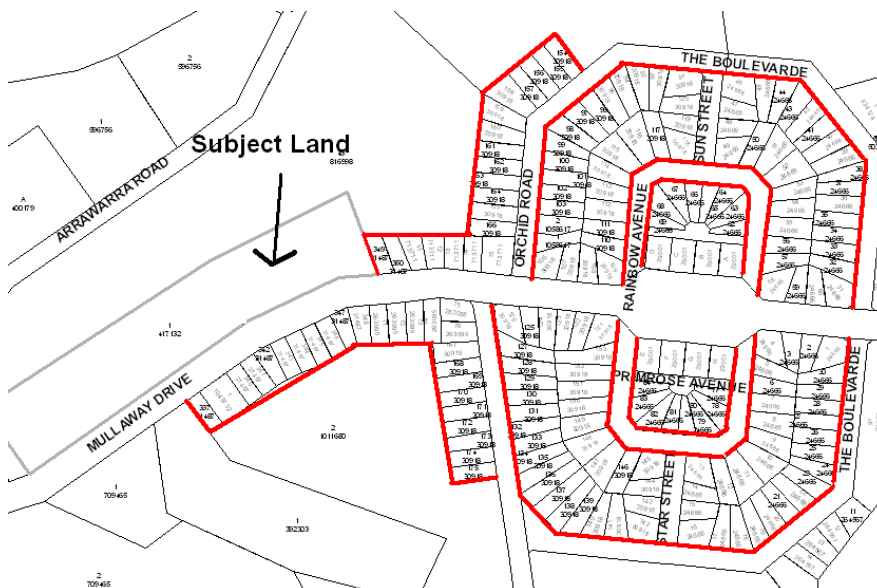


Figure 14: Mullaway village settlement pattern



The land is located within a mixed visual landscape that consists of conventional housing allotments in the order of 700m<sup>2</sup>, bushland areas and a number of larger rural holdings. It is to be noted that an aged persons housing development is proposed to be developed on the land to the west of the houses fronting Darkum Road and to the south of those fronting Mullaway Drive. The main intrinsic scenic qualities of the subject land are the scattered trees and sense of openness. The main extrinsic qualities are associated with the adjoining bushland which provides a green backdrop to the land. The development of the land will alter the sense of openness but will not significantly impinge upon the green backdrop which is provided by the tall canopy of the trees which extends up to a height of 20-30m; any residential housing development will be restricted to a height limit of 8.5m.

The conceptual development plan shown in Figures 7 and 8 adopts the following design measures:

- Lot layout designed to allow for passive solar access;
- Large lots to allow for housing set within landscaped surrounds;
- Simple linear layout in keeping with settlement pattern;
- Fire trail to reduce edge impacts upon bushland;
- Larger lot for existing dwelling to maintain character and ensure driveway access point meets sight distance requirements;
- Retention of existing trees;
- Potential for safer off- road cycleway;
- Street tree planting to enhance entry avenue along Mullaway Drive.

The proposed concept layout is in keeping with the urban design principles from the North Coast Urban Design Guidelines for infill areas.



Figure 15: Visual Analysis



The concept proposal outlined in Figure 7 and 8 represents a considered and sensitive design response that optimises and enhances the existing unique visual attributes of the land and its setting within the Mullaway village.

### 6.3 Geotechnics, Slope and Contaminated Land

The subject land is a relatively flat parcel land in an area that is considered stable; the area is not known for slip, erosion or subsidence. Moreover, the main drainage lines that disperse water in the area fall outside the subject land. No significant impediments are expected in relation to soil stability or provision of footings, foundations or other subsurface structures.

The land has been used for the grazing of horses and prior to this use the land supported native vegetation. There is no evidence of the land being used for any activities that may cause soil contamination and the land is not identified as contaminated land on Council's geographical information system.

In summary, there are no geotechnical, slope or contaminated land constraints in relation to the development of the land for housing.

### 6.4 Bushfire risk

A Bushfire Assessment has been conducted by Florafauna Consulting to assess the risk presented by bushfires and the means to mitigate the risk. A copy of this report is included in Appendix D. The Assessment revealed that the concept development of the land following rezoning can meet with the relevant specifications and requirements of *Planning for Bush Fire Protection 2006* and *Direction 4.4 Planning for Bushfire Protection* subject to Recommendations outlined in the Assessment. The findings and recommendations are as follows:

*The bushfire assessment demonstrates that bushfire protection of a future residential subdivision development of the land within the subject site can satisfy the requirements of Planning for Bushfire Protection 2006 when assessed in accordance with Section 44 of the Rural Fires Regulation 2013 for the purpose of applying for a Bushfire Safety Authority under Section 100B of the Rural Fires Act 1997.*

*The potential layout of a future residential subdivision that has been used as the basis of this bushfire assessment is shown on the subdivision concept plan prepared by Bennell and Associates appended to this report as Appendix A. This report demonstrates that bushfire risks can satisfactorily be managed for the most likely development of the land for residential purposes as shown in the concept plan. Moreover, subject to the recommendations detailed below, there are no significant impediments to the rezoning of the land from a bushfire hazard perspective.*

*While it is acknowledged that the rezoning of the land for residential purposes will allow a range of other, less likely, but more sensitive uses in terms of bushfire hazard; it is considered that adequate legislation is in place to ensure the bushfire hazards can be addressed for these less likely uses before such developments occur.*

*The following recommendations are made in relation to bushfire protection measures for the most likely use for a residential subdivision of the land at Lot 1 DP 417132, Mullaway Drive Mullaway and are based on the relevant provisions of the NSW Rural Fire Service guideline entitled Planning for Bush Fire Protection 2006 and Australian Standard AS 3959-2009 Construction of buildings in bushfire-prone areas:*

- At the issue of a subdivision certificate and in perpetuity, the land to a minimum distance of 30 metres situated between the northern boundary of the subject site and the northern edge of the (future) building envelopes shall be maintained as an Inner Protection Area (IPA) as prescribed under Section 4.1.3 and Appendix 5 of *Planning for Bush Fire Protection 2006*;
- As outlined under Section A2.2 of *Planning for Bush Fire Protection 2006*, and in relation to the requirements of recommendation 1 above, the IPA should provide a tree canopy cover of less than 15 % which should be located greater than 2 metres from any part of the roofline of a dwelling. Garden beds of flammable shrubs are not to be located under trees and should be no closer than 10 metres from an exposed window or door. Trees should have lower limbs removed up to a height of 2 metres above the ground;
- Water, electricity and gas are to comply with section 4.1.3 of *Planning for Bush Fire Protection 2006*. Any new electricity supply lines are to be installed underground; and
- The proposed fire trail shall comply with Section 4.1.3 (3) of *Planning for Bush Fire Protection 2006*.

## 6.5 Archaeology

The land is a generally flat cleared land parcel that has been used for many years for the grazing of horses. The land has no particular attributes that would suggest occupation or use in the past by Aboriginal people; the land is not near a major watercourse is unlikely to be part of a significant travel route and has no features, such as, rock shelves, platforms or caves that would have provided a resource for the indigenous community.

As the land is a Greenfield site that will involve activities that will disturb the ground surface, it is important that due diligence is followed with respect to potential impacts upon Aboriginal cultural values. Under the Office of Environment and Heritage guidelines an assessment has been conducted in accordance with the “*Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* “. Given the disturbed and urbanised nature of the site and surrounding area, a reasonable and practicable approach is to follow the “*Generic Due Diligence Process*” under the Code.

This process outlines three steps, namely:

- *Search relevant confirmed site records or other associated landscape feature information on Aboriginal Heritage and Information Management System (AHIMS)? and/or*
- *Search any other sources of information of which a person is already aware? and/or*
- *Search landscape features that are likely to indicate presence of Aboriginal objects?*

The AHIMS search has revealed that there are no objects on the land or within 50m of the subject land; Appendix E includes the results of the search. There are no other sources of information that the author of this report is aware of that would indicate the presence of any Aboriginal heritage item, object or place on or near the land.

For this rezoning proposal the only area where an item or object may be found is within the bushland areas to be zoned for environmental protection purposes and retained as part of a vegetation buffer to the nature reserve; the areas of the land to be developed are disturbed lands supporting grasslands. Nevertheless, the following condition is recommended for any future development application that may result in the disturbance of the land to ensure the protection of Aboriginal cultural heritage in the unlikely event that an item or object is found;

*The owners, and their employees, earthmoving contractors, subcontractors, machine operators and their representative, whether working in the survey area or elsewhere, should be instructed that in the event of any bone or stone artefacts, or discrete distributions of shell, or any objects of cultural association, being unearthed during earthmoving, work should cease immediately in the area of the find. And contact is to be made with the Department of Environment, Climate Change and Water NSW.*

The imposition of the above condition will ensure any cultural heritage values associated with the site are protected.

## Section 7

# Urban Capability Assessment

## 7.1 Hydrology

The subject land is located within a small catchment that feeds a natural drainage line that runs along the northern boundary of the land and extends through the nature reserve before debouching at Mullaway Beach and a formal drainage line that extends along Mullaway Drive and is part of the road drainage network. The development of the land will change the hydrology of the land with an increase in impervious surfaces associated with buildings and driveways and other paved or hard surface areas.



Figure 16: Main Drainage Lines (source CHCC GIS)

The land is an elevated parcel of land and is not mapped as flood prone land. As stated above the land has a gradual fall from west (32m AHD) to east (13.5m AHD) and a cross fall from the front (i.e. south) of the site to the rear (i.e. north). This topography lends itself to a stormwater design solution that captures water at the front and rear of the allotments. A drainage swale could be constructed along the rear of the allotments adjacent to the fire trail to collect stormwater from the development of the land. The drainage at the front of the allotments generally associated with the driveways can be managed by the installation of underground water tanks to collect roof water. Deep soil landscaping can be used to further assist in capturing and treating stormwater runoff to protect the receiving waters of the drainage lines. The proposed approach to water quality management measures include:

- Stormwater treatment measures can be implemented in the housing areas with minimum treatment to meet the water quality objectives listed in Council's Water Sensitive Urban Design (WSUD) Policy.

- Stormwater detention, including first flush measures can be implemented in proposed development areas.
- Because of the many options available, these are best detailed as part of a future development application process.
- A stormwater management strategy can be developed to meet the above objectives.

## 7.2 Road Network and Access

The subject land has access to both Mullaway Drive and Arrawarra Road. Both of these roads are collector roads that serve the Mullaway and Arrawarra Headland areas respectively. These roads are two way sealed roads with a speed limit of 50km/hr outside of school hours and a 40km/hr speed limit around school opening and closing times (8am - 9.30am and 2.30pm- 4pm) between Arrawarra Road/Mullaway Drive intersection and the Solitary Islands Way (old Pacific Highway). Both roads have designated cycleways with Arrawarra Road having an off- road cycleway and Mullaway Drive having an on- road painted cycleway.



Mullaway Drive looking east



Arrawarra Road off- road cycleway

The existing dwelling house on the land has access to both Mullaway Drive and Arrawarra Road; however, access to the new lots within the subject land is proposed to be restricted to Mullaway Drive. Mullaway Drive is a relatively flat straight road in the location of the subject land and has no significant access constraints. The subject land has a 60m stopping sight distance to vehicles travelling in an easterly direction and over 100m stopping sight distance to vehicles travelling in a westerly direction along Mullaway Drive.

The development of the land for housing will generate approximately 200 daily vehicle trips and 20 weekday peak hour trips. The existing road network can accommodate this additional traffic load without any significant impact upon the level of service of the road network or the general safety of Mullaway Drive. In fact the development of the land provides an opportunity to improve the safety for motorists, pedestrians and cyclists, especially children seeking access to Mullaway Primary School. This improved safety can be achieved by developing an off-road cycleway within the nature strip along the frontage of the land to provide a safer access for pedestrians and cyclists and an opportunity to convert the on- road cycleway back to a road verge to allow for eastbound vehicles to pull over when required. The off-road cycleway can be connected to the existing off road cycleway in Arrawarra Road. The concept plan for the development of the land shows how the off road cycleway can be extended along the subject land.





Mullaway Drive 50km/hr speed limit



Bus shelter in Mullaway Drive

### 7.3 Water and Sewer Supply

The Mullaway village is connected to the reticulated water and sewer network and this network has capacity for the additional 22 dwellings expected to develop upon the subject land.

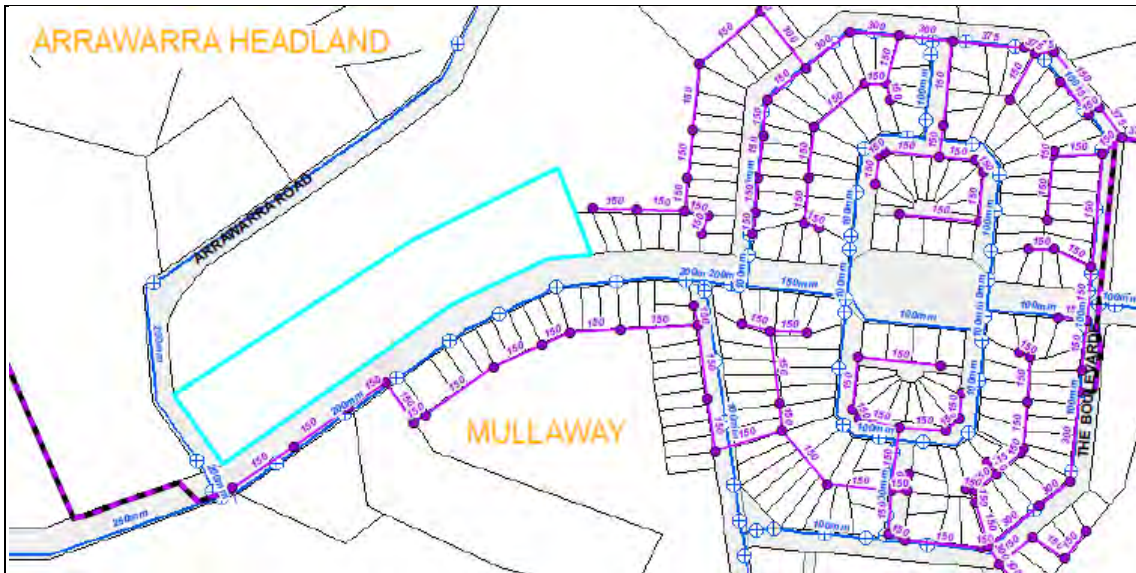


Figure 17: Water and Sewer Services (source CHCC GIS)

A sewer rising main extends from Mullaway Public Primary School and then feeds a 150mm pipeline that extends along Mullaway Drive and another rising main is located along The Boulevard and connects with a large pumping station located near the Mullaway Beach reserve. The sewer line can be extended to connect with the existing 150mm pipeline that is located at the rear of the properties fronting Mullaway Drive that adjoin the eastern boundary of the site. This will allow for a gravity fall from the subject land which is elevated above these lands.

Water services extend along Arrawarra Road with a 200mm pipeline that extends along the western and northern side of Arrawarra Road and this line then extends along the southern side of Mullaway Drive. The subject land can be serviced with reticulated water by under boring to connect with the pipeline in Arrawarra Road. Given the existing servicing of properties in Mullaway Drive, sufficient water pressure is expected to be available to the subject land.



Figure 18: Detail of Water and Sewer Services (source CHCC GIS)

## 7.4 Cost of Servicing

The development of the land will provide for a population in the order of 50-60 people and this population is not of sufficient size to demand any significant social or recreation services in its own right.

The development will require the extension of the existing water and sewer network and will require the provision of kerbing and guttering along Mullaway Drive and the provision of a footpath along Mullaway Drive. As stated earlier there is an opportunity to provide for the extension of the off road cycleway along Mullaway Drive to improve the safety for cyclists, particularly school children travelling to and from Mullaway Primary School.

The land is within 500m of the neighbourhood playground facilities located in the foreshore reserve adjoining The Boulevard and 600m from the picnic facilities near Mullaway Beach. These recreation facilities are considered to be within a reasonable walking distance and adequate for the size of population expected to be accommodated on the subject land.





Figure 19: Recreation Facilities

The development of the land will be subject to Council’s Contribution Plans for community services and facilities prepared under Section 94 of the EP&A Act 1979 including:

- Regional, District & Neighbourhood Facilities Contributions Plan 2008;
- Coffs Harbour Road Network Developer Contributions Plan 2008;
- Surf Rescue Facilities Developer Contributions Plan 2012; and

The development of the land will also be subject to contributions under Section 64 of the Local Government Act 1993 for water and sewer services; the land is subject to the ‘Coffs Harbour Water Supply Development Servicing Plan 2002’ and the ‘Coffs Harbour Wastewater Development Servicing Plan 2002’,

The total Section 94 cost to provide for services to the land is \$4,952 .39 per lot and \$19,056.44 per lot for water and sewer services; this represents a total contribution to Council of \$528,194.26 for the development of the land for 20 lots.

## Section 8

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### Other Issues

#### 8.1 Land Use Conflicts

The subject land is located within the village of Mullaway and is bounded by Mullaway Drive to the south, Arrawarra Road to the west and bushland to the north. The eastern boundary adjoins residential lands with frontage to Mullaway Drive and bushland located to the rear of these residential lands.

The land uses generally reflect the zoning of the land with detached dwelling houses occupying land zoned for residential purposes and the bushland areas occupying the land zoned for open space or recreation purposes.

The subject land currently supports grasslands and some scattered trees and is used for the grazing of horses. The potential land use conflicts relate to the potential impacts upon the adjoining residential areas and the impacts upon the adjoining bushland.

The proposal is the rezoning of the land to R2 Low Density Housing in keeping with the adjoining zoning. While the R2 zone allows for a wide range of compatible residential uses, the most likely development of the land is for detached dwellings as outlined in the concept plan. The use of this land for this purpose is not expected to create any significant land uses conflicts or change the amenity currently enjoyed by existing residents. It is to be noted that impacts in terms of privacy and potential overshadowing of the adjoining residential property to the east will be alleviated to a degree by the setback created by the proposed fire trail.

Residential development with an interface to bushland has the potential to impact upon it through weed invasion, disposal of garden refuse, infringements by ancillary activities (i.e. boat and car storage, recreation structures, fences, gardens and the like) and general human activities particularly fire and vehicle use. To mitigate these potential impacts, it is proposed to service the subdivision with a fire trail to provide a clear demarcation between the private and public lands and allow for surveillance of any inappropriate activities.

The proposal is for a low traffic generating low density residential development that is compatible with the surrounding areas and will deliver a far lower level of potential land use conflicts than the original intended use of the site for a sports field.



Figure 20: Adjoining Land Use Mix

## 8.2 Consultation

The Planning Proposal is required to be advertised to allow for the community to comment on the proposal. Given the past extensive consultation with respect to the ‘Our Living City Strategy,’ that identified the land as a future investigation area, and the relatively minor scale of this rezoning proposal, the advertising of the proposal is considered to be an adequate means of consultation in this circumstance.

## 8.3 Commonwealth Interests

The Environment Protection and Biodiversity Conservation (EP&BC) Act 1999 generally seeks to provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance. The Ecological Assessment by FloraFauna Consultants included a search of the Department of Sustainability, Environment, Water, Population and Communities web site employing the ‘Protected matters Search Tool’ with a 10km buffer was undertaken to identify the matters of National Ecological Significance that may occur in, or may relate to the site.

The subject land is a highly disturbed parcel of land that supports no significant native vegetation. Provided soil erosion and sediment control measures, water sensitive urban design measures and the proposed ecological measures are put in place, the proposal should have a neutral to positive impact in terms of biodiversity values. Accordingly, the planning proposal is not expected to impinge upon any Commonwealth interests and is in keeping with the EP&BC Act intent of promoting ecologically sustainable development.

# Appendix A

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## Appendix B

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# Appendix C

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# Appendix D

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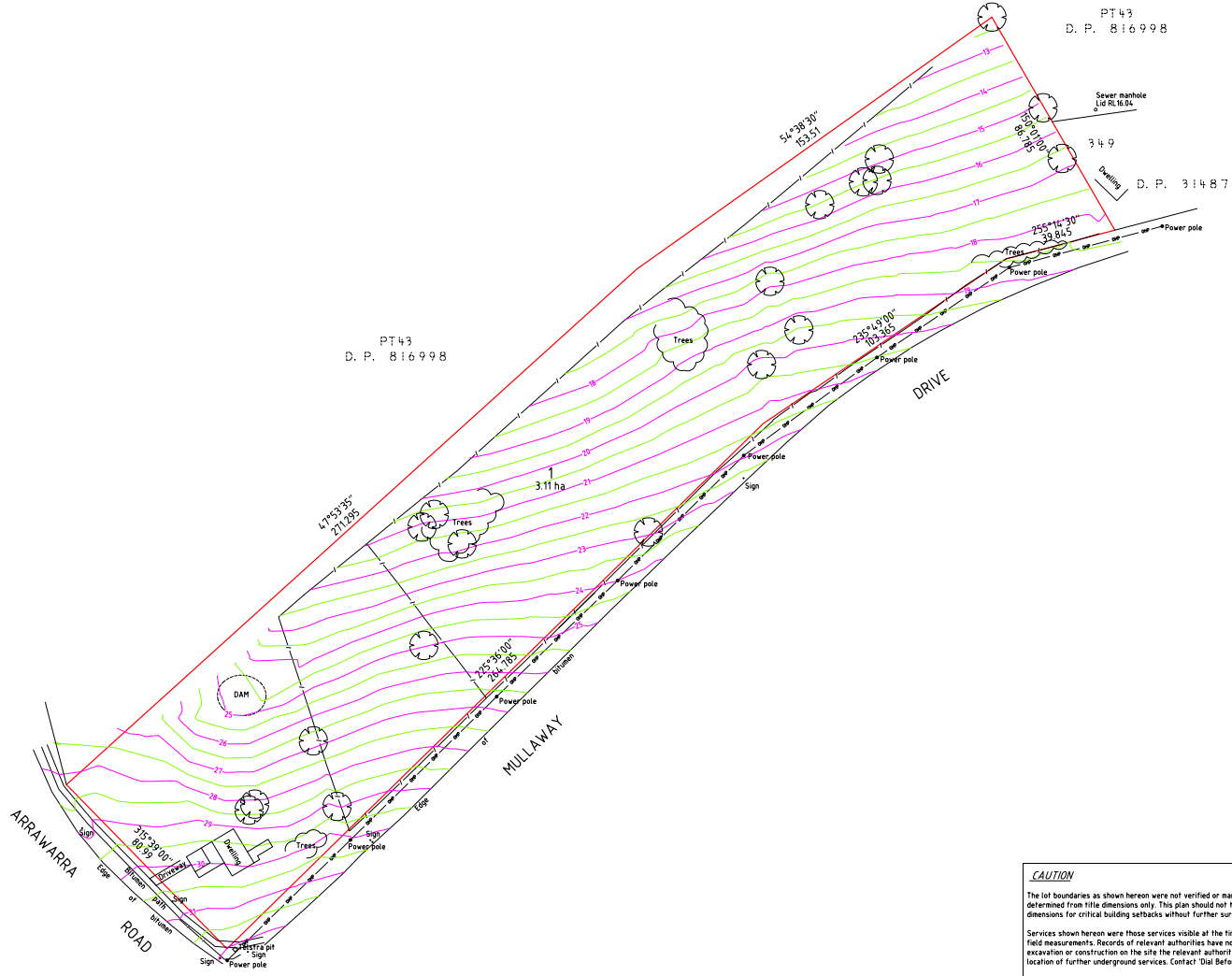
# Appendix E

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Agenda - Ordinary Meeting 28 August 2014 - CITY PLANNING DEPARTMENT REPORTS

Attachment 1  
Appendix A



**CAUTION**

The lot boundaries as shown hereon were not verified or marked at the time of survey and have been determined from title dimensions only. This plan should not be used to determine available dimensions for critical building setbacks without further survey.

Services shown hereon were those services visible at the time of survey and have been located by field measurements. Records of relevant authorities have not been searched. Prior to any demolition, excavation or construction on the site the relevant authorities should be contacted for possible location of further underground services. Contact 'Dial Before You Dig' on 1100.

Contours are an indication only of the level of the land as interpolated from the heights shown.

Selected significant trees have been located by this survey as shown on the plan.

CONTOUR & DETAIL PLAN  
LOT 1 D.P. 417132  
MULLAWAY DRIVE  
MULLAWAY

REVISION	DESCRIPTION	DATE

**BLAIRLANSEY RUSSELL SURVEYING**  
REGISTERED SURVEYORS & LAND DEVELOPMENT CONSULTANTS  
P.O. BOX 2453 COFFS HARBOUR N.S.W. 2450  
Email: bls@blsurvey.com Phone: (02) 66 525 090

DATUM: A.H.D.	SURVEYED: SDR	DESIGNED: JAL
JOB No: 8752	DATE: 29-4-2014	DRAWN: JAL
		CHECKED: SDR

RECORDS REFERENCE	
DATA BASE: Z:\8752\8752.CDS	PLANS: Z:\8752\8752.DWG

SHEETS	No. 1
	of 1
DATUM ORIGIN	PM75978 at RL 18.69









Attachment 1  
Appendix C

**Ecological Assessment  
EA-2014-1002**

**Proposed Rezoning**

**Lot 1 DP 417132  
Mullaway Drive Mullaway**

**March 2014**

**Prepared for: Ashley More**



**FloraFauna Consulting**

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ABN: 22 167 601 074

EA 2013-1002

1//417132 Mullaway Drive Mullaway

March 2014  
Attachment 1  
Appendix C

**Report Title:** Ecological Assessment

**Project:** Proposed Rezoning of Land for Residential Purposes  
Lot 1 DP 417132 Mullaway Drive Mullaway

**Client:** Ashley More

**Report No.:** EA-2014-1002

**Draft/Final:** Final – 7 May 2014

*The preparation of this report has been undertaken in accordance with the project brief provided by the client and has relied upon the information, data and results provided or collected from the sources and under the conditions outlined in the report.*

*All information contained within this report are prepared for the exclusive use of the client and with respect to the land described herein and are not to be used for any other purpose or by any other person or entity. No reliance should be placed on the information contained in this report for any purposes other than those stated herein.*

**Prepared By:** **Steve Britt**  
BSc. (Botany)  
Grad. Dip. DBPA  
M. Wild. Mgt. (Habitat)

**Signed:**

  
\_\_\_\_\_

**Date:**

7 May 2014

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# 1. Executive Summary

This report describes the ecological assessment undertaken during March 2014 in relation to the proposed rezoning of land situated at the corner of Mullaway Drive and Arrawarra Road Mullaway. The study area has an area of approximately 3.132 ha and is identified as Lot 1 in DP 417132.

Three terrestrial plant communities were recorded within the study area and on the adjoining land to the north during the field survey. The majority of the land within the study area was occupied by a derived grassland community dominated by exotic/weed species. Two native plant communities were recorded on the adjacent land adjoining the northern boundary and included a Coast and Escarpment Blackbutt Dry Forest community and a Lowlands Swamp Box – Paperbark – Red Gum Dry Forest community as described under the Fine Scale (Class 5) Vegetation Mapping. Remnants of these plant communities extended into the study area where they were recorded at the interface along the northern boundary and as small groups of canopy trees containing an anomalous assemblage of understorey species and as isolated 'paddock trees'. The Lowlands Swamp Box – Paperbark – Red Gum Dry Forest community was identified as the endangered ecological community – *Sub-tropical Coastal Floodplain Forest of the NSW North Coast bioregion*.

The objectives of the assessment were to describe the ecological characteristics of the survey area within the study area; identify the impacts of the proposed activity on flora and fauna species, populations, ecological communities and critical habitat; assess the nature, extent, frequency, duration and timing of impacts; assess the extent of threatening processes; assess the significance of the impact on species, ecological communities and populations listed under the *Threatened Species Conservation Act 1995* (TPC Act), *Fisheries Management Act 1994* (FM Act) and *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act); and propose environmental management measures to minimise mitigate and if necessary offset impacts.

Observations made during the field survey indicate that the land within the study area is degraded and heavily infested with exotic/weed species. Generally, it appears that there are no significant impediments to the proposed rezoning. In relation to further development of the subject site, it is considered that additional ecological investigation would not be warranted given the extent of the disturbance and modification to the habitats that exists. The mitigation measures proposed under Section 6 are aimed at providing an appropriate biodiversity offset that does not compromise the development potential of the land within the study area.

From the habitat assessment and database/literature review, it was considered that 11 threatened species as listed under the *Threatened Species Conservation Act 1995* and *Environment Protection and Biodiversity Conservation Act 1999* could potentially utilise the limited resources available in the habitat within the study area. The Section 5A Assessments appended to this report as Appendix C concluded that the proposal is unlikely to impact significantly on any threatened species and populations.

## 2. Introduction

### 2.1 Background

FloraFauna Consulting has been engaged by Ashley More (the client) to prepare an ecological assessment report to assess the potential impacts in relation to the proposed rezoning of land at Mullaway.

### 2.2 Study Area

The study area is located at the corner of Arrawarra Road and Mullaway Drive, Mullaway and comprises an allotment of land of approximately 3.153 ha in size that is identified as Lot 1 in DP 417132. The land within the study area is currently zoned RE1 – Public Recreation and RU2 – Rural Landscape under the *Coffs Harbour Local Environmental Plan 2013* (LEP).

There is an existing dwelling located in the south-western corner of the site. The remaining land within the study area has been cleared of native vegetation to form derived grassland dominated by exotic species and appears to have been used for the purpose of keeping horses for a considerable period of time. Within this derived grassland community there are a relatively small number of retained trees that seem to be remnants of the former native plant community.

The study area is situated in a landscape that is impacted by human activities. Currently the surrounding land use practices are variable and include existing rural-residential development, agricultural activities and adjacent residential development associated with the village of Mullaway. More recently there have been significant changes to the landscape associated with the Pacific Highway upgrade.

Immediately adjoining the study area to the north are areas of land containing forest. Further to the north lie Arrawarra Road that heads in a generally north-eastern direction and a small number of developed rural-residential allotments surrounded by extensive areas of land containing native forest. To the east the study area adjoins existing residential development, which is the current western extent of the village of Mullaway on the northern side of Mullaway Drive. Immediately adjoining the southern boundary of the study area is the road corridor of Mullaway Drive. To the south of the eastern part of the study area and adjoining the southern side of Mullaway Drive are a number of developed residential allotments. To the southwest of these allotments and opposite the western part of the study area are two developed rural allotment of land, in which native vegetation has been retained. Further southward much of the land has been cleared for agricultural purposes. The western boundary of the study area adjoins Arrawarra Road. Beyond the road corridor further westward the land contains a mix of forested areas, cleared land and rural-residential development.

The relative position of the subject site and the general nature of the surrounding landscape are shown in Figure 2.1.

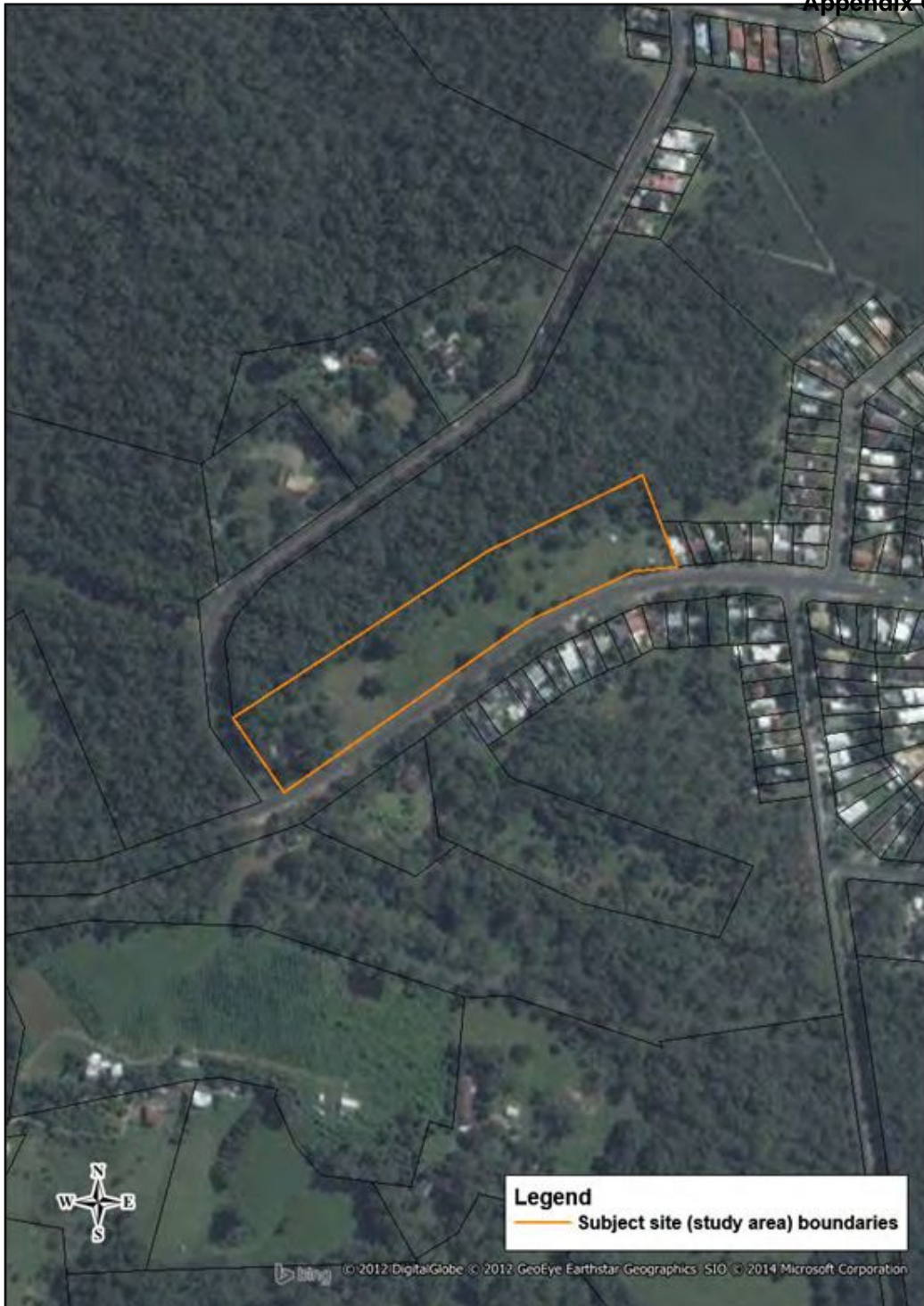


Figure 2.1: Aerial image of the study area and surrounding landscape

## 2.3 Proposed Development

The proposed development involves a rezoning of the land within the study area for residential purposes. Once the land within the study area has been rezoned it is intended that approval will be sought for a low density residential subdivision comprising 23 allotments incorporating an asset protection zone and perimeter fire trail adjacent to the northern boundary. The subdivision concept plan showing the proposed subdivision layout is appended to end of this report as Appendix D.

## 2.4 Legislative Context

In NSW the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides the framework for the assessment of development activities. Clause 5A of the Act requires that the significance of the impact of a proposal on threatened species, populations and endangered ecological communities is assessed by preparing a seven-part test in accordance with Clause 5A(2) of the Act.

Other State legislation relevant to the ecological assessment includes the following:

- *Threatened Species Conservation Act 1995* (TSC Act);
- *National Parks and Wildlife Act 1974* NPW Act);
- *Noxious Weeds Act 1993* (NW Act);
- *Fisheries Management Act 1994* (FM Act);
- *State Environmental Planning Policy No. 14 – Coastal Wetlands* (SEPP 14);
- *State Environmental Planning Policy No. 26 – Littoral Rainforests* (SEPP 26);
- *State Environmental Planning Policy No.44 – Koala Habitat* (SEPP 44).

Commonwealth legislation relevant to the ecological assessment is:

- *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The EPBC Act protects nationally and internationally important flora, fauna, ecological communities and heritage places, which are defined in the Act as matters of national environmental significance. Matters of national environmental significance relevant to biodiversity are:

- Wetlands of international importance;
- Nationally threatened species and ecological communities;
- Migratory species; and
- Commonwealth marine areas.

Significance of impacts is determined in accordance with the *Significance impact guidelines 1.1 – matters of national environmental significance* (Department of Environment, Water, Heritage and the Arts, 2006). Where a proposal is likely to have a significant impact on a matter of national environmental significance, the proposal is referred to the Federal Environment Minister. The referral process involves a decision on whether or not the proposal is a 'controlled action'. When a proposal is declared a controlled action, approval from the Minister is required.

## 2.5 Objectives of the Report

The objectives of the ecological assessment are to:

- Describe the ecological characteristics of the study area including identifying protected and threatened flora and fauna species, populations and ecological communities and their habitats;
- Identify the direct and indirect impacts of the proposed activity on flora and fauna species, populations, ecological communities and critical habitat;
- Assess the nature, extent, frequency, duration and timing of impacts;
- Assess the extent to which the proposed activity contributes to processes threatening the survival of biota on the site;
- Assess the significance of the impact of the proposed activities on species, ecological communities and populations listed under the TSC Act, FM Act and EPBC Act; and
- Propose management measures to minimise or mitigate and if necessary offset impacts.



## 3. Survey Methodology

### 3.1 Licencing

All work in relation to this ecological assessment was undertaken with appropriate licences and authorisations including:

- A Scientific Licence for the purpose of ecological survey and consulting issued subject to the provisions of Section 132C of the NPW Act and regulations; and
- An Animal Research Authority issued by the Department of Industries and Investment (formerly the Department of Primary Industries) Director-General's Animal Care and Ethics Committee for the purpose of biodiversity survey and habitat assessment.

### 3.2 Nomenclature

The names of plants used in this document follow the *Flora of New South Wales* (Harden, 2000) with updates from the PlantNet website (Royal Botanic Gardens Sydney, 2012).

The description of plant communities used in this document follow the Fine Scale (Class 5) Vegetation Mapping – Coffs Harbour Local Government Area – Vegetation Community Profiles (NSW Office of Environment and Heritage). In addition, a description based on the NSW Plant Community Type (PCT) classification from the NSW Vegetation Information System (VIS) classification database (NSW Office of Environment and Heritage) has also been provided as this is the classification system more widely used in NSW. For clarity observations recorded during the field survey have also been provided.

The names of vertebrate animals used in this document follow the Census of Australian Vertebrates (CAVS) database maintained by the Department of the Environment and Heritage (2004).

### 3.3 Literature Review

The following literature was reviewed in relation to this ecological assessment:

- *Coffs Harbour Local Environmental Plan 2013* (LEP);
- Coffs Harbour City Council online land zoning map;
- Coffs Harbour City Council online mapping tool; and
- Fine Scale Vegetation Mapping for the Coffs Harbour Local Government Area.



### 3.4 Database Searches

Database searches as summarised in Table 3.1 were undertaken on 4 March 2014 and 16 April 2014.

Database	Source
Atlas of NSW Wildlife (10 km x 10 km search area)	NSW Government Office of Environment and Heritage
PlantNet: ROTAP/Threatened Species Spatial Search (10 km radius)	Sydney Royal Botanic Gardens
EPBC Act Protected Matters Search Tool (10 km buffer)	Department of the Environment

**Table 3.1: Database Searches**

#### 3.4.1 Atlas of NSW Wildlife

The Atlas of NSW wildlife database was searched to verify the number and location of threatened species records within a 10 x 10 km (default) search area around the study area. This information was used to determine:

- The number of records of threatened species
- The proximity of any threatened species records to the study area; and
- If a population of a threatened species such as the Koala is indicated.

#### 3.4.2 EPBC Act Protected Matters Search Tool

The Protected Matters Search Tool (PMST) was utilised to generate a report that provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act around the study area employing a 10 km buffer.

##### a. Matters of National Environmental Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the nominated area within the 10 km buffer.

##### b. Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the EPBC Act that may relate to the nominated area within the 10 km buffer. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage

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values of a Commonwealth Heritage place and the heritage values of a place on the Register of the National Estate.

A permit may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

### 3.5 Field Survey

An investigation of the study area was undertaken on 5 March 2014 for the purpose of conducting an assessment of the flora and fauna, a survey of trees within the canopy of the plant community and habitat assessment as detailed below.

#### 3.5.1 Flora Assessment

An assessment of the flora was conducted during the field investigation using a modified random meander method after Cropper (1993) and the following tasks were undertaken:

- Identification of the plant communities, species and populations present;
- Targeted survey of threatened species identified in the database search
- Spatial distribution of the vegetation in the survey area;
- Assess the condition of the vegetation; and
- Determine the conservation significance of the vegetation;

#### 3.5.2 Tree Survey

Trees were surveyed to quantify the species composition of the canopy within the plant communities. The purpose of quantifying the species within the canopy was to assist with:

- Determining the plant communities present within the study area;
- Collection of information for the habitat assessment such as presence of tree hollows; and
- Determining the approximate percentage of Koala feed tree species present as part of the Koala habitat assessment.

For the purposes of this ecological assessment a tree is defined as a perennial plant having a trunk diameter at breast height (DBH) of not less than 100 mm where DBH is the measurement of the trunk at 1.3 m above ground level.

#### 3.5.3 Fauna Assessment

The fauna assessment conducted was restricted to a visual daytime survey. Trapping or other survey techniques such as spotlighting and the like for fauna species was not conducted, nor was a comprehensive species list gathered. During the fauna survey the following information was collected:

- An inventory of bird species present within the site and adjacent land using the “standardised search” method after Watson (2007); and
- Other species of fauna recorded opportunistically during the field survey.

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### **3.5.4 Habitat Assessment**

The habitat assessment focused on the potential for species to occur within the survey area based on the type, suitability and condition of the habitat, and the habitat features present. Although recording threatened species during field survey can confirm their presence in an area, the lack of threatened species records does not necessarily indicate that threatened species are absent. Threatened species tend to be rare and in many cases are cryptic by nature, consequently they are often difficult to detect. Suitable habitat is, therefore, a useful indicator and an important matter for consideration when determining the potential for the presence of threatened species. During the field survey the following information was collected:

- Habitat type;
- Habitat features including locating and mapping all hollow-bearing trees within the study area;
- Threatened species and populations likely to be present based on the type of habitat and the habitat features present; and
- Habitat connectivity; and conservation significance (individuals, species, populations and communities).

## **3.6 Koala Habitat Assessment and Koala Survey**

### **3.6.1 Coffs Harbour Koala Plan of Management**

Under the provisions of Clause 11 of SEPP 44 a plan of management may be prepared for either:

- a) The whole of a local government area, or
- b) A part of such a local government area (including an area of land that is the subject of a development application).

The *Coffs Harbour Koala Plan of Management* is a comprehensive Koala plan of management (CKPoM) covering the whole of the Coffs Harbour City Local Government Area.

The Koala habitat mapping provided in the CKPoM indicates that part of the land within the study area and land adjoining the study area contains secondary Koala habitat as indicated in Figure 3.1.

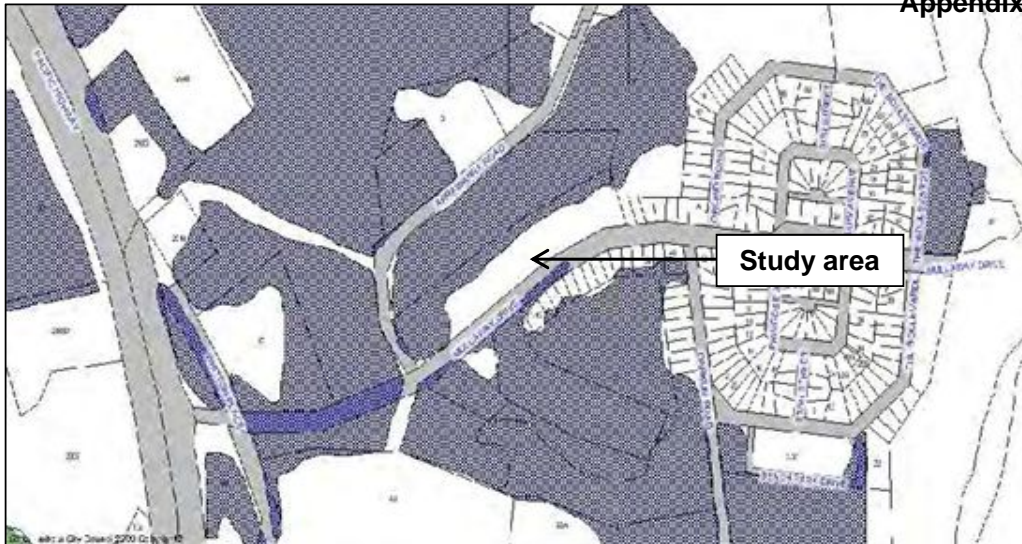


Figure 3.1: Extract of the Koala habitat map (Source: Coffs Harbour City Council)

Key:  Mapped secondary Koala habitat

As part of the study area is mapped as secondary Koala habitat for the purposes of the CKPoM, the objective and management actions applicable to secondary Koala habitat as listed under clause 3.4 of Part A of the CKPoM must be considered.

The objective for mapped secondary Koala habitat is:

*To minimise further loss, fragmentation or isolation of existing secondary koala habitat and the creation of barrier to koala movement and, where appropriate, to encourage restoration of koala habitat*

The management actions applicable to mapped secondary Koala habitat are described under Section 5.2 of the report. The measures to address the management actions are provided in Section 6.2 of this report.

The Atlas of NSW wildlife database was searched to verify the number and location of Koala records within a 10 km x 10 km (default) search area around the study area. This information was used to determine if a population of the species is indicated and to gauge the potential utilisation of the habitat within the study area by the species.

### 3.6.2 EPBC Act

Koala (*Phascolarctos cinereus*) populations in Queensland (QLD), New South Wales (NSW) and the Australian Capital Territory (ACT) have been listed as vulnerable under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This listing came into legal effect on 2 May 2012. The Department of the Environment has prepared *Draft EPBC Act referral guidelines for the vulnerable koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)* (the Guidelines), which are designed to assist proponents in deciding whether a proposed action is likely to have a significant impact on the Koala. The Guidelines advise that for the most up-to-date report of whether the Koala may occur in the project area, always use the Department's Protected Matters Search Tool (PMST).

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For the purposes of determining significant impacts under the EPBC Act, the distribution of the Koala has been split into two contexts (the inland and the coastal). These contexts exhibit different climatic and ecological attributes and therefore each have different considerations with regard to habitat critical to the survival of the Koala and the significance of impacts on the species. To separate the coastal and inland geographic contexts the Guidelines uses the 800 mm per annum rainfall isohyet.

As the study area receives more than 800 mm of rainfall per annum it falls within the coastal context. The attributes of the coastal context applicable to the study area are provided in Table 3.2 below:

Attribute	Applicable to Coastal Geographic Context
Potential Habitat	<ul style="list-style-type: none"> <li>• Large, connected areas of native vegetation, including in forests and woodlands where logging has altered tree species composition;</li> <li>• Small, isolated patches of native vegetation in rural or urban areas;</li> <li>• Narrow areas of native vegetation along riparian areas and linear infrastructure; and</li> <li>• Isolated food and/or shelter trees on farm lands and in suburban streetscapes and parks.</li> </ul>
Primary threats	<ul style="list-style-type: none"> <li>• Loss, fragmentation and degradation of habitat including dispersal habitats; and</li> <li>• Mortality due to vehicle strikes, dog attacks and disease.</li> </ul>
Interim recovery objective	<ul style="list-style-type: none"> <li>• Protect and conserve large, connected areas of koala habitat, particularly large, connected areas that support koalas that are:                             <ul style="list-style-type: none"> <li>➢ Genetically diverse/distinct; or</li> <li>➢ Free of disease or have a very low incidence of disease; or</li> <li>➢ Breeding (i.e. presence of back young or juveniles).</li> </ul> </li> </ul>

**Table 3.2: Koala attributes – coastal context (Source: Draft EPBC Act referral guidelines for the vulnerable koala (combined populations of Queensland, New South Wales and the Australian Capital Territory))**

If the PMST indicates that the Koala or its habitat is known to or may occur within an area, a habitat assessment is necessary to ascertain whether habitat critical to the survival of the species occurs in the area.

**i. Koala Habitat Assessment**

Habitat critical to the survival of the Koala is considered to be habitat that is important for the long-term survival and recovery of the species. The Guidelines contain a Koala habitat assessment tool to assist in determining the sensitivity, value and quality of the impact area and whether it contains habitat critical to the survival of the

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species. The Koala habitat assessment tool categorises five primary Koala habitat attributes including:

- Koala occurrence;
- Vegetation composition;
- Habitat connectivity;
- Existing threats and
- Recovery value.

Each habitat attribute is scored between zero and two and the scores are added together to give a total out of 10, providing an indication of the overall value of habitat in the impact area. An impact area that scores five or more under the habitat assessment tool for the Koala is deemed to contain habitat critical to the species survival.

An extract of the Koala habitat assessment tool relevant to the study area (coastal) is provided in Table 3.3 below:

Attribute	Score	Coastal Criteria
Koala occurrence	2 (High)	Evidence of one or more koalas within the last 2 years.
	1 (Medium)	Evidence of one or more koalas within 5 km of the edge of the impact area within the last 5 years.
	0 (Low)	None of the above.
Vegetation composition	2 (High)	Has forest or woodland with 2 or more known koala food tree species in the canopy.
	1 (Medium)	Has forest or woodland with only 1 species of known koala food tree present in the canopy.
	0 (Low)	None of the above.
Habitat connectivity	2 (High)	Area is part of a contiguous landscape 500 ha.
	1 (Medium)	Area is part of a contiguous landscape < 500 ha, but 300 ha.
	0 (Low)	None of the above.
Key existing threats	2 (High)	Little or no evidence of koala mortality from vehicle strike or dog attack at present in areas that score 1 or 2 for koala occurrence.
	1 (Medium)	Evidence of infrequent or irregular koala mortality from vehicle strike or dog attack at present in areas that score 1 or 2 for koala occurrence.
	0 (Low)	Evidence of frequent or regular koala mortality from vehicle strike or dog attack in the study area at present, or Areas which score 0 for koala occurrence and have a significant dog or vehicle threat present.
Recovery value	2 (High)	Habitat is likely to be important for achieving the interim recovery objectives for the relevant context (see Table 3.3).
	1 (Medium)	Uncertainty exists as to whether the habitat is important for achieving the interim recovery objectives for the relevant context (see Table 3.3).
	0 (Low)	Habitat is unlikely to be important for achieving the interim recovery objectives for the relevant context (see Table 3.3).

**Table 3.3: Extract of the Koala habitat assessment tool relevant to the study area**



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The study (impact) area was assessed in accordance with the Koala habitat assessment tool – coastal criteria as detailed in Table 3.3.

## ii. Desktop Survey

As per the Guidelines, a desktop survey was undertaken that included a search of Koala records in the Atlas of NSW Wildlife database and the EPBC Act Protected Matters Search Tool. To assist with the assessment of habitat quality, habitat size, habitat connectivity and Koala occurrence the Port Macquarie-Hastings Council Koala habitat mapping was reviewed and aerial imagery of the study (impact) area was examined. Information regarding the intensity of existing threats to the Koala in the area was also gathered. No other sources of additional information were considered for the purposes of this assessment.

## iii. Field (On-ground) Survey

As per the Guidelines a Koala ‘on-ground’ survey was undertaken. As the study area was relatively small and contained limited potential habitat it was possible to undertake a search of the entire habitat within the study area during the field survey.

For the purposes of the EPBC Act, the Koala survey of the study area involved a diurnal search for direct Koala sightings. This was supported by indirect survey methods including a Spot Assessment Technique (SAT) survey (Phillips and Callaghan, 2011), which involved a search for scats, and a search for other indicators such as scratch markings on trees.

## 3.7 Significance Assessments

Significance assessments were carried out for threatened species, populations and ecological communities listed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the *Threatened Species Conservation Act 1995* (TSC Act).

In the case of the EPBC Act, the significance assessments were undertaken in accordance with the *Significance Impact Guidelines 1.1 – Matters of National Environmental* (Department of Environment, Water, Heritage and the Arts, 2009). In the case of the TSC Act, the significance assessments were undertaken in accordance with the *Threatened Species Assessment Guidelines – The Assessment of Significance* (Department of Environment and Climate Change, 2007).

The conclusions drawn in this report are based upon information obtained from the review of literature and database searches, and from the ecological assessment undertaken of the study area at the time of the field investigation. These results are not exhaustive but rather are indicative of the environmental conditions, including the presence or otherwise of threatened species, populations and ecological communities. It should also be recognised that environmental conditions are dynamic and will change over the course of time.

Habitat assessments were completed for all threatened species and populations identified in the database searches (Table 3.1) to determine whether or not suitable



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habitat exists within the subject site. This is a conservative approach that is more likely to include cryptic species as well those that are otherwise difficult to detect.

## 4. Results

### 4.1 Fine Scale (Class 5) Vegetation Mapping Profiles

The Fine Scale (Class 5) Vegetation Mapping indicates that two plant communities are present on part of the land within study area and on land adjacent to the northern boundary as indicated in the extract of the Fine Scale (Class 5) Vegetation Mapping at Figure 4.1 below.

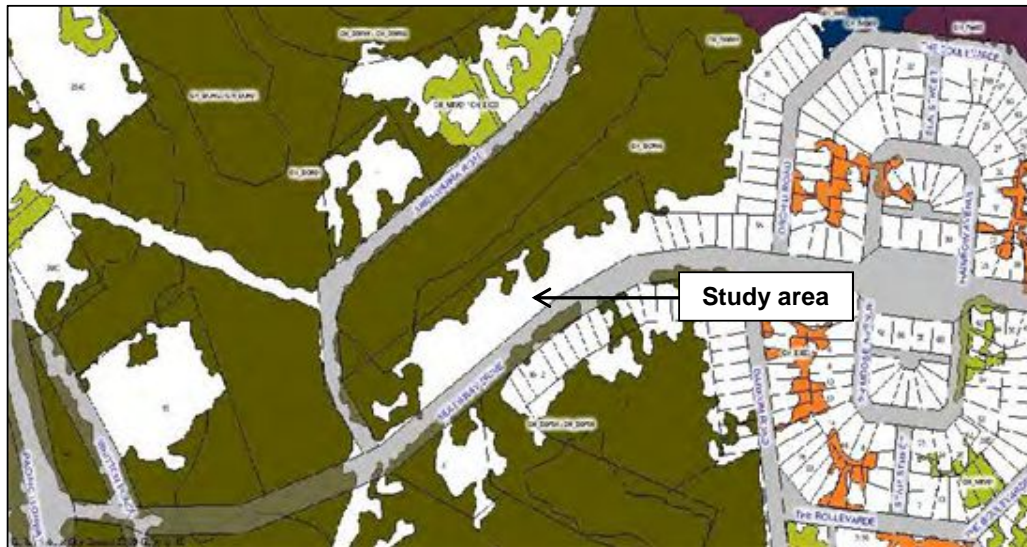


Figure 4.1: Extract of the Fine Scale (Class 5) Vegetation Mapping (Coffs Harbour City Council)

Key:  CH\_DOF01: Coast and Escarpment Blackbutt Dry Forest  
 CH\_DOF06: Lowlands Swamp Box – Paperbark – Red Gum Dry Forest

The Fine Scale (Class 5) Vegetation Mapping descriptions of these plant communities are provided below.

#### 4.1.1 Plant Community 1

##### CH\_DOF01 – Coast and Escarpment Blackbutt Dry Forest

This plant community is identified as CH\_DOF01: Coast and Escarpment Blackbutt Dry Forest. It is described as a tall open forest community characterised by an open canopy of *Eucalyptus pilularis* (Blackbutt). Other species that may be co-dominant include *Eucalyptus resinifera* subsp. *hemilampra* (Red Mahogany), *Eucalyptus signata* (Scribbly Gum), *Syncarpia glomulifera* (Turpentine), *Corymbia intermedia* (Pink Bloodwood) and *Eucalyptus microcorys* (Tallowwood). The understorey is typically grassy and/or ferny and can vary from a heathy to a dry shrubby species composition. Also, there may be a range of associated canopy species present such as *Angophora costata* (Smooth-barked Apple), *Eucalyptus saligna* (Blue Gum) and *Eucalyptus propinqua* (Small-fruited Grey Gum). An open middle small tree layer is present that may include *Allocasuarina littoralis* (Black She-oak), *Allocasuarina torulosa* (Forest Oak), *Acacia irrorata* (Green Wattle) and juveniles of the canopy species. Sometimes a sparse to dense second mid layer of shrubs is present, which

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may include *Dodonaea triquetra* (Large-leaf Hop Bush), *Leucopogon lanceolatus* (Beard Heath), *Notelaea longifolia* (Mock Olive), *Elaeocarpus reticulatus* (Blueberry Ash), *Persoonia stradbokensis* (Geebung) and *Polyscias sambucifolia* (Elderberry Ash). The dense ground layer is comprised of species such as *Themeda australis* (Kangaroo Grass), *Lomandra longifolia* (Spiny-headed Mat-rush), *Pteridium esculentum* (Common Bracken), *Calochlaena dubia* (Rainbow Fern), *Blechnum cartilagineum* (Gristle Fern), *Imperata cylindrica* (Blady Grass) and *Dianella caerulea* (Blue Flax-lily). Variants of this community sometimes exhibit canopy dominance of species such as *Eucalyptus saligna* (Sydney Blue Gum), *Eucalyptus signata* (Scribbly Gum) and *Angophora costata* (Smooth-barked Apple).

#### 4.1.2 Plant Community 2

##### CH\_DOF06 – Lowlands Swamp Box Paperbark – Red Gum Dry Forest

This plant community is identified as CH\_DOF06: Lowlands Swamp Box – Paperbark – Red Gum Dry Forest. It is described as an open forest community with various dominant species in the canopy including *Lophostemon suaveolens* (Swamp Box), *Melaleuca quinquenervia* (Broad-leaved Paperbark), *Corymbia intermedia* (Pink Bloodwood), *Eucalyptus resinifera* subsp. *hemilampra* (Red Mahogany), *Eucalyptus tereticornis* (Forest Red Gum) and *Callistemon salignus* (Willow Bottlebrush). Other species that may be present in the canopy include *Eucalyptus robusta* (Swamp Mahogany), *Eucalyptus pilularis* (Blackbutt), and *Eucalyptus signata* (Scribbly Gum). There is often a lower tree strata present containing species such as *Allocasuarina littoralis* (Black Sheoak) and *Glochidion ferdinandi* var. *ferdinandi* (Cheese Tree). The mid-strata is generally dominated by *Dodonaea triquetra* (Large-leaf Hop Bush), *Leucopogon lanceolatus* (Beard Heath), *Notelaea longifolia* (Mock Olive), *Elaeocarpus reticulatus* (Blueberry Ash), *Persoonia stradbokensis* (Geebung) and *Polyscias sambucifolia* (Elderberry Ash). The dense ground layer is typically comprised of species such as *Themeda australis* (Kangaroo Grass), *Lomandra longifolia* (Spiny-headed Mat-rush), *Pteridium esculentum* (Bracken Fern), *Calochlaena dubia* (Rainbow Fern), *Blechnum cartilagineum* (Gristle Fern), *Imperata cylindrica* (Blady Grass) and *Dianella caerulea* (Blue Flax-lily).

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## 4.2 NSW Vegetation Information System Classification

Based on the aforementioned Fine Scale (Class 5) Vegetation Mapping descriptions and the data collected during the flora assessment of the study area the equivalent NSW Plant Community Type (PCT) classification from the NSW Vegetation Information System (VIS) classification database is as follows:

### 4.2.1 Plant Community 1

#### Blackbutt – Pink Bloodwood shrubby open forest of the coastal lowlands of the NSW North Coast Bioregion

*Plant Community ID:* 686

*Biometric Vegetation Type ID:* NR117

*Vegetation Type:*

- i. **Common Community Name:** Blackbutt – Pink Bloodwood shrubby open forest of the coastal lowlands of the NSW North Coast Bioregion;
- ii. **Scientific Community Name:** *Eucalyptus pilularis*, *Corymbia intermedia*, *Eucalyptus resinifera* subsp. *resinifera* / *Breynia oblongifolia*, *Callistemon saligna*, *Glochidion ferdinandi*, *Melaleuca linariifolia* / *Entolasia marginata*, *Eustrephus latifolius*, *Lomandra longifolia*, *Oplismenus imbecillus*;
- iii. **Dominant Canopy Species:** *Eucalyptus pilularis* (Blackbutt), *Corymbia intermedia* (Pink Bloodwood), *Eucalyptus resinifera* subsp. *resinifera* (Red Mahogany);
- iv. **Mid Strata Species:** *Glochidion ferdinandi* (Cheese Tree), *Melaleuca linariifolia* (Flax-leaved Paperbark), *Rubus hillii* (Molucca Bramble), *Breynia oblongifolia* (Coffee Bush), *Callistemon saligna* (Willow Bottlebrush). *Viola hederacea* (Ivy-leaved Violet);
- v. **Ground Strata Species:** *Eustrephus latifolius* (Wombat Berry), *Lomandra longifolia* (Spiny-headed Mat-rush), *Oplismenus imbecillus*, *Pratia purpurascens* (White Root), *Pseuderanthemum variabile* (Pastel Flower), *Pteridium esculatum* (Bracken), *Vernonea cinerea*, *Imperata cylindrical* var. *major* (Blady Grass), *Entolasia marginata* Bordered Panic).

*Vegetation Formation (CMA):* Wet Sclerophyll forests (Shrubby sub-formations)

*Vegetation Class:* North Coast Wet Sclerophyll Forests

*Landscape Position:* in low lying areas on the coast from Kendall north to Coffs Harbour (in relation to Northern Rivers)

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## 4.2.2 Plant Community 2

### Forest Red Gum – Swamp Box of the Clarence Valley lowlands of the North Coast

Plant Community ID: 837

Biometric Vegetation Type ID: NR161

Vegetation Type:

- i. **Common Community Name:** Forest Red Gum – Swamp Box of the Clarence Valley lowlands of the NSW North Coast Bioregion;
- ii. **Scientific Community Name:** *Eucalyptus tereticornis*, *Lophostemon suaveolens*, *Corymbia intermedia*, *Eucalyptus siderophloia*/*Alphitonia excelsa*/*Cymbopogon refractus*, *Entolasia stricta*, *Lomandra longifolia*, *Pratia purpurascens*;
- iii. **Dominant Canopy Species:** *Eucalyptus tereticornis* (Forest Red Gum), *Lophostemon suaveolens* (Swamp Turpentine), *Corymbia intermedia* (Pink Bloodwood); *Eucalyptus siderophloia* (Grey Ironbark);
- iv. **Mid Strata Species:** *Alphitonia excelsa* (Red Ash);
- v. **Ground Strata Species:** *Lomandra longifolia* (Spiny-headed Mat-rush), *Pratia purpurascens* (Whiteroot), *Themeda australis* (Kangaroo Grass), *Cymbopogon refractus* (Barbed-wire Grass), *Entolasia stricta* (Wiry Panic).

Vegetation Formation (CMA): Grassy Woodlands

Vegetation Class: Coastal Valley Grassy Woodlands

Landscape Position: On high and low quartz sediments in the Clarence lowlands

Conservation Status: Endangered Ecological Community (EEC) – *Sub-tropical Coastal Floodplain Forest of the NSW North Coast bioregion*

## 4.3 Flora Assessment – Field Survey

The plant communities identified under the Fine Scale (Class 5) Vegetation Mapping in Section 4.1 more or less correlate with the two plant communities recorded on the adjacent land and the remnants of these plant communities recorded within the study area during the field survey.

### 4.3.1 Derived Plant Community

It was noted during the field survey that the majority of the land within the study area is occupied by a derived grassland community that is dominated by exotic/weed species. The more common species recorded within the derived grassland during the field survey included *Imperata cylindrica* (Blady Grass), *Paspalum urvillei* (Vasey Grass), *Sporobolus africanus* (Parramatta Grass), *Ageratum houstonianum* (Billygoat Weed), *Conyza bonariensis* (Flax-leaf Fleabane), *Bidens pilosa* (Cobbler's Pegs), *Cyperus eragrostis* (Umbrella Sedge) and *Gomphocarpus fruticosus* (Narrow-leaf



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Cotton Bush). The full list of flora species recorded during the field survey is provided under Appendix A of this report.

An image of the derived grassland community is shown in Figure 4.2 below.



Figure 4.2: View of the derived grassland within the study area

### 4.3.2 Fine Scale Mapping Plant Community Field Observations

#### (a) Coast and Escarpment Blackbutt Dry Forest

Observations made during the plant community assessment indicated that the Coast and Escarpment Blackbutt Dry Forest community occurred on the land adjoining the northern boundary at the western (Arrawarra Road) end of the study area. Remnants of this plant community were recorded within the study area and comprised several retained trees from the canopy situated at the western end of the study area in the vicinity of the existing dwelling. Away from the immediate vicinity of the existing dwelling, the remnants of this plant community consisted of a small number of isolated 'paddock' trees with some components of the understorey and groundcover recorded along the interface at the northern boundary and also infrequently in other parts of the study area. The principle species in the canopy of the Coast and Escarpment Blackbutt Dry Forest on the land immediately adjacent to the study area included *Eucalyptus pilularis* (Blackbutt), *Corymbia intermedia* (Pink Bloodwood) *Eucalyptus resinifera* subsp. *hemilampra* (Red Mahogany) and *Eucalyptus microcorys* (Tallowwood). Other species recorded in the canopy included *Eucalyptus saligna* (Sydney Blue Gum) and *Angophora costata* (Smooth-barked Apple).

The principal understorey species recorded at the interface between the study area and the land adjacent to the northern boundary during the field survey was *Allocasuarina torulosa* (Forest Oak), *Pittosporum undulatum* (Sweet Pittosporum), *Acacia binervata* (Two-veined Hickory), *Acacia floribunda* (White Sally) and *Breyenia*

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*oblongifolia* (Coffee Bush). There were also some exotic/weed species recorded in the understorey at the interface including *Lantana camara* (Lantana), *Schefflera actinophylla* (Umbrella Tree), *Senna pendula* var. *glabrata* (Easter Cassia) and *Solanum mauritianum* (Wild Tobacco).

The more common species in the groundcover recorded at the interface included *Imperata cylindrica* (Blady Grass), *Centella asiatica* (Indian Pennywort), *Lomandra longifolia* (Spiny-headed Mat-rush), *Glycine microphylla* (Small-leaf Glycine), and *Entolasia marginata* (Bordered Panic). Other relatively common species recorded in the groundcover included, *Oplismenus imbecillis*, *Panicum simile* (Two-colour Panic) and *Pratia purpurascens* (Whiteroot). Several exotic/weed species were also recorded in the groundcover at the interface. The more common of these included *Andropogon virginicus* (Whisky Grass) and *Asparagus aethiopicus* (Asparagus Fern).

During the field survey no threatened species or populations of flora were recorded within this community. Coast and Escarpment Blackbutt Dry Forest (Blackbutt – Pink Bloodwood shrubby open forest) is not listed as an endangered ecological community for the purposes of the *Threatened Species Conservation Act 1995* (TSC Act) or the *Environmental Protection Biodiversity Conservation Act 1999* (EPBC Act).

A view of the Coast and Escarpment Blackbutt Dry Forest community recorded on the adjacent land adjoining the northern boundary of the study area is shown Figure 4.3 below.



**Figure 4.3: View of the Coast and Escarpment Blackbutt Dry Forest community recorded on the adjacent land adjoining the northern boundary of the study area**

A view of the Coast and Escarpment Blackbutt Dry Forest community recorded at the interface along the northern boundary of the study area is shown Figure 4.4 below.





**Figure 4.4: View of the Coast and Escarpment Blackbutt Dry Forest community recorded at the interface along the northern boundary of the study area**

#### **(b) Lowlands Swamp Box Paperbark – Red Gum Dry Forest**

Observations made during the plant community assessment indicated that the Lowlands Swamp Box – Paperbark – Red Gum Dry Forest occupied the land adjoining the northern boundary in the eastern section of the study area. It also occurred within the eastern part of the study area as small remnant patches containing just a few trees or as isolated trees. The principal species of the canopy at the interface and the remnants were *Melaleuca quinquenervia* (Broad-leaved Paperbark), *Eucalyptus resinifera* subsp. *hemilampra* (Red Mahogany), *Lophostemon suaveolens* (Swamp Box) and *Eucalyptus tereticornis* (Forest Red Gum). Less abundant species recorded in the canopy included *Corymbia intermedia* (Pink Bloodwood), *Eucalyptus pilularis* (Blackbutt) and *Eucalyptus microcorys* (Tallowwood).

The more common species recorded in the understorey of the Lowlands Swamp Box – Paperbark – Red Gum Dry Forest at the interface included *Glochidion ferdinandi* (Cheese Tree), *Pittosporum undulatum* (Sweet Pittosporum), *Cordyline stricta* (Narrow-leaved Palm-lily), and *Elaeocarpus reticulatus* (Blueberry Ash). Vines recorded within the Lowlands Swamp Box – Paperbark – Red Gum Dry Forest included *Parsonsia straminea* (Common Silkpod), *Marsdenia rostrata* (Milk Vine) and *Stephania japonica* (Snake Vine). Another species; *Livistona australis* (Cabbage Palm), which is commonly associated with Paperbark swamp forest was recorded as juveniles but adult individuals were not recorded in the canopy. Other species generally not associated with Lowlands Swamp Box – Paperbark – Red Gum Dry Forest were also recorded in the understorey at the interface including *Elaeodendron australe* var. *australe* (Red Olive Plum), *Cupaniopsis anacardioides* (Tuckeroo), *Euroschinus falcatus* (Ribbonwood) and *Morinda jasminoides* (Sweet Morinda). Some of the more common exotic/weed species recorded in the understorey of the Lowlands Swamp Box – Paperbark – Red Gum Dry Forest at the interface included

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*Lantana camara* (Lantana), *Senna pendula* var. *glabrata* (Easter Cassia) and *Ochna serrulata* (Micky Mouse Plant).

The more common species recorded in the groundcover of the Lowlands Swamp Box – Paperbark – Red Gum Dry Forest at the interface included *Entolasia stricta* (Wiry Panic), *Lomandra longifolia* (Spiny-headed Mat-rush), *Oplismenus imbecillus*, *Pratia purpurascens* (White Root), *Eustrephus latifolius* (Wombat Berry), *Alpinia caerulea* (Native Ginger), *Lepidosperma laterale* (Variable Sword-sedge) and *Centella asiatica* (Indian Pennywort). Several exotic/weed species were also recorded in the groundcover including *Asparagus aethiopicus* (Asparagus Fern), *Passiflora suberosa* (Corky Passion Flower) and *Paspalum mandiocanum* (Broad-leaf Paspalum).

The remnant patches of Lowlands Swamp Box – Paperbark – Red Gum Dry Forest within the study area (comprising small groups of trees) contained a varied and generally atypical assemblage of species within the understorey and groundcover. There was a relatively large assemblage of exotic/weed species recorded as well as a significant assemblage of native species generally associated with rainforest communities. The exotic/weed species recorded within the remnant patches included *Lantana camara* (Lantana), *Asparagus aethiopicus* (Asparagus Fern), *Passiflora suberosa* (Corky Passion Flower), *Paspalum mandiocanum* (Broad-leaf Paspalum), *Senna pendula* var. *glabrata* (Easter Cassia), *Ligustrum lucidum* (Broad-leaved Privet), *Ageratum houstonianum* (Billygoat Weed) and *Ochna serrulata* (Micky Mouse Plant). Native species recorded within the understorey included *Cupaniopsis anacardioides* (Tuckeroo), *Cupaniopsis newmanii* (Long-leaved Tuckeroo), *Ficus macrophylla* (Moreton Bay Fig), *Ficus coronata* (Creek Sandpaper Fig), *Jagera pseudorhus* var. *pseudorhus* (Foambark Tree), *Pittosporum undulatum* (Sweet Pittosporum) and *Stephania japonica* var. *discolor* (Snake Vine).

The likely reason for this assemblage of species in the understorey of the remnant patches of Lowlands Swamp Box – Paperbark – Red Gum Dry Forest within the study area is that birds that have consumed fruit of exotic/weed and rainforest species have deposited seeds while roosting in the remnant trees.

The Lowlands Swamp Box – Paperbark – Red Gum Dry Forest (Forest Red Gum – Swamp Box of the Clarence Valley lowlands of the NSW North Coast Bioregion) was identified as the Endangered Ecological Community (EEC) – *Sub-tropical Coastal Floodplain Forest of the NSW North Coast bioregion*.

A view of the Lowlands Swamp Box – Paperbark – Red Gum Dry Forest community recorded on the adjacent land adjoining the northern boundary of the study area is shown Figure 4.5 below.

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**Figure 4.5: View of the Lowlands Swamp Box – Paperbark – Red Gum Dry Forest community recorded on the adjacent land adjoining the northern boundary of the study area**

A view of the Lowlands Swamp Box – Paperbark – Red Gum Dry Forest community remnants recorded within the study area (foreground) and at the interface along the northern boundary of the study area (background) is shown Figure 4.6 below.



**Figure 4.6: View of the Lowlands Swamp Box – Paperbark – Red Gum Dry Forest community remnants within the study area and at the interface along the northern boundary**



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Note: Refer to Appendix A for the complete list of flora recorded within the study area during the field survey.

### 4.3.3 Threatened Flora Species Targeted Survey

Based on the plant communities recorded within the study area and the data gathered from the data base searches of the Atlas of NSW Wildlife, the PlantNet ROTAP/Threatened Species Spatial Search and the EPBC Act Protected Matters Search Tool it was considered that suitable habitat could potentially occur at the interface with the Lowlands Swamp Box – Paperbark – Red Gum Dry Forest for one threatened species of Orchid; *Phaius australis* (Lesser Swamp-orchid) listed nationally under the EPBC Act and within NSW under the TSC Act.

Information obtained from the Department of Environment's species profile and threats database indicates that *Phaius australis* (Lesser Swamp-orchid) should be surveyed during the warmer months when it is flowering as the species can only be distinguished from other swamp orchids by characteristics of its flowers, which are present during spring.

This study was conducted in March and outside the flowering time for *Phaius australis* (Lesser Swamp-orchid). However, it was possible to target Swamp-orchid species generally at the interface with the Lowlands Swamp Box – Paperbark – Red Gum Dry Forest, which could inform as to whether or not further surveys targeting *Phaius australis* would be warranted. Following the targeted search of Swamp-orchid species it was concluded that the species were unlikely to be present within the study area.

Given that the only potentially suitable habitat for the Orchid species within the study area is at the interface with the Lowlands Swamp Box – Paperbark – Red Gum Dry Forest there is little likelihood that the species would be impacted by the proposed subdivision as this plant community has been identified as an endangered ecological community and will be excluded from any actions associated with the proposed development.

### 4.3.4 Tree Survey

During the flora assessment trees within the study area were surveyed. As previously discussed, the plant communities within the study area have been significantly modified and are present as the edge of the plant communities on the adjacent land to the north and as small isolated remnants. The growth stage of the remnant trees within the study area ranged from the early-mature to the late-mature growth stages. All trees within the study area were assessed for visible hollows; however no hollow-bearing trees were recorded.

The tree survey also assessed the species composition of the canopy within the study area. Species composition data was not quantified in detail other than to confirm the identification of species composition and their relative abundance. The results of this aspect of the tree survey indicate that in the western part of the study area the principal retained species of the canopy included *Eucalyptus microcorys* (Tallowwood), *Eucalyptus pilularis* (Blackbutt), *Eucalyptus resinifera* subsp.

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*hemilampra* (Red Mahogany), *Angophora costata* (Smooth-barked Apple) and *Eucalyptus saligna* (Blue Gum).

In the eastern part of the study area the principal retained species of the canopy included *Melaleuca quinquenervia* (Broad-leaved Paperbark), *Eucalyptus tereticornis* (Forest Red Gum) and *Casuarina glauca* (Swamp Oak).

#### 4.4 Habitat

The principal components of the habitat within the study area comprised the interface with the plant communities on the land adjacent to the northern boundary and the remnant patches. As previously discussed in Section 4.3 the majority of the study area has been cleared of native vegetation to form a derived grassland community dominated by exotic/weed species that generally lacks habitat features.

#### 4.5 Fauna

Based upon information gathered during the field survey in relation to the plant communities, the past disturbance and modification that have occurred and the lack of habitat features observed as previously discussed, it was determined that the land within the study area provides limited potential habitat for a relatively small number of species.

During the field survey a number of fauna species were recorded. These were all common species and included two species of reptile, 10 avian species and one species of mammal. The species of fauna recorded within the study area during the field survey are appended to this report under Appendix B. No threatened species or populations of fauna were recorded within the survey area during the field survey.

There are a number of Atlas of NSW Wildlife records of threatened species in the vicinity of the study area. These species have been included for consideration under the Assessment of Significance (7 Part Test) appended to this report as Appendix C.

#### 4.6 Protected Matters

Under the provisions of the EPBC Act approval is required for any action that may have a significant impact on matters of National Environmental Significance (NES) or on Commonwealth land. A search of the Department of Sustainability, Environment, Water, Population and Communities web site employing the Protected matters Search Tool with a 10km buffer was undertaken to identify the matters of NES that may occur in, or may relate to the site.

##### 4.6.1 Matters of NES (within 10km radius of the site)

World Heritage Properties:	None
National Heritage Places:	None
Wetlands of International Significance:	None
Great Barrier Marine Parks	None
Commonwealth Marine Areas:	1

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Threatened Ecological Communities:	2
Threatened Species:	54
Migratory Species:	60

The threatened ecological communities returned in the Protected Matters Search Tool were the critically endangered:

- *Littoral Rainforest and Coastal Vine Thickets of Eastern Australia*; and
- *Lowland Rainforest of Subtropical Australia*.

Neither of these plant communities was observed within the study area during the field survey.

The threatened species returned in the Protected Matters Search Tool have been considered under the Assessment of Significance appended to this report as Appendix C.

None of the 60 migratory species returned in the Protected Matters Search Tool are considered likely to have potential to utilise the habitat within the study area.

None of these species is listed as a threatened species. The Cattle Egret was introduced into Australia in the 1930s but the large numbers across northern Australia suggests that the species may have self-introduced from Asia.

#### 4.6.2 Other Matters Protected by the EPBC Act

Commonwealth Lands:	2
Commonwealth Heritage Places:	None
Listed Marine Species:	76
Whales and other Cetaceans:	14
Critical Habitats:	None
Commonwealth Reserves Terrestrial:	None
Commonwealth Reserves Marine:	None
Places on the RNE (Indigenous sites):	3
State and Territory Reserves:	4
Regional Forest Agreements:	1
Invasive Species:	41
Nationally Important Wetlands:	None
Key Ecological Features (Narine):	None

The Protected Matters report lists 15 weed species under Invasive Species, which includes some of the 20 weeds of national significance (WoNS), along with other introduced plants that are considered by the States and Territories to pose a particularly significant threat to biodiversity. With respect to invasive animal species returned in the Protected Matters Search, four species of bird and seven species of mammal are considered to have potential to occur within or utilise the land within the study area. The weeds and other invasive species that are known or are considered to have potential to occur within the survey area are listed in Table 4.1.

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Scientific Name	Common Name
<b>Plantae (Weeds)</b>	
<i>Anredera cordifolia</i>	Madeira Vine
<i>Asparagus aethiopicus</i>	Asparagus Fern *
<i>Dolichandra unguis-cati</i>	Cat's-claw Creeper
<i>Genista sp. X Genista monspessulana</i>	Broom
<i>Lantana camara</i>	Lantana*
<i>Opuntia spp.</i>	Prickly Pears
<i>Rubus fruticosus aggregate</i>	Blackberry
<i>Sagittaria platyphylla</i>	Delta Arrowhead
<i>Senecio madagascariensis</i>	Fireweed*
<b>Amphibia</b>	
<i>Bufo marinus</i>	Cane Toad
<b>Aves</b>	
<i>Acridotheres tristis</i>	Indian Myna
<i>Passer domesticus</i>	House Sparrow
<i>Streptopelia chinensis</i>	Spotted Turtle-dove
<i>Sturnus vulgaris</i>	Common Starling
<b>Mammalia</b>	
<i>Canis lupus familiaris</i>	Domestic Dog
<i>Felis catus</i>	Domestic Cat
<i>Lepus capensis</i>	Brown Hare
<i>Mus muclus</i>	House Mouse
<i>Oryctolagus cuniculus</i>	European Rabbit
<i>Rattus rattus</i>	Black Rat
<i>Vulpes vulpes</i>	Red Fox

**Table 4.1: Invasive species known or likely to occur within the survey area**

\* Indicates species recorded within the survey area during the field survey

Three Weeds of National Significance (WoNS); *Asparagus aethiopicus* (Asparagus Fern), *Lantana camara* (Lantana) and *Senecio madagascariensis* (Fireweed) were recorded within the study area during the field survey.



## 4.7 Koala Habitat Assessment and Koala Survey

### 4.7.1 CKPoM

The parts of the study area mapped as secondary Koala habitat under the CKPoM included the western portion in the vicinity of the existing dwelling and at the interface adjacent to the northern boundary of the allotment where remnants of the original native plant communities remain. These areas were modified or disturbed to varying extents. In the western part of the study area the remnant forest comprised a portion of the canopy, little understorey and a groundcover that was managed in conjunction with the residential use of that part of the site. At the interface the understorey and groundcover were present but a significant component comprised exotic/weed species.

The western part of the study area in the vicinity of the existing dwelling contained a significant number of retained trees from the canopy of the adjacent Coast and Escarpment Blackbutt Dry Forest community. The species recorded in this part of the study area included *Eucalyptus microcorys* (Tallowwood), *Eucalyptus pilularis* (Blackbutt), *Eucalyptus resinifera* subsp. *hemilampra* (Red Mahogany), *Angophora costata* (Smooth-barked Apple) and *Eucalyptus saligna* (Blue Gum).

At the interface in the western part of the study area canopy trees from the adjacent Coast and Escarpment Blackbutt Dry Forest community were recorded, including *Eucalyptus pilularis* (Blackbutt), *Eucalyptus resinifera* subsp. *hemilampra* (Red Mahogany), *Eucalyptus microcorys* (Tallowwood) and *Corymbia intermedia* (Pink Bloodwood). At the interface in the eastern part of the study area canopy trees from the adjacent Lowlands Swamp Box – Paperbark – Red Gum Dry Forest community were recorded, including *Melaleuca quinquenervia* (Broad-leaved Paperbark), *Eucalyptus tereticornis* (Forest Red Gum), *Eucalyptus resinifera* subsp. *hemilampra* (Red Mahogany), *Corymbia intermedia* (Pink Bloodwood) and *Lophostemon suaveolens* (Swamp Box).

As previously discussed in Section 4.3 the majority of the study area has been cleared of native vegetation to form a derived grassland community dominated by exotic/weed species. Therefore, it is appropriate that these parts of the site are not mapped as Koala habitat for the purposes of the CKPoM.

Two of the species recorded within the study area are listed under clause 3.4 – Secondary Koala Habitat of the CKPoM. These included *Eucalyptus microcorys* (Tallowwood) and *Eucalyptus tereticornis* (Forest Red Gum). However, several of these trees were located in those parts of the study area that are not mapped as Koala habitat. For example a small stand of *Eucalyptus tereticornis* (Forest Red Gum) comprising approximately 8 individuals was recorded in the derived grassland at the eastern end of the study area. It appears that some of these trees may lie outside the mapped secondary Koala habitat. There were also some isolated individuals of *Eucalyptus microcorys* (Tallowwood) recorded within the study area that were located outside of the mapped Koala habitat.

A view of the stand of *Eucalyptus tereticornis* (Forest Red Gum) recorded in the eastern part of the study area is shown at Figure 4.8 below.



**Figure 4.7: View of Eucalyptus tereticornis (Forest Red Gum) recorded as a small widely-spaced group in the eastern part of the study area**

In relation to the management actions described under clause 3.4 of the CKPoM, there are a number of matters that should be considered, which are addressed in Section 5.2 and Section 6.2 of this report.

During the site investigation a search of the entire habitat within the study area was undertaken. This included searching the site for actual Koala sightings as well as conducting a SAT survey and searching for other indicators such as scratch markings on trees. This survey found no evidence of the Koala being present or utilising the habitat within the study area. On this basis it appears unlikely that the habitat within the study area is currently being utilised by the species.

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#### 4.7.2 EPBC Act

##### i. Koala Habitat Assessment

The Koala habitat assessment was undertaken using the Koala habitat assessment tool in accordance with the Guidelines as detailed in Table 4.2.below.

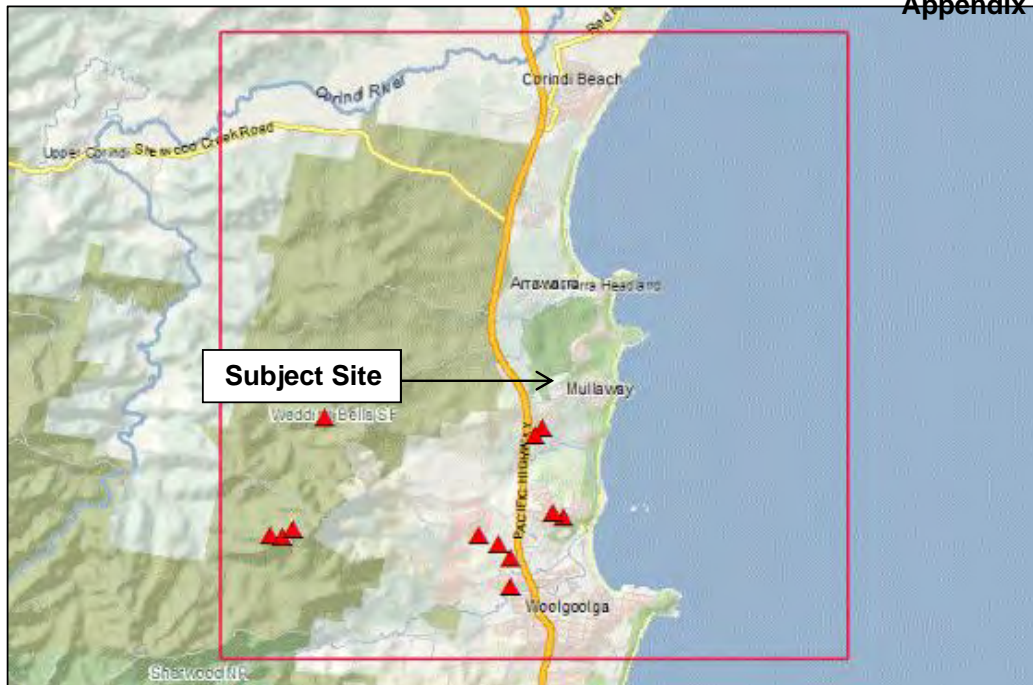
Attribute	Coastal Criteria	Score
Koala occurrence	Atlas of NSW Wildlife Koala records within 5 km	1
Vegetation composition	2 species of Koala food trees recorded: <i>Eucalyptus microcorys</i> and <i>Eucalyptus tereticornis</i> – CKPoM and the Recovery Plan for the Koala (primary food tree species)	2
Habitat connectivity	Study area is not part of a contiguous landscape 500 ha or a contiguous landscape < 500 ha, but 300 ha.	0
Key existing threats	Little or no evidence of koala mortality from vehicle strike or dog attack at present in areas that score 1 or 2 for koala occurrence.	2
Recovery value	Habitat is unlikely to be important for achieving the interim recovery objectives for the coastal context (see Table 3.2)	0
Total		5

**Table 4.2: Koala habitat assessment (coastal criteria)**

Based on the Koala habitat assessment tool score the habitat within the study area is considered to contain habitat critical to the species survival.

##### ii. Desktop Survey

The Atlas of NSW Wildlife database search returned 12 records of the Koala within a 10 km x 10 km search area around the study area. This suggests a history of a population of the species in the area but not necessarily a population that is presently on, or utilising the habitat and resources within the study area. It was noted that there were no Atlas records of the Koala within the immediate vicinity of the study area. The nearest records were two records located to the south within 1 km of the study area. There were also two records located further to the south. All the other Atlas records were situated to the south and west; however the Pacific Highway forms a barrier to the movement of the Koala from these areas to the vicinity of the study area. The locations of the Koala records within the search area from the Atlas of NSW Wildlife (OEH, 2013) are shown in Figure 4.8.



**Figure 4.7: Locations of Koala sightings (red markers) in proximity to the study area. (Source: Atlas of NSW Wildlife – NSW Office of Environment and Heritage)**

The EPBC Act Protected Matters Search Tool indicates that the *Koala* (combined populations of Queensland, New South Wales and the Australian Capital Territory) or the species habitat is known to occur in the area of the study area.

The Coffs Harbour Council Koala mapping indicates that part of the study area is mapped as secondary Koala habitat for the purposes of the CKPoM as indicated in Figure 3.1. Therefore, the objective and management actions applicable to secondary Koala habitat as listed under clause 3.4 of Part A of the CKPoM must be considered.

Aerial imagery including the Coffs Harbour On-line Mapping Tool utilising ADS40 imagery supplied by the NSW Department of Finance and Services, 2012 GeoEye Earthstar Geographics (Bing) imagery in MapInfo Professional version 12.0, Spatial Information Exchange SIX Maps and Google Earth indicates that the study area is located at the south-eastern margin of an expanse of forest of less than 100 ha in size that is bounded by Arararra Road in the north and west, the village of Mullaway to the east and Mullaway Drive to the south. Outside these perimeters the landscape is an amalgam of cleared land for either agricultural or residential purposes and areas of native forest. As a result the habitat within the vicinity of the study area is relatively small and contains barriers that are likely to impede Koala movements.

In such landscapes containing residential development and agricultural activities, domestic dogs are a significant potential threat to the Koala. During the field survey it was noted that several domestic dogs were present in the immediate vicinity of the study area. In addition, the aforementioned barrier formed by the Pacific Highway in particular but also other roads such as Mullaway Drive and Arararra Road represent a significant threat to the Koala as well.

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### **iii. On-ground (Field) Survey**

During the field investigation a search of the entire habitat within the study area was undertaken. This included searching the site for actual Koala sightings as well as conducting a SAT survey and searching for other indicators such as scratch markings on trees. This survey found no evidence of the Koala being present or utilising the habitat within the study area.

There is an existing dwelling located in the south-western corner of the site. The remaining land within the study area has been cleared of native vegetation to form derived grassland dominated by exotic species and appears to have been used for the purpose of keeping horses for a considerable period of time. Within this derived grassland community there are a relatively small number of retained trees that are likely to be remnants of the former native plant community.

Two Koala food tree species were recorded during the field survey including *Eucalyptus microcorys* (Tallowwood) and *Eucalyptus tereticornis* (Forest Red Gum). However, there was only a small number of these trees, which generally occurred as isolated trees within the derived grassland.

Given the aforementioned limitations of the habitat within the study area in relation to the area of contiguous habitat, barriers to Koala movements from areas where the population appears to be concentrated, lack of connectivity, the presence of domestic dogs in the immediate vicinity of the study area and limited food resources it appears unlikely that the study area would contain habitat critical to the species survival.



## 5. Potential Impacts on Biodiversity

The proposal involves the rezoning of the land within the study area from the current zoning of RE1 – Public Recreation and RU2 – Rural Landscape to residential. Initially this is unlikely to have any direct impact on biodiversity. However, it is acknowledged that once rezoned for residential purposes it is likely that any subsequent development within the study area such as subdivision of the land, provision of infrastructure and construction of buildings could potentially impact on biodiversity. Therefore, consideration of the potential impacts on biodiversity that may occur from future development as result of the proposed rezoning is warranted.

The principle impact on biodiversity associated with the proposed rezoning stems from the likely subdivision of what is effectively an allotment of vacant land into several smaller parcels of land each of which would have some form of development entitlement. Essentially, this would result in loss of habitat, albeit one that is highly disturbed, to facilitate the provision of infrastructure and construction of buildings. In the longer term there would also be an ongoing increased human presence that would also potentially impact on biodiversity in various ways such as interruption of ecosystem processes, introduction of environmental weeds and exotic animals, and increased artificial lighting. However, most of these impacts already occur and would continue to occur irrespective of whether the proposed rezoning and any subsequent development proceed or not.

As detailed in Section 4 of this report, the habitat associated with the plant communities across the majority of the study area has been previously modified in the past. Generally, there has been a significant reduction of the canopy and the understorey has been removed except at the interface between the study area and the land adjacent to the northern boundary. Essentially, the study area contains a single derived grassland community in which some remnants of natural plant communities persist as small patches and isolated trees. These modifications appear to have been in place for a considerable period of time.

Several specific potential impacts have been identified in relation to the proposed rezoning and future subdivision of the land within the study area.

### 5.1 Vegetation Removal

No vegetation will be removed from within the study area in relation to the proposed land rezoning. Given the extent to which the land within the study area has been cleared of vegetation in the past it is unlikely that further vegetation removal will be necessary in order to facilitate any future residential development of the land.

### 5.2 CKPoM Management Actions

Clause 3.4 of the CKPoM states that the consent authority shall not grant consent to the carrying out of development on areas identified as Secondary Koala Habitat which will remove the following tree species: *Eucalyptus microcorys* (Tallowwood), *Eucalyptus robusta* (Swamp Mahogany), *Eucalyptus grandis* (Flooded Gum) (except

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when part of a forest plantation), *Eucalyptus tereticornis* (Forest Red Gum), or *Eucalyptus propinqua* (Small-fruited Grey Gum), unless the development will not significantly destroy, damage or compromise the values of the land as Koala habitat. The following matters shall be considered by the consent authority:

- That there will be minimal net loss of Secondary Koala Habitat;
- The level of significance to Koalas of the trees proposed to be removed;
- The number of trees proposed to be removed in relationship to the extent and quality of adjacent or nearby Primary and/or Secondary Koala Habitat;
- The threats to koalas which may result from the development;
- All other options for protecting Koala trees as listed above; and
- The impacts to existing or potential koala movement corridors; Whether the land is accredited under the *Timber Plantation (Harvest Guarantee) Act 1995*

Two of the above tree species were recorded within the study area. In the eastern part of the study area approximately eight individuals of *Eucalyptus tereticornis* (Forest Red Gum) were recorded. While these trees were located in close proximity to each other they were sufficiently separated to permit management of the area around them including ongoing suppression of any regeneration of the understorey. The other species was *Eucalyptus microcorys* (Tallowwood), which was recorded as a small number of isolated individuals scattered across the site.

Consent to the carrying out of development in areas identified as Secondary Koala Habitat shall not be granted by the consent authority unless it is satisfied that:

- The proposal will not result in significant barriers to Koala movement;
- Boundary fencing does not prevent the free movement of Koalas;
- Lighting and Koala exclusion fencing is provided where appropriate on roadways adjacent to Koala habitat;
- Tree species listed above under Secondary Koala Habitat are retained, where possible;
- New local roads are designed to reduce traffic speed to 40 KPH in potential koala black spots;
- Preferred Koala trees are used in landscaping where suitable;
- Threats to Koalas by dogs have been minimised i.e. banning of dogs or confining of dogs to Koala proof yards; and
- Fire protection zones, including fuel reduced zones and radiation zones, are provided generally outside of Secondary Koala Habitat.

### 5.3 Interruption to Ecosystem Processes

Ecosystems require a suite of processes in order to function. These processes include climatic processes, primary processes (production of biomass), hydrological processes, nutrient cycling, interspecific and intraspecific interactions, movement of organisms and natural disturbance regimes such as fire and flooding (Gleeson et al, 2012). Ecosystem processes are complex and therefore are difficult to quantify. Most development in natural environments has the potential to interrupt ecosystem processes.



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Given the extent of disturbance that exists within the study area it is unlikely that the rezoning proposal and any subsequent development will contribute significantly to further interruption of ecosystem processes.

## 5.4 Weed Invasion

Weed invasion has a negative impact on biodiversity. It is generally accepted that weeds are a significant threat to biodiversity as well as being an economic problem. Depending on the species, weeds can increase shading, compete with native plants for nutrients, smother native plants or chemically suppress their germination or growth through allelopathy. Invasion of native plant communities by exotic perennial grasses and invasion, establishment and spread of Lantana (*Lantana camara*) are listed in NSW as Key Threatening Processes (KTPs).

During the field survey it was noted that invasion of the habitats within the study area by exotic/weed species is significant with a large assemblage of exotic/weed species recorded and the larger proportion of the study area being dominated by exotic/weed species. Three weeds of National Significance including *Asparagus aethiopicus* (Asparagus Fern), *Lantana camara* (Lantana) and *Senecio madagascariensis* (Fireweed) were widespread across the study area.

## 5.5 Other Impacts Associated with Human Activities

### 5.5.1 Changes in Animal Behaviour

Behavioural changes in native animals can occur as a result of the physical presence of a development or due to interaction with people at a development. There are various types of behavioural changes possible such as changes in the choice of foraging and reproductive behaviour. In some cases animals may be drawn to a development by an improved food supply associated with the presence of humans. For example, species such as the Eastern Grey Kangaroo, Brushtail Possum, Magpie, Butcherbird, Kookaburra and Noisy Miner often live in close proximity to humans because of the improved foraging opportunities. Other more secretive or shy species such as the large forest Owls and the Bush Rat are more likely to avoid areas in the vicinity of a development. In other cases modification of the habitat in the vicinity of a development such as removal of the understory to create a parkland-like setting favours particular species that can result in the absence of other species. For example, a parkland cleared site is favoured habitat of the Noisy Miner, an aggressive, cooperative breeder that will exclude many other avian species from an area. It was noted that the Noisy Miner was the most common bird recorded with the study area during the field survey.

### 5.5.2 Artificial Lighting

Artificial lighting can cause disruption of foraging behaviour, increased potential for collision with structures, and disruption of reproduction and movement. The effects of artificial lighting on most Australian fauna are not fully understood, nor has it been sufficiently studied.

## 6. Managing Potential Impacts

The proposed subdivision development is likely to have some impact on biodiversity as discussed previously in Section 5. However, there are a number of measures that can be undertaken to manage, minimise and mitigate the potential impacts.

The recommended mitigation measures are described below. Prior to initiating the mitigation measures a Vegetation Management Plan (VMP) should be prepared to define and document the actions required to implement the management of the proposed environmental lot containing the Paperbark swamp forest EEC and retained habitat corridors which should detail the measures to be adopted for the restoration, protection and conservation of these areas of land in the longer-term.

The following objectives for site management have been identified:

- To protect the retained native vegetation and habitat;
- Encourage regeneration of the retained vegetation
- Control invasive weeds;
- To minimise the impact of the proposed development on biodiversity; and
- To perform monitoring and maintenance activities to ensure that implementation of the mitigation measures are adequate and a satisfactory restoration outcome is achieved.

### 6.1 Vegetation

In relation to the proposed rezoning of the land and to facilitate the construction of infrastructure and buildings associated with future subdivision and residential development of the land within the study area it is unlikely that removal of trees will be necessary. However, if it becomes necessary for any tree(s) to be removed it is recommended that the following measures be adopted:

- Where possible Koala feed tree species should be retained;
- A 1:1 tree re-planting strategy should be applied for each tree that is removed; and
- Each replacement tree shall be of the same species as the tree it is replacing;

### 6.2 CKPoM Management Actions

Several of the Koala food trees (Forest Red Gum and Tallowwood) recorded within the study area were situated outside the mapped secondary Koala habitat. However, it is not intended to remove any tree from within the study area for the purposes of the proposed rezoning of the land and it is also unlikely that they would need to be removed in order to facilitate any future residential development of the land.

With respect to other management actions detailed under Section 5.2 of this report the following information is provided:

- As the study area comprises land that has been cleared previously and adjoins an existing road network it is unlikely to form part of a habitat corridor that contributes to Koala movement;

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- The adjacent land adjoining the northern boundary of the study area provides a vegetated habitat corridor through which Koala movements would be facilitated;
- Boundary fencing is not proposed as part of the rezoning of the land but may be incorporated in a future residential development and is considered unlikely to form a barrier to Koala movements;
- It is intended to retain tree species listed under Secondary Koala Habitat of the CKPoM;
- There are no new local roads proposed as part of the rezoning or any future residential subdivision development;
- Preferred Koala trees should be used in landscaping associated with any future development of the site;
- Dogs are already present in the area, but threats associated with any future development of the land could be minimised through appropriate conditions of the development consent; and
- Asset protection zones associated with any future residential development of the land within the study area are likely to be partly located in areas within the site that are mapped as Secondary Koala Habitat; however the majority of the land in these areas is generally cleared of native vegetation.

### 6.3 Weed Management

As discussed in Section 5 weed invasion has the potential to impact on the local environment. In addition, as detailed in Section 5.4 some invasive or environmental weeds are identified as Key Threatening Processes (KTPs). With respect to the study area the major area where weeds are most likely to be of ecological concern are at the interface between the areas of cleared land within the study area and the native plant communities adjacent to the northern boundary.

The proposed rezoning of the land alone is unlikely to contribute to further invasion by exotic/weed species but any future residential development of the land has the potential for significant colonisation of the adjacent native plant communities by exotic/weed species. The provision of a fire trail adjacent to the interface along the northern boundary of the study area as indicated in the subdivision concept plan appended to this report as Appendix D will help to clearly define the plant community boundary and to discourage the disposing of green waste at the interface by residents.

There is evidence to suggest that fencing at the interface between residential developments and natural plant communities tends to encourage the disposal of green waste in these areas. Therefore, it is recommended that fencing along the interface in any future residential development of the site should be either excluded or constructed of a transparent material.

## 7. Conclusion

This report has been prepared to assess the ecological impact of the proposed rezoning of land situated at the corner of Mullaway Drive and Arrawarra Road Mullaway identified as Lot 1 in DP 417132.

During the field survey three terrestrial plant communities were recorded within the study area and on the adjoining land to the north. The majority of the land within the study area was occupied by a derived grassland community dominated by exotic/weed species. Two native plant communities were recorded on the adjacent land adjoining the northern boundary and included a Coast and Escarpment Blackbutt Dry Forest community and a Lowlands Swamp Box – Paperbark – Red Gum Dry Forest community as described under the Fine Scale (Class 5) Vegetation Mapping. Remnants of these plant communities extended into the study area where they were recorded at the interface along the northern boundary, as small groups of canopy trees containing an anomalous assemblage of understorey species and as isolated 'paddock trees'. The Lowlands Swamp Box – Paperbark – Red Gum Dry Forest community was identified as the endangered ecological community – *Sub-tropical Coastal Floodplain Forest of the NSW North Coast bioregion*.

The potential impacts on biodiversity, which may occur as a consequence of the land within the study area being rezoned, are described in Section 5 of this report. These include removal of vegetation associated with future development of the site, secondary Koala habitat, interruption to ecosystem processes, and other impacts associated with increased human activities including changes in animal behaviour and artificial lighting. The proposed measures to mitigate the potential impacts are detailed in Section 6 of the report.

As previously discussed, the land within the study area is degraded and heavily infested with exotic/weed species. Generally, it appears that there are no significant impediments to the proposed rezoning. In relation to the future development of the land within the study area for residential purposes, it is considered that additional ecological investigation would not be warranted given the extent of the disturbance and modification to the habitats that exists. The mitigation measures proposed under Section 6 are aimed at providing an appropriate biodiversity offset that does not compromise the development potential of the land within the study area.

It is noted that the proposed future low density residential subdivision development comprises 23 allotments, and incorporates asset protection zones and a perimeter fire trail for bushfire protection. It is considered that this is likely to have a significantly reduced potential impact on biodiversity than the previously intended use of the land as part of a sports field development, which would have required extensive clearing of the adjoining land to the north. In addition to the removal of more than 1 ha of native forest the potential ecological impacts associated with such a development include a larger interface and associated edge effect, greater interruption to ecological processes, intrusion into mapped secondary Koala habitat and disturbance of the endangered ecological community situated on the land to the north of the eastern part of the study area.

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From the habitat assessment and database/literature review, it was considered that 11 threatened species as listed under the *Threatened Species Conservation Act 1995* and *Environment Protection and Biodiversity Conservation Act 1999* could potentially utilise the habitat within the survey area.

The Section 5A Assessment appended to this report as Appendix C. concluded that the proposal has the potential to impact on some threatened species and populations. Generally however, the impacts can be mitigated by the measures outlined in Section 6 of this report.

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## 9. Appendix A: Flora Species List

The species of flora recorded within the study area during the field survey are detailed in Table A.1 below.

Family	Species	Common Name
Anacardiaceae	<i>Euroschinus falcatus</i>	Ribbonwood
Apiaceae	<i>Centella asiatica</i>	Indian Pennywort
Apocynaceae	<i>Gomphocarpus fruticosus*</i>	Narrow-leaved Cotton Bush
	<i>Marsdenia fraseri</i>	Narrow-leaved Milk Vine
	<i>Parsonsia straminea</i>	Common Silkpod
Araliaceae	<i>Polyscias sambucifolia</i>	Elderberry Panax
	<i>Schefflera actinophylla*</i>	Umbrella Tree*
Arecaceae	<i>Archontophoenix cunninghamiana</i>	Bangalow Palm
Asparagaceae	<i>Asparagus aethiopicus*</i>	Asparagus Fern*
Asteliaceae	<i>Cordyline stricta</i>	Narrow-leaved Palm Lily
Asteraceae	<i>Ageratina houstonianum*</i>	Blue Billygoat Weed*
	<i>Ambrosia artemisiifolia</i>	Annual Ragweed
	<i>Baccharis halimifolia*</i>	Groundsel Bush*
	<i>Bidens pilosa*</i>	Cobblers Pegs*
	<i>Cirsium vulgare*</i>	Spear Thistle*
	<i>Hypochaeris radicata*</i>	Catsear
	<i>Pseudognaphalium luteoalbum*</i>	Jersey Cudweed*
	<i>Senecio madagascariensis*</i>	Fireweed*
	<i>Taraxacum officinale*</i>	Dandelion*
Blechnaceae	<i>Blechnum cartilagineum</i>	Gristle Fern
Casuarinaceae	<i>Allocasuarina torulosa</i>	Forest Oak
	<i>Casuarina glauca</i>	Swamp Oak
Celastraceae	<i>Elaeodendron australe</i> var. australe	
Cyperaceae	<i>Cyperus brevifolius*</i>	Mullumbimby Couch*
	<i>Carex inversa</i>	Knob Sedge
Dennstaedtiaceae	<i>Pteridium esculentum</i>	Bracken
Dilleniaceae	<i>Hibbertia aspera</i>	Rough Guinea Flower
	<i>Hibbertia scandens</i>	Climbing Guinea Flower
Elaeocarpaceae	<i>Elaeocarpus obovatus</i>	Hard Quandong
Fabaceae Caesalpinioideae	<i>Senna pendula</i> var. <i>glabrata*</i>	Easter Cassia*
Fabaceae Faboideae	<i>Desmodium gunnii</i>	Slender Tick-trefoil
	<i>Glycine clandestina</i>	Twining glycine
	<i>Podolobium scandens</i>	Netted Shaggy Pea
Fabaceae Mimosoideae	<i>Acacia elongata</i>	Swamp Wattle

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Family	Species	Common Name
Geraniaceae	<i>Geranium homeanum</i>	
Lobeliaceae	<i>Pratia purpurascens</i>	Whiteroot
Lomandraceae	<i>Lomandra longifolia</i>	Spiny-headed Mat-rush
Luzuriagaceae	<i>Eustrephus latifolius</i>	Wombat Berry
	<i>Geitonoplesium cymosum</i>	Scrambling Lily
Menispermaceae	<i>Stephania japonica</i> var. <i>discolor</i>	Snake Vine
Moraceae	<i>Ficus coronata</i>	Creek Sandpaper Fig
	<i>Ficus macrophylla</i>	Moreton Bay Fig
	<i>Morus alba</i> *	White Mulberry*
Myrtaceae	<i>Angophora costata</i>	Smooth-barked Apple
	<i>Corymbia intermedia</i>	Pink Bloodwood
	<i>Eucalyptus microcorys</i>	Tallowwood
	<i>Eucalyptus pilularis</i>	Blackbutt
	<i>Eucalyptus resinifera</i> subsp. <i>hemilampra</i>	Red Mahogany
	<i>Eucalyptus torelliana</i> *	Cadagi*
	<i>Lophostemon suaveolens</i>	Swamp Turpentine
	<i>Melaleuca quinquenervia</i>	Broad-leaved Paperbark
Ochnaceae	<i>Ochna serrulata</i> *	Micky Mouse Plant
Oleaceae	<i>Ligustrum lucidum</i> *	Broad-leaf Privet*
	<i>Notelaea longifolia</i> f. <i>intermedia</i>	Large Mock-olive
Passifloraceae	<i>Passiflora suberosa</i> *	Corky Passion Flower*
Phormiaceae	<i>Dianella caerulea</i> var. <i>assera</i>	Blue Flax Lily
Phyllanthaceae	<i>Breynia oblongifolia</i>	Coffee Bush
	<i>Glochidion ferdinandi</i> var. <i>ferdinandi</i>	Cheese Tree
Pittosporaceae	<i>Pittosporum undulatum</i>	Sweet Pittosporum
	<i>Pittosporum revolutum</i>	Rough Fruit Pittosporum
Plantaginaceae	<i>Plantago lanceolata</i> *	Lamb's Tongues*
Poaceae	<i>Andropogon virginicus</i> *	Whisky Grass*
	<i>Aristida vagans</i>	Threeawn Speargrass
	<i>Chloris gayana</i> *	Rhodes Grass*
	<i>Cymbopogon refractus</i>	Barbed Wire Grass
	<i>Cynodon dactylon</i>	Common Couch
	<i>Digitaria ramularis</i>	Reflexed Finger Grass
	<i>Echinochloa crusgalli</i> *	Barnyard grass*
	<i>Echinopogon caespitosus</i>	Tufted Hedgehog Grass
	<i>Entolasia marginata</i>	Bordered Panic
	<i>Entolasia stricta</i>	Wiry Panic
	<i>Eragrostis brownii</i>	Brown's Lovegrass
	<i>Eragrostis curvula</i> *	African Lovegrass*

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Family	Species	Common Name
	<i>Imperata cylindrica</i>	Blady Grass
	<i>Microlaena stipoides</i> var. <i>stipoides</i>	Weeping grass
	<i>Oplismenus imbecillis</i>	
	<i>Panicum simile</i>	Two-colour Panic
	<i>Paspalidium distans</i>	Spreading Punk Grass
	<i>Paspalum dilatatum</i> *	Common Paspalum*
	<i>Paspalum mandiocanum</i> *	Broadleaf Paspalum*
	<i>Paspalum urvillei</i> *	Vasey Grass*
	<i>Setaria pumila</i> *	Pale Pigeon Grass*
	<i>Setaria sphacelata</i> *	Setaria*
	<i>Sporobolus africanus</i> *	Parramatta Grass*
	<i>Themeda australis</i>	Kangaroo Grass
Rhamnaceae	<i>Alphitonia excelsa</i>	Red Ash
Rosaceae	<i>Rubus parvifolius</i>	Native Raspberry
Rubiaceae	<i>Morinda jasminoides</i>	Sweet Morinda
Sapindaceae	<i>Cupaniopsis anacardioides</i>	Tuckeroo
	<i>Cupaniopsis newmanii</i>	Long-leaved Tuckeroo
	<i>Jagera pseudorhus</i> var. <i>discolor</i>	Foambark Tree
Smilacaceae	<i>Smilax australis</i>	Lawyer Vine
Solanaceae	<i>Solanum mauritianum</i> *	Wild Tobacco*
	<i>Solanum prinophyllum</i>	Forest Nightshade
Verbenaceae	<i>Lantana camara</i> *	Lantana*
	<i>Verbena bonariensis</i> *	Purpletop*
Zingiberaceae	<i>Alpinia caerulea</i>	Native Ginger

**Table A.1: Flora species recorded within the survey area**

\* Indicates an introduced species

## 10. Appendix B: Fauna Species List

The species of fauna recorded within the survey area during the field survey are detailed in Table B.1 below.

Family	Scientific Name	Common Name
<b>Reptilia</b>		
Scincidae	<i>Lampropholis delicata</i>	Garden Skink
Varanidae	<i>Varanus varius</i>	Lace Monitor
<b>Aves</b>		
Alcedinidae	<i>Dacelo novaeguineae</i>	Laughing Kookaburra
Anatidae	<i>Chenonetta jubata</i>	Australian Wood Duck
Artamidae	<i>Cracticus nigrogularis</i>	Pied Butcherbird
	<i>Cracticus tibicen</i>	Australian Magpie
	<i>Strepera graculina</i>	Pied Currawong
Cacatuidae	<i>Calyptorhynchus funereus</i>	Yell-tailed Black-cockatoo
Meliphagidae	<i>Entomyzon cyanotis</i>	Blue-faced Honeyeater
	<i>Meliphaga lewinii</i>	Lewin's Honeyeater
	<i>Manorina melanocephala</i>	Noisy Miner
Pardalotidae	<i>Pardalotus striatus</i>	Striated Pardalote
<b>Mammalia</b>		
Macropodidae	<i>Macropus giganteus</i>	Eastern Grey Kangaroo
	<i>Wallabia bicolor</i>	Swamp Wallaby
Peramelidae	<i>Isoodon/Perameles sp.</i>	Unidentified Bandicoot
Pseudocheiridae	<i>Pseudocheirus peregrinus</i>	Common Ringtail Possum
Tachyglossidae	<i>Tachyglossus aculeatus</i>	Echidna

**Table D.1: Fauna species recorded during the field survey**

## 11. Appendix C: Assessments of Significance

The BioNet Atlas of NSW Wildlife database search returned three threatened species of flora and 56 threatened species of fauna recorded in a 10 km x 10 km search area around the study area.

The EPBC Act Protected Matters Report indicated that a total of 65 threatened species or species habitat may occur in the area with a 10 km buffer. However, the vast majority of these threatened species were disregarded immediately on the basis that they are aquatic or marine species whose habitat is not present within the study area or adjacent land.

The following Assessment of Significance (Seven-Part Test) relies on the ecological assessment provided in Section 4 and 5 of this report. Based on the plant community and habitat assessment, it is considered that the land within the study area constitutes potential habitat for two threatened species of flora, four threatened species of bird and 11 threatened species of mammal recorded in the BioNet Atlas of NSW Wildlife database and/or listed on the EPBC Act Protected Matters Report as detailed in Table C.1.

Family	Scientific Name	Common Name	NSW	Nat
<b>PLANTAE</b>				
Orchidaceae	<i>Phaius australis</i>	Lesser Swamp-orchid		E
<b>AVES</b>				
Accipitridae	<i>Lophoictinia isura</i>	Square-tailed Kite	V	
<b>MAMMALIA</b>				
Emballonuridae	<i>Saccolaimus flaviventris</i>	Yellow-bellied Sheath-tail-bat	V	
Pteropodidae	<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	V	
Vespertilionidae	<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat		V
	<i>Chalinolobus nigrogriseus</i>	Hoary Wattled Bat	V	
	<i>Kerivoula papuensis</i>	Golden-tipped Bat	V	
	<i>Miniopterus australis</i>	Little Bentwing-bat	V	
	<i>M. schreibersii oceanensis</i>	Eastern Bentwing-bat	V	
	<i>Myotis macropus</i>	Southern Myotis	V	
	<i>Scoteanax rueppellii</i>	Greater Broad-nosed Bat	V	

Table C.1: Subject species for Section 5A Assessment (see key below for listings)

### Key to Threatened Species Listings – Table E.1

Abbreviation	Meaning
NSW	TSC Act listing
Nat	EPBC Act Listing
V	Vulnerable
E	Endangered



## Assessment of Significance

a) In the case of a threatened species, whether the action proposed is likely to have an adverse effect on the life cycle of the species such that a viable population of the species is likely to be placed at risk of extinction:

### Plantae

#### Lesser Swamp Orchid (*Phaius australis*)

The Lesser Swamp Orchid has flower stems up to 2 m tall and large broad leaves with a pleated appearance, both arising from a fleshy bulb near ground level. The large, showy flowers, with up to 20 per stem, have four petals which are white on the outside and brown with white or yellow veins on the inside. The central tongue of the flower is pink and yellow with lobes slightly curved inwards.

The species occurs in Queensland and north-east NSW as far south as Coffs Harbour. Historically, it extended farther south, to Port Macquarie. The preferred habitat is swampy grassland or swampy forest including rainforest, eucalypt or paperbark forest, mostly in coastal areas. The species can only be distinguished from other swamp orchids by characteristics of its flowers. Therefore, surveys for the species can only be undertaken during spring when the Lesser Swamp Orchid is flowering. The Lesser Swamp Orchid is listed as endangered in NSW under the *Threatened Species Conservation Act 1995*.

The areas of Lowlands Swamp Box – Paperbark – Red Gum Dry Forest within the study area at the interface and within the small remnants may be suitable for this species. As this habitat has been identified as an EEC and is to be retained it is considered that the action proposed is unlikely to have an adverse effect on the life cycle of this species such that a viable population of the species is likely to be placed at risk of extinction. Note: A targeted survey conducted during the field survey failed to detect the species.

### Aves

#### Square-tailed Kite (*Lophoictinia isura*)

The Square-tailed Kite is a medium sized long-winged raptor with a square tail and upturned wings when in flight. Adults have a white face with thick black streaks on the crown and finer streaks elsewhere. The saddle, rump and central upper tail-coverts are blackish with grey-brown barring. The underparts are predominately grey-brown with black tips on the grey tail and wings. There is an obscure bullseye on the wings and when sitting the legs are barely visible. The species is usually silent; however it may utter a hoarse or plaintive yelp and a weak twitter near its nest.

The species is found in a variety of habitats including open forest, and shows a particular preference for timbered watercourses. The species is a specialist hunter of passerine birds, especially honeyeaters and appears to occupy large hunting ranges of more than 100km<sup>2</sup>. Nesting occurs between July and October, with birds constructing a large stick nest lined with eucalypt leaves generally located on a large horizontal branch of a eucalypt 12-26m above the ground.

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The Square-tailed Kite is listed as vulnerable in NSW under the *Threatened Species Conservation Act 1995*. There are 17 records of the species listed under the Atlas of NSW Wildlife within a 10 km x 10 km search area around the study area.

There is limited foraging habitat available but the Square-tailed Kite is unlikely to utilise the habitat for nesting or roosting. Therefore, the action proposed is unlikely to have an adverse effect on the life cycle of this species such that a viable population of the species is likely to be placed at risk of extinction.

## Mammalia

### Yellow-bellied Sheath-tail-bat (*Saccolaimus flaviventris*)

The Yellow-bellied Sheath-tail-bat is a very distinctive, large insectivorous bat up to 87 mm long. It has long, narrow wings, a glossy jet-black back, and a white to yellow belly extending to the shoulders and just behind the ear. Characteristically, it has a flattened head and a sharply-pointed muzzle. The tail is covered with an extremely elastic sheath that allows variation in the tail-membrane area. Males have a prominent throat pouch, while females have a patch of bare skin in the same place.

The species is widely distributed across northern and eastern Australia. In the most southerly part of its range most of Victoria, south-western NSW and South Australia) it is a rare visitor in late summer and autumn. It roosts singly or in groups up to six, in tree hollows and buildings. In treeless areas the species is known to utilise mammal burrows. The species forages in most habitats for insects flying high and fast over the forest canopy.

The Yellow-bellied Sheath-tail-bat is listed as vulnerable in NSW under the *Threatened Species Conservation Act 1995*. There was one record of the species listed under the Atlas of NSW Wildlife within a 10 km x 10 km search area around the study area.

There is limited foraging habitat available to the Yellow-bellied Sheath-tail-bat within the study area but the species is unlikely to utilise the habitat for nesting or shelter. Therefore, the action proposed is unlikely to have an adverse effect on the life cycle of this species such that a viable population of the species is likely to be placed at risk of extinction.

### Grey-headed Flying-fox (*Pteropus poliocephalus*)

The Grey-headed Flying-fox is the largest Australian bat species and is found within 200km of the eastern coast of Australia from Bundaberg in Queensland to Melbourne, Victoria. The species occurs in subtropical and temperate rainforest, tall sclerophyll forest and woodland and individuals travel up to 50km to feed on the nectar and pollen of native trees, particularly eucalypts, *Melaleuca* spp. and *Banksia* spp. and the fruits of rainforest trees and vines.

The Grey-headed Flying-fox is listed as endangered in NSW under the *Threatened Species Conservation Act 1995* and as vulnerable nationally under the *Environment Protection and Biodiversity Conservation Act 1999*. There are 496 records of the

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species listed under the Atlas of NSW Wildlife within a 10 km x 10 km search area around the survey area.

The Grey-headed Flying Fox could potentially utilise the habitat within the study area for foraging purposes, however, there is no indication of the species utilising the habitat for other purposes such as for breeding or for roosting. Consequently, it is unlikely that the species would utilise the habitat within the study area for roosting or breeding. Therefore, it is considered that the action proposed is unlikely to have an adverse effect on the life cycle of this species such that a viable population of the species is likely to be placed at risk of extinction.

#### **Large-eared Pied Bat (*Chalinolobus dwyeri*)**

The Large-eared Pied Bat is known from scattered locations from near Rockhampton in central Queensland to Bungonia in southern NSW. It is found in a range of habitats, including dry sclerophyll forest and woodland to the east and west of the Great Dividing Range. Isolated records from subalpine woodland above 1500 metres and at the edge of rainforest and moist eucalypt forest, suggest it may tolerate a greater range of habitats than has so far been recorded. The species daytime roosts include caves, mine tunnels and the abandoned, bottle-shaped mud nests of Fairy Martins. The combination of a relatively short, broad wing and low weight per unit area of wing is indicative of manoeuvrable flight, suggesting it probably forages for small flying insects below the forest canopy.

The Large-eared Pied Bat is listed as vulnerable in NSW under the *Threatened Species Conservation Act 1995* and nationally under the *Environment Protection and Biodiversity Conservation Act 1999*.

The Large-eared Pied Bat forages across a wide range of habitats but requires caves, mine tunnels and the abandoned, bottle-shaped mud nests of Fairy Martins for roosting. As these types of habitat features are not present in the study area it is unlikely that the species could utilise the habitat for nesting or roosting. Therefore, the action proposed is unlikely to have an adverse effect on the life cycle of this species such that a viable population of the species is likely to be placed at risk of extinction.

#### **Hoary Wattled Bat (*Chalinolobus nigrogriseus*)**

The Hoary Wattled Bat is a small sooty-coloured bat with a light silvery-white frosting or hoary appearance that is visible at close range. Also, there are small lobes of skin or wattles between the ears and mouth. This species is typically observed flying about at dusk, leaving its roost site before other bat species have emerged.

The Hoary Wattled Bat is widely distributed across northern Australia but is absent from the arid centre. In northeast NSW it reaches the lower Clarence and Richmond River areas, extending from near Murwillumbah in the north, south to between Grafton and Coffs Harbour. In NSW the Hoary Wattled Bat occurs in dry open eucalypt forests, favouring forests dominated by Spotted Gum as well as box and ironbark species, and heathy coastal forests where Red Bloodwood and Scribbly Gum are common. Because it flies fast below the canopy level, forests with naturally

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sparse understorey layers may provide the best habitat. The species is known to roost in rock crevices but in the absence of these it is likely to roost in tree hollows or similar sites. The Hoary Wattled Bat is listed as vulnerable in NSW under the *Threatened Species Conservation Act 1995*.

There is limited foraging habitat available to the Hoary Wattled Bat within the study area but the species is unlikely to utilise the habitat for nesting or roosting. Therefore, the action proposed is unlikely to have an adverse effect on the life cycle of this species such that a viable population of the species is likely to be placed at risk of extinction.

#### **Golden-tipped Bat (*Kerivoula papuensis*)**

The Golden-tipped Bat has dark brown, curly fur with bright golden tips that extends along the wings, legs and tail. It has a short, pointed, over-hanging muzzle and pointy, funnel-shaped ears. Adults weigh about 6 grams and have a wingspan of about 25 cm.

The Golden-tipped Bat is distributed along the east coast of Australia in scattered locations from Cape York Peninsula in Queensland to south of Eden in southern NSW and also occurs in New Guinea. The species is found in rainforest and adjacent wet and dry sclerophyll forest up to 1000m. It is also recorded in tall open forest, *Casuarina*-dominated riparian forest and coastal *Melaleuca* forests. It roosts mainly in abandoned hanging Yellow-throated Scrubwren and Brown Gerygone nests, as well as in tree hollows, dense foliage and epiphytes; located in rainforest gullies on small first- and second-order streams. The species will fly up to two km from roosts to forage in rainforest and sclerophyll forest on mid and upper-slopes, where it feeds on small web-building spiders. The Golden-tipped Bat is listed as vulnerable in NSW under the *Threatened Species Conservation Act 1995*.

There is some limited foraging habitat available to this species within the study area but the species is unlikely to utilise the habitat for nesting or roosting. Therefore, the action proposed is unlikely to have an adverse effect on the life cycle of this species such that a viable population of the species is likely to be placed at risk of extinction.

#### **Little Bentwing-bat (*Miniopterus australis*)**

The Little Bentwing-bat occurs along the east coast of Australia from north-eastern Queensland to the central coast of New South Wales. The species mainly forages for insects between the canopy and understorey of well-timbered habitats including wet and dry sclerophyll forest, woodland, rainforest and coastal swamp forest. The Little Bentwing-bat is regarded as a cave-obligate species that roosts by day in caves, tunnels and mine shafts. Maternity colonies are formed during summer in roost sites with high humidity, which are often shared with the Eastern Bentwing-bat. The Little Bentwing-bat is listed as vulnerable in NSW under the *Threatened Species Conservation Act 1995*.

The Little Bentwing-bat forages across a wide range of habitats but requires caves, tunnels and mine shafts for roosting. As these types of habitat features are not present in the study area it is unlikely that the species could utilise the habitat for

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nesting or roosting. Therefore, the action proposed is unlikely to have an adverse effect on the life cycle of this species such that a viable population of the species is likely to be placed at risk of extinction.

#### **Eastern Bentwing-bat (*Miniopterus schreibersii*)**

The Eastern Bentwing-bat occurs in eastern Australia from north Queensland to south-eastern South Australia. In New South Wales, the species is found along the coast and western slopes including high elevations of the Great Dividing Range. The Eastern Bentwing-bat forages for insects mainly above the tree canopy in a range of timbered habitats including rainforest, coastal swamp forest, heathland, woodland and sclerophyll forest. The species is regarded as a cave-obligate, roosting in caves, tunnels, mine shafts and closed stormwater drains. The Eastern Bentwing-bat is listed as vulnerable in NSW under the *Threatened Species Conservation Act 1995*.

The Eastern Bentwing-bat forages across a wide range of habitats but requires caves, tunnels and mine shafts for roosting. As these types of habitat features are not present in the study area it is unlikely that the species could utilise the habitat for nesting or roosting. Therefore, the action proposed is unlikely to have an adverse effect on the life cycle of this species such that a viable population of the species is likely to be placed at risk of extinction.

#### **Southern Myotis (*Myotis macropus*)**

The Southern Myotis has disproportionately large feet with widely-spaced toes, which are distinctly hairy and with long, curved claws. The species has dark-grey to reddish-brown fur above and is paler below. It weighs up to 15 g and has a wingspan of approximately 28 cm.

The Southern Myotis is found along the coastal strip from the northwest of Australia, across northern Australia and south to western Victoria. The species is rarely found more than 100 km inland, except along major rivers. It is always found close to water, from small creeks to large lakes and mangrove-lined estuaries. The species utilises a range of roost sites including caves, mineshafts, culverts, dense foliage and tree hollows in which it roosts in groups of 10-15 individuals. It forages low over water taking flying insects as well as aquatic insects and small fish, which it captures by raking the claws across the water surface.

The Southern Myotis is listed as vulnerable in NSW under the *Threatened Species Conservation Act 1995*. There are 7 records of the species listed under the Atlas of NSW Wildlife within a 10 km x 10 km search area around the study area.

Suitable habitat features for roosting and breeding purposes are not available within the study area for this species. Furthermore, as the species requires a body of water for foraging it is unlikely that the species would utilise the habitat within the study area for foraging purposes. Therefore, the action proposed is unlikely to have an adverse effect on the life cycle of this species such that a viable population of the species is likely to be placed at risk of extinction.

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**Greater Broad-nosed Bat (*Scoteanax rueppellii*)**

The Greater Broad-nosed Bat is a large robust bat with a broad head and short, squarish muzzle. The ears are widely spaced, short and have a rounded apex with a concave rear edge immediately below the apex. The upper parts vary from mid-brown to dark cinnamon-brown and the underparts are tawny-olive in colour.

The species occurs in a range of habitats including cleared grazing land, heathland, coastal swamp forest, woodland, rainforest as well as wet sclerophyll forest and dry sclerophyll forest. The species usually roosts in tree hollows and forages after sunset, flying slowly along watercourses at an altitude of 3m to 6m.

The Greater Broad-nosed Bat is listed as vulnerable in NSW under the *Threatened Species Conservation Act 1995*. There are 9 records of the species listed under the Atlas of NSW Wildlife within a 10 km x 10 km search area around the study area.

This species utilises a wide range of habitats for foraging and roosting. There is limited foraging habitat but no potential nesting or roosting habitat available to this species within the study area. Therefore, the action proposed is unlikely to have an adverse effect on the life cycle of this species such that a viable population of the species is likely to be placed at risk of extinction.

**b) In the case of an endangered population, whether the action proposed is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable population of the species is likely to be placed at risk of extinction:**

**The Koala (Combined populations of Queensland, New South Wales and the Australian Capital Territory)**

This population has been listed as vulnerable under the EPBC Act as it has undergone a substantial decline over three generations due to a combination of a number of factors including loss and fragmentation of habitat, vehicle strike, disease and predation by dogs.

The majority of the habitat within the study area is not mapped as Koala habitat for the purposes of the Coffs Harbour CKPoM. With respect to the Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) listed nationally under the EPBC Act, the habitat within the study area was considered to contain habitat critical to the species survival based on the Koala habitat assessment tool score of 5. However, the results obtained from the desktop and 'on-ground' (field) survey indicated that the habitat within the study area is not habitat critical to the species survival.

On this basis the action proposed is unlikely to have an adverse effect on the life cycle of this species (that constitutes an endangered population) such that a viable population of the species is likely to be placed at risk of extinction

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**c) In the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:**

**(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction; and**

**(ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction.**

The endangered ecological community – *Sub-tropical Coastal Floodplain Forest of the NSW North Coast bioregion* and was recorded at the interface and as small remnants in the eastern parts of the study area. As the EEC located at the interface and remnants are to be excluded from any future development and are to be retained:

- It is unlikely that the proposed action will have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction; and
- It is unlikely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction.

**d) In relation to the habitat of a threatened species, population or ecological community:**

**(i) The extent to which habitat is likely to be removed or modified as a result of the action proposed;**

The habitat within the study area has been significantly disturbed in the past with the majority of the canopy removed; almost all of the understory removed and the groundcover that is dominated by exotic/weed species managed by an ongoing slashing regime. Therefore, in view of the existing modification and disturbance of the habitat and the intent to retain the native plant communities at the interface along the northern boundary, the habitat to be removed or modified as a result of the proposed action is not considered to be significant with respect to a threatened species, population or ecological community.

**(ii) Whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action;**

It is considered that the proposed action is unlikely to fragment habitat areas or isolate habitat areas from other areas of habitat.



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**(iii) The importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality;**

The habitat within the study area has been significantly disturbed in the past and does not contain any significant habitat features. It is also intended to retain the native plant communities at the interface along the northern boundary. Therefore, the habitat within the study area proposed to be removed and/or modified is not considered to be significant to the long-term survival of the aforementioned threatened species.

**e) Whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly):**

Critical habitat was not recorded within the subject site. Therefore, the action proposed is unlikely to have an adverse effect on critical habitat (either directly or indirectly).

**f) Whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan:**

There is no recovery plan or threat abatement plan relevant to the proposed action or the study area.

**g) Whether the action proposed constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of a key threatening process:**

Key threatening processes (KTPs) are listed in Schedule 3 of the TSC Act. Those considered to be applicable to future development of the subject site once it has been rezoned are:

*Clearing of Native Vegetation*

The reduction of native vegetation within the study area associated with the proposed development of the land could be viewed as contributing to the overall incremental decline of native vegetation within the region. However, the plant communities within the subject site have previously been significantly modified. It is intended to retain the remaining native plant communities at the interface and remnant trees. Therefore, it is considered that the proposed action does not contribute significantly to this KTP.

*Anthropogenic Climate Change*

The use of machinery and power tools during any future earthworks or construction activities will contribute to anthropogenic climate change through release of stored carbon from vegetation and greenhouse gas emissions associated with use of fossil fuels. However, the overall impact of the action is considered negligible in the context of other human activities in the region.

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*Invasion of native plant communities by exotic perennial grasses*

The study area is already heavily infested with invasive weeds. The proposed action is unlikely to contribute significantly further to this KTP.

*Invasion, Establishment and Spread of Lantana (Lantana camara)*

The field survey revealed that Lantana is established within the study area. However, the proposed action in itself is unlikely to significantly contribute to this KTP.

# 12. Appendix D: Subdivision Concept Plan





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## **Bushfire Assessment**

**In relation to**

**Proposed Rezoning**

**Lot 1 DP 417132**

**Mullaway Drive**

**Mullaway**

**May 2014**

**Prepared for Ashley More**

**BA-2014-1002-100B**



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**Report Title:** Bushfire Assessment Report  
**Project:** Bushfire Assessment – Proposed Rezoning  
**Client:** Ashley More  
**Report No.:** BA-2014-1002-100B  
**Draft/Final:** Final – 13 May 2014

*The preparation of this report has been undertaken in accordance with the project brief provided by the client and has relied upon the information, data and results provided or collected from the sources and under the conditions outlined in the report.*

*All information contained within this report are prepared for the exclusive use of the client and with respect to the land described herein and are not to be used for any other purpose or by any other person or entity. No reliance should be placed on the information contained in this report for any purposes other than those stated herein.*

<b>Prepared By:</b>	<b>Steve Britt</b> BSc. (Botany) Grad. Dip. DBPA M. Wld. Mgt. (Habitat)
<b>Signed:</b>	 _____
<b>Date:</b>	13 May 2014

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## 1. Executive Summary – Certificate

The assessment relates to a proposed rezoning of land identified as Lot 1 DP 417132, Mullaway Drive Mullaway for residential purposes. This is to certify that the proposed development conforms to the relevant specifications and requirements of *Planning for Bush Fire Protection 2006*, subject to recommendations 1-5 of this assessment. The details relevant to the assessment are:

<b>Real Property Description</b>	1//417132
<b>Property Address</b>	Mullaway Drive Mullaway
<b>Date of Assessment</b>	27 November 2013
<b>FDI</b>	80 (North Coast)
<b>Zoning</b>	RU2 Rural Landscape RE1 Public Recreation
<b>Local EPI</b>	Coffs Harbour City Local Environmental Plan 2013
<b>Proposed Development</b>	Rezoning for residential purposes
<b>Existing Dwelling</b>	Yes
<b>Assessment based on plans by</b>	Bennell and Associates
<b>Plan Title</b>	Subdivision Concept Plan
<b>Plan date/issue</b>	Concept plan undated
<b>Any amendments to plan?</b>	No
<b>What is the highest assessed BAL as per AS 3959-2009?</b>	BAL-29
<b>Can this development comply with the acceptable solution provisions of PBP?</b>	Yes
<b>Assessment by</b>	Steve Britt BPD-PA-09334 Certified Practitioner Bushfire Planning and Design, FPAA

*The preparation of this report has been undertaken in accordance with the project brief provided by the client and has relied upon the information, data and results provided or collected from the sources and under the conditions outlined in the report.*

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## 2. Introduction

FloraFauna Consulting has been engaged by Bennell and Associates on behalf of Ashley More to prepare a bushfire assessment report in relation to a proposed rezoning of land at Mullaway Drive Mullaway.

The subject site comprises land identified as Lot 1 in DP 417132, Mullaway Drive Mullaway, which is currently zoned RE1 – Public Recreation and RU2 – Rural Landscape under the *Coffs Harbour City Local Environmental Plan 2013* (LEP). The proposed development involves rezoning of the land within the subject site for residential purposes.

The land is mapped as bushfire prone land. The bushfire prone land map for the area indicates that the subject site contains category 1 vegetation (shown orange) along the edge of the northern boundary and across the western end of the site. The bushfire prone land map indicates that the remainder of the subject site is situated within the 100 m bushfire-prone vegetation buffer to bushfire-prone category 1 vegetation (shown red). An extract of the bushfire prone land map is provided below (Figure 2.1).

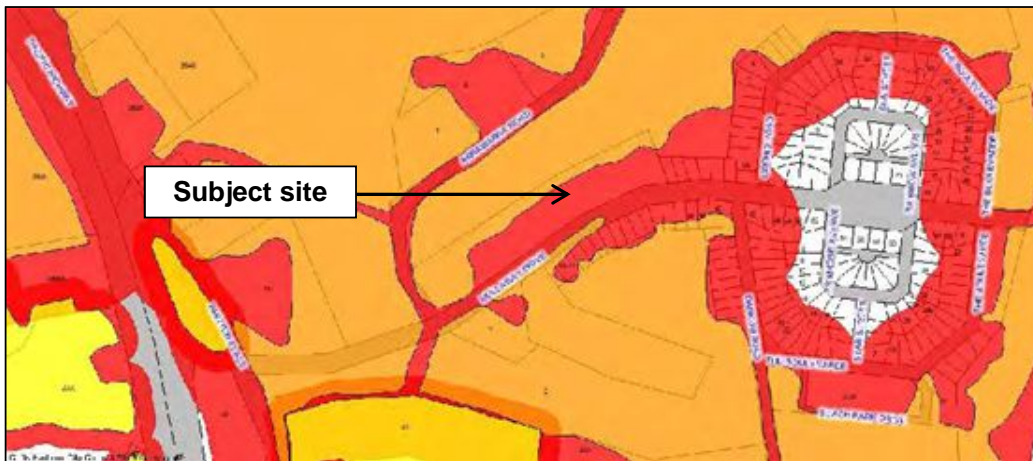


Figure 2.1 – Extract of Bushfire Prone Lands Map (Source: Coffs Harbour City Council)

- Category 1 Vegetation
  - Category 2 Vegetation
  - Buffer

Section 100B of the *Rural Fires Act 1997* (RF Act) provides that a person must obtain a Bushfire Safety Authority before developing land where the development involves a subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes, or development of bush fire prone land for a special fire protection purpose.

As a Bushfire Safety Authority must be obtained before consent can be granted for subdivision of bush fire prone land, such development constitutes integrated development for the purposes of Section 91 of the *Environmental Planning and*

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*Assessment Act 1979* (EP&A Act). Clause 44 of the *Rural Fires Regulation 2013* contains the matters that must be included in an application for a Bushfire Safety Authority.

This is a preliminary bushfire assessment to determine if a residential subdivision of the land within the subject site can satisfy the requirements of *Planning for Bushfire Protection 2006* when assessed in accordance with Section 44 of the *Rural Fires Regulation 2013*.

The prospective layout of a future residential subdivision that has been used as the basis of this bushfire assessment is shown on the subdivision concept plan prepared by Bennell and Associates appended to this report as Appendix A. The assessment considers if the bushfire risks can be satisfactorily managed for the most likely development of the land for residential purposes as shown in the concept plan. Moreover, the assessment will consider if there are any significant impediments to the rezoning and potential residential subdivision development of the land from a bushfire hazard perspective.

### 3. Rural Fires Regulation Assessment

Clause 44 of the *Rural Fires Regulation 2013* contains the matters that must be included in an application for a Bushfire Safety Authority. This assessment addresses the relevant points for consideration as listed in the Regulation.

#### A. Site Description

The subject site is located at the corner of Arrawarra Road and Mullaway Drive, Mullaway and comprises an allotment of land of approximately 3.153 ha in size that is identified as Lot 1 in DP 417132. The land within the subject site is currently zoned RE1 – Public Recreation and RU2 – Rural Landscape under the *Coffs Harbour Local Environmental Plan 2013* (LEP).

There is an existing dwelling located in the south-western corner of the site. The remaining land within the subject site has been cleared of native vegetation to form derived grassland in which a small number of trees have been retained. The native forest vegetation on the land adjoining land to the north extends a short distance onto the land within the subject site along the northern boundary interface.

Currently the surrounding land use practices are variable and include existing rural-residential development, agricultural activities and adjacent residential development associated with the village of Mullaway. More recently there have been significant changes to the landscape associated with the Pacific Highway upgrade.

Immediately adjoining the subject site to the north are areas of land containing forest. Further to the north lie Arrawarra Road that heads in a generally north-eastern direction and a small number of developed rural-residential allotments surrounded by extensive areas of land containing native forest. To the east the subject site adjoins existing residential development, which is the current western extent of the village of Mullaway on the northern side of Mullaway Drive. Immediately adjoining the southern boundary of the subject site is Mullaway Drive. To the south of the eastern part of the subject site and adjoining the southern side of Mullaway Drive are a number of developed residential allotments. To the southwest of these allotments and opposite the western part of the subject site are two developed rural allotment of land, in which native vegetation has been retained. Further southward much of the land has been cleared for agricultural purposes. The western boundary of the subject site adjoins Arrawarra Road. Beyond the road corridor further westward the land contains a mix of forested areas, cleared land and rural-residential development.

The relative position of the subject site and the general nature of the surrounding landscape are shown in Figure 3.1.



Figure 3.1: Aerial photo of the subject site and surrounding land

The following images show the general condition of the land within the vicinity of the subject site.





**Figure 3.2: View looking northward across the subject site towards the adjacent land containing unmanaged forest**



**Figure 3.3: View looking northeast across the subject site from the western part of the subject site**



**Figure 3.4: View of the eastern part of the subject site showing some of the Remnant trees that have been retained within the subject site**



**Figure 3.5: View looking southwest from the eastern part of the subject site showing some of the small number of isolated retained trees**





Figure 3.6: View looking southwest along Mullaway Drive adjacent to the front boundary of the subject site



Figure 3.7: View of the western part of the subject site from the front boundary showing the existing dwelling





**Figure 3.8: View of the managed yard area in the vicinity of the existing dwelling located in the south-western corner of the subject site**



**Figure 3.9: View of Arrawarra Road adjacent to southwestern boundary of the subject site adjacent**

## B. Classification of Vegetation

Vegetation within the Coffs Harbour local government area has been mapped under the Coffs Harbour Fine Scale Vegetation Mapping. The areas of mapped vegetation proximate to the subject site are shown in Figure 3.10 below.



Figure 3.10: Fine Scale Vegetation Mapping extract (Coffs Harbour City Council)

Key:  CH\_DOF01: Coast and Escarpment Blackbutt Dry Forest  
 CH\_DOF06: Lowlands Swamp Box – Paperbark – Red Gum Dry Forest

In relation to the areas of land containing unmanaged vegetation situated within 140 m of the subject site the Fine Scale Vegetation Mapping indicates two plant communities. The first of these is listed as CH\_DOF01: Coast and Escarpment Blackbutt Dry Forest, which was situated on land adjacent to the northern boundary in the western part of the subject site, on the land to the south of Mullaway Drive and on the land to the west of Arrawarra Road as indicated in Figure 3.10. An image of this plant community is provided at Figure 3.11 below.





**Figure 3.11: Coast and Escarpment Blackbutt Dry Forest**

The second plant community indicated by the Fine Scale Vegetation Mapping is listed as CH\_DOF06: Lowlands Swamp Box – Paperbark – Red Gum Dry Forest, which was situated on land adjacent to the northern boundary in the eastern part of the subject site as indicated in Figure 3.10. An image of this plant community is provided at Figure 3.12 below.



**Figure 3.12: Lowlands Swamp Box – Paperbark – Red Gum Dry Forest**

For the purpose of bushfire assessment the classification of the vegetation was determined in accordance with the methodology set out in Addendum Appendix 3 of

PBP. The vegetation within 140 m of the site was identified based on Keith (2004) and classified under Table A2.1 in Appendix 2 of PBP. The Coast and Escarpment Blackbutt Dry Forest was classified as Dry Sclerophyll Forest and the Lowlands Swamp Box – Paperbark – Red Gum Dry Forest was classified as Forested Wetland. This was then converted to Specht classifications by applying Table A3.5.1 in line with AS 3959-2009 and the *Building Code of Australia 2010* (BCA 2010) giving a classification of forest for both plant communities.

## C. Assessment of Effective Slope

For the purposes of PBP and AS 3959-2009 the effective slope of land is the slope of the land under the classified vegetation as this is the slope that directly influences bushfire behaviour including the rate of spread, the severity of the fire and the level of radiant heat.

The effective slope was determined by review of the Coffs Harbour City Council Online Mapping Tool (Coastal 2 m contours) and validated by field survey utilising a Suunto Tandem 360PC/360R clinometer. With respect to the vegetation on the land adjacent to the northern boundary of the subject site the effective slope was assessed as upslope/flat. In relation to the unmanaged vegetation situated on the land to the south of Mullaway Drive and west of Arrawarra Road the effective slope was assessed as  $>5^{\circ}$  to  $10^{\circ}$ .

An extract of the Coastal 2 m contours mapping is provided at Figure 3.13 below.



Figure 3.13: Extract of the Coastal 2 m contours mapping (Coffs Harbour City Council)

## D. Significant Environmental Features

The majority of the proposed development footprint within the subject site has been cleared of native vegetation for a considerable period of time. Therefore, a residential subdivision development would result in no clearing of native vegetation. During the field survey no other significant environmental features were identified within the subject site.

## E. Threatened Species

The subject site is unlikely to provide potential habitat for species of threatened flora and fauna. It is anticipated that the impact of the proposed development and any that may arise from bushfire protection measures will be considered by Council through the development assessment process. However, given that residential subdivision development will be confined to areas of land within the subject that have been cleared of native vegetation for a considerable period of time it is unlikely that there will be a significant impact on any threatened species, populations or endangered ecological communities.

## F. Indigenous Sites

For the purposes of determining the details and location of any Aboriginal object or Aboriginal place that may be situated on the subject site a search of the Aboriginal Heritage Information Management System (AHIMS) on the NSW Office of Environment and Heritage (OEH) website was undertaken on 16 April 2014. The basic search indicated that no Aboriginal sites are recorded in or near the subject site and that no Aboriginal places have been declared in or near the subject site. The AHIMS basic search report is appended to this report as Appendix B.

## G. Bushfire Assessment

- i. The extent to which the development is to provide for setbacks including Asset Protection Zones:

The site is located within the Coffs Harbour City Local Government Area, in the North Coast Fire Weather Area, and is subject to an FDI rating of 80 according to Table A2.3 of *Planning for Bush Fire Protection 2006*.

Based upon the provisions of Table A2.5 of *Planning for Bush Fire Protection 2006*, with respect to vegetation classified as forest for the purposes of determining Asset Protection Zones (APZs), the minimum specification for APZs applicable to residential subdivision purposes is 20 m for upslope/flat and 0° – 5° slope classes, and 30 m for 5° – 10° slope.

- ii. The siting and adequacy of water supplies for firefighting:

Reticulated mains water supply is available to the subject site. Fire hydrant spacing, sizing and pressures that comply with *AS 2419.1 – 2005 Fire hydrant installations – System design, installation and commissioning* can be provided.

- iii. The capacity of public roads to handle increased volumes of traffic in the event of a bushfire emergency:

The construction of new roads within the subject site would not be required to facilitate residential subdivision development of the land. The existing road network and in particular, Mullaway Drive satisfies the acceptable solutions of



PBP for public road access for road widths and design and therefore have the capacity to handle increased volumes of traffic in the event of a bushfire emergency.

iv. Whether or not public roads in the vicinity have two-way access:

The proposed development access road, Mullaway Drive and Arrawarra Road are bitumen-sealed two-wheel drive all weather roads. The roadways provide two-way access, meaning that they comprise at least two (2) traffic lane widths to allow traffic to pass in opposite directions.

v. The adequacy of arrangements for access to and egress from the development site for the purposes of an emergency response:

Generally, access and egress to the subject site satisfy the acceptable solutions of PBP and therefore, also meet the performance criteria for public road access with respect to an emergency response, which states that *public road widths and design that allow safe access for firefighters while residents are evacuating an area.*

vi. The adequacy of any bushfire maintenance plans and fire emergency procedures for the development site:

There is no bushfire maintenance plan currently in place for the subject site and, in the context of the most likely development of the site (residential subdivision) it is considered that such a maintenance plan will not be necessary.

vii. The construction requirements to be used for building elements in the development:

The maximum Bushfire Attack Level (BAL) that a class 1 or 2 residential building as defined under the *Building Code of Australia 2012* (BCA) can be subjected to is BAL-29. The minimum separation distances between the proposed buildings and the vegetation are prescribed in Table 2.4.3 of AS 3959-2009. Where a greater separation distance between a residential building and a bushfire hazard can be achieved a lower BAL may be applied.

The relevant BAL with respect to the proposed development based on the minimum separation distance between the areas of unmanaged vegetation (bushfire hazard) and any residential building is summarised in Table 3.1.

Hazard	Direction	Effective Slope	BAL-29	BAL-19	BAL12.5
			Minimum Separation Distance (m)		
Forest	North	Upslope/flat	21	31	42
Forest	South	>5° – 10°	33	46	61
Forest	West	>5° – 10°	33	46	61

**Table 3.1: Summary of relevant BAL based on minimum separation distances**

- viii. The adequacy of sprinkler systems and other fire protection measures to be incorporated into the development:

It is not proposed to install a sprinkler system to the proposed buildings on the subject site for the purposes of bushfire protection.

## H. Compliance: Planning for Bushfire Protection

The details provided in Section G of this assessment outline the relationship between a proposed future residential subdivision development and the specifications set out in Chapter 4 (performance-based controls) of *Planning for Bush Fire Protection 2006*. The following tables assess the proposed residential subdivision against the relevant performance criteria.

### I. Asset Protection Zones

In relation to the provision of Asset Protection Zones, a proposed future residential subdivision development can comply with the relevant provisions of Section 4.1.3 of *Planning for Bush Fire Protection 2006* as detailed in Table 3.2.

Performance Criteria	Relationship of Proposed Subdivision to Performance Criteria	Meets performance criteria?
<i>Radiant heat levels at any point on a proposed building will not exceed 29kW/m<sup>2</sup>.</i>	<ul style="list-style-type: none"> <li>APZs are achievable in accordance with Appendix 2 of <i>Planning for Bush Fire Protection 2006</i> or with Table 2.4.3 of AS 3959-2009.</li> </ul>	Yes
<i>APZs are managed and maintained to prevent the spread of a fire towards the building.</i>	<ul style="list-style-type: none"> <li>APZs to the proposed buildings can satisfy <i>Standards for Asset Protection Zones</i> (RFS, 2005).</li> </ul>	Yes
<i>APZ maintenance is practical, soil stability is not compromised and potential for crown fires is negated.</i>	<ul style="list-style-type: none"> <li>Any future APZ is able to be located on lands with a slope of &lt;18°.</li> </ul>	Yes

**Table 3.2: Asset Protection Zones**



## II. Access (1) – Public Access

In relation to the provision of access, a proposed future residential subdivision development can comply with the relevant provisions of Section 4.1.3 of *Planning for Bush Fire Protection* 2006 as detailed in Table 3.3.

Performance Criteria	Relationship of Proposed Subdivision to Performance Criteria	Meets performance criteria?
<i>Firefighters are provided with safe all weather access to structures (thus allowing more efficient use of firefighting resources).</i>	<ul style="list-style-type: none"> <li>All roads to be used to access the proposed development are two-wheel drive, all weather roads.</li> </ul>	Yes
<i>Public road widths and design that allow safe access for firefighters while residents are evacuating an area.</i>	<ul style="list-style-type: none"> <li>All roads used to access the proposed development provide two-way access meaning that they comprise at least two (2) traffic lane widths which allows traffic to pass in opposite directions.</li> </ul>	Yes
<i>The capacity of road surfaces and bridges is sufficient to carry fully loaded firefighting vehicles.</i>	<ul style="list-style-type: none"> <li>The capacity of the existing road surfaces and bridges are capable of carrying a load of 15 tonnes</li> </ul>	Yes
<i>Roads that are clearly sign-posted (with easily distinguishable names) and buildings/properties that are clearly numbered.</i>	<ul style="list-style-type: none"> <li>Coffs Harbour is provided with standard addressing which is easily identifiable.</li> </ul>	Yes
<i>Parking does not obstruct the minimum paved width.</i>	<ul style="list-style-type: none"> <li>The roads will be provided with roll top kerbing, allowing vehicles to park without obstructing the paved width. All allotments will be provided with off-street parking.</li> </ul>	Yes

**Table 3.3: Access (1) – Public Access**

### III. Access (2) – Property Access

In relation to the provision of property access, a proposed future residential development can comply with the relevant provisions of Section 4.1.3 of *Planning for Bush Fire Protection* 2006 as detailed in Table 3.4.

Performance Criteria	Relationship of Proposed Subdivision to Performance Criteria	Meets performance criteria?
<i>Access to properties is provided in recognition of the risk to fire fighters and / or evacuating occupants.</i>	<ul style="list-style-type: none"> <li>Property access greater than 200m from a public road is not required</li> </ul>	Yes
<i>The capacity of road surfaces and bridges is sufficient to carry fully loaded firefighting vehicles. All weather access is provided.</i>	<ul style="list-style-type: none"> <li>The proposed property access road network will be capable of providing all weather access to fully laden firefighting vehicles.</li> </ul>	Yes
<i>Road widths and design enable safe access for vehicles.</i>	<ul style="list-style-type: none"> <li>The proposed property access roads will allow vehicles to pass each other.</li> </ul>	Yes

**Table 3.4: Access (2) – Property Access**

### IV. Water Supply, Electricity and Gas

Reticulated water is available to the subject site. Table 3.5 below assesses a proposed future residential subdivision development against the relevant performance criteria for water supply, electricity and gas.

Performance Criteria	Relationship of Proposed Subdivision to Performance Criteria	Meets performance criteria?
<b>Water Supply</b> <i>Water supplies are easily accessible and located at regular intervals.</i>	<ul style="list-style-type: none"> <li>Reticulated water is available to the proposed development.</li> <li>Fire hydrants can be provided in accordance with AS 2419.1-2005.</li> </ul>	Yes
<b>Electricity Services</b> <i>Location of electricity services limits the possibility of ignition of surrounding bushland or the fabric of buildings.</i>	<ul style="list-style-type: none"> <li>Electricity provision is able to be provided away from native vegetation and is also able to be provided underground.</li> </ul>	Yes
<b>Gas services</b> <i>Location of gas services will not lead to ignition of surrounding bushland or the fabric of buildings.</i>	<ul style="list-style-type: none"> <li>Reticulated gas can be installed in accordance with AS 1596.</li> </ul>	Yes

**Table 3.5: Water Supply, Electricity and Gas**

## 4. Conclusions and Recommendations

The proposed development involves rezoning of land for residential purposes on land identified as Lot 1 DP 417132, Mullaway Drive Mullaway. The bushfire assessment demonstrates that bushfire protection of a future residential subdivision development of the land within the subject site can satisfy the requirements of *Planning for Bushfire Protection 2006* when assessed in accordance with Section 44 of the *Rural Fires Regulation 2013* for the purpose of applying for a Bushfire Safety Authority under Section 100B of the *Rural Fires Act 1997*.

The potential layout of a future residential subdivision that has been used as the basis of this bushfire assessment is shown on the subdivision concept plan prepared by Bennell and Associates appended to this report as Appendix A. This report demonstrates that bushfire risks can satisfactorily be managed for the most likely development of the land for residential purposes as shown in the concept plan. Moreover, subject to the recommendations detailed below, there are no significant impediments to the rezoning of the land from a bushfire hazard perspective.

While it is acknowledged that the rezoning of the land for residential purposes will allow a range of other, less likely, but more sensitive uses in terms of bushfire protection; it is considered that adequate legislation is in place to ensure the bushfire risk can be addressed for these less likely uses before such developments occur.

The following recommendations are made in relation to bushfire protection measures for the most likely use for a residential subdivision of the land at Lot 1 DP 417132, Mullaway Drive Mullaway and are based on the relevant provisions of the NSW Rural Fire Service guideline entitled *Planning for Bush Fire Protection 2006* and *Australian Standard AS 3959-2009 Construction of buildings in bushfire-prone areas*:

1. At the issue of a subdivision certificate and in perpetuity, the land to a minimum distance of 30 metres situated between the northern boundary of the subject site and the northern edge of the (future) building envelopes shall be maintained as an Inner Protection Area (IPA) as prescribed under Section 4.1.3 and Appendix 5 of *Planning for Bush Fire Protection 2006*;
2. As outlined under Section A2.2 of *Planning for Bush Fire Protection 2006*, and in relation to the requirements of recommendation 1 above, the IPA should provide a tree canopy cover of less than 15 % which should be located greater than 2 metres from any part of the roofline of a dwelling. Garden beds of flammable shrubs are not to be located under trees and should be no closer than 10 metres from an exposed window or door. Trees should have lower limbs removed up to a height of 2 metres above the ground;
3. Water, electricity and gas are to comply with section 4.1.3 of *Planning for Bush Fire Protection 2006*. Any new electricity supply lines are to be installed underground; and
4. The proposed fire trail shall comply with Section 4.1.3 (3) of *Planning for Bush Fire Protection 2006*.

BA-2014-1002-100B

1//417132 Mullaway Drive Mullaway

May 2014  
**Attachment 1**  
**Appendix D**

**NOTE AND DISCLAIMER:**

1. *This assessment relates to a residential subdivision on the subject land and only the plans referenced in this Assessment have been considered.*
2. *This Assessment has been based on bushfire protection guidelines as outlined in the document entitled Planning for Bush Fire Protection 2006 (PBP).*
3. *As noted by PBP and notwithstanding the precautions recommended, it should always be borne in mind that bushfires burn under a range of conditions and an element of risk always remains.*
4. *This assessment does not imply or infer any approval for the removal of vegetation for asset protection or other purposes. It is the responsibility of the client/land owner to obtain any and all necessary approvals in this regard.*



**Steve Britt**

**13 May 2014**

**Graduate Diploma in Design for Bushfire Prone Areas  
BPAD-Level 3 Accredited Practitioner, FPA Australia**

## 5. References

- Keith, D., 2004, *Ocean Shores to Desert Dunes: The Native Vegetation of New South Wales and the ACT*, Department of Environment and Conservation, Hurstville, NSW Australia
- NSW Rural Fire Service, 2005, *Standards for Asset Protection Zones*, NSW Rural Fire Service, Sydney
- NSW Rural Fire Service, 2006, *Planning for Bushfire Protection 2006*, NSW Rural Fire Service, Sydney
- Standards Australia, 2009, *AS3959-2009 Construction of buildings in bushfire-prone Areas*, Standards Australia, Sydney





## 6. Appendix A: Proposed Layout Plan



Source: Bennell and Associate



## 7. Appendix B: AHIMS Search Report

	Office of Environment & Heritage	<h3>AHIMS Web Services (AWS)</h3> <h4>Search Result</h4>	Your Ref Number : Client Serv						
Steve Britt PO Box 3212 West Kempsey New South Wales 2440 Attention: Steve Britt Email: steve@florafauna.com.au		Date:							
Dear Sir or Madam:									
<p><b><u>AHIMS Web Service search for the following area at Lot : 1. DP:DP417132 with a Buffer of 50 meters. conducted by Steve Britt on 16 April 2014.</u></b></p>									
<p>The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.</p>									
									
A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;"></td> <td style="text-align: center;"><b>0</b></td> <td style="text-align: center;"><b>Aboriginal sites are recorded in or near the above location.</b></td> </tr> <tr> <td></td> <td style="text-align: center;"><b>0</b></td> <td style="text-align: center;"><b>Aboriginal places have been declared in or near the above location. *</b></td> </tr> </table>					<b>0</b>	<b>Aboriginal sites are recorded in or near the above location.</b>		<b>0</b>	<b>Aboriginal places have been declared in or near the above location. *</b>
	<b>0</b>	<b>Aboriginal sites are recorded in or near the above location.</b>							
	<b>0</b>	<b>Aboriginal places have been declared in or near the above location. *</b>							

Source: Aboriginal Heritage Information Management System (AHIMS) Web Service



## AHIMS Web Services (AWS) Search Result

### Attachment 1 Appendix E

Your Ref Number :  
Client Service ID : 127064

Richard Bennell  
38 Ocean View Road  
Arrawarra headland New South Wales 2456  
Attention: Richard Bennell  
Email: rick@bennells.com.au

Date: 03 March 2014

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 1, DP:DP417132 with a Buffer of 50 meters, conducted by Richard Bennell on 03 March 2014.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

<b>0</b>	<b>Aboriginal sites are recorded in or near the above location.</b>
<b>0</b>	<b>Aboriginal places have been declared in or near the above location. *</b>

**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](http://www.nsw.gov.au/gazette) (<http://www.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.