



Coffs Harbour City Council

18 June 2015

ORDINARY MEETING

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

THURSDAY, 25 JUNE 2015

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 – 11 June 2015
9. Confirmation of Minutes of Extraordinary Meeting – 17 June 2015
10. Notices of Motion
11. General Manager's Reports
12. Consideration of Officers' Reports
13. Requests for Leave of Absence
14. Matters of an Urgent Nature
15. Questions On Notice
16. Consideration of Confidential Items (if any)
17. 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
25 JUNE 2015

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ITEM DESCRIPTION

RESCISSION MOTION

RM15/3 ALLOCATION OF FUNDS FOR A LEAGUE TEAMS CAMP AND TRIAL
FOOTBALL MATCH - RESCISSION MOTION

GENERAL MANAGER'S REPORTS

GM15/11 NORTH EMERALD BEACH - RESOLUTION NO 66

GM15/12 CODE OF MEETING PRACTICE - NOTICE OF DRAFT POLICY TO BE
PLACED ON PUBLIC EXHIBITION

GM15/13 FIT FOR THE FUTURE IMPROVEMENT PROPOSAL

SUSTAINABLE COMMUNITIES DEPARTMENT REPORTS

SC15/24 DEVELOPMENT APPLICATION NO. 0504/15 – DEMOLITION OF MOTEL,
CONSTRUCTION OF MIXED USE DEVELOPMENT COMPRISING
HOTEL, RETAIL PREMISES AND MULTI DWELLING HOUSING - LOT 56
DP 1187099, 78 BEACH STREET, WOOLGOOLGA

SC15/25 COMMENCEMENT OF SECTION 355 TOURISM COMMITTEE

BUSINESS SERVICES DEPARTMENT REPORTS

BS15/31 MONTHLY BUDGET REVIEW FOR MAY 2015

BS15/32 BANK AND INVESTMENT BALANCES FOR MAY 2015

BS15/33 REMOVAL OF DEVELOPER CONTRIBUTIONS FOR SECONDARY
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SI15/28	TRAFFIC COMMITTEE NO. 3/2015
SI15/29	CITY CENTRE MASTERPLAN TERMS OF REFERENCE
SI15/30	ROAD CLOSURE - PART CASTLE STREET, COFFS HARBOUR

The following document is the minutes of the Council Meeting held on Thursday, 11 June 2015. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 25 June 2015 and therefore subject to change. Please refer to the minutes of the meeting of date for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
11 JUNE 2015

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

11 JUNE 2015

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

Staff: General Manager, Director Business Services, Acting Director Sustainable Infrastructure, Director Sustainable Communities and Executive Assistant.

Leave of Absence: Councillor Innes.

The meeting commenced at 5:00pm 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.

DISCLOSURE OF INTEREST

No disclosures of interest tabled.

APOLOGY

107 RESOLVED (Degens/Townley) that leave of absence as requested from Councillor Innes be approved.

ORDINARY MEETING

11 JUNE 2015

PUBLIC FORUM

Time	Speaker	Item
5.00pm	Ian Hogbin	Council works in Park Avenue

PUBLIC ADDRESS

Time	Speaker	Item
5.05pm	Rex Madigan	GM15/10 – Revised 2015/2019 Delivery Program (Jetty Memorial Theatre Seating)

MAYORAL MINUTE

MM15/1 ALLOCATION OF FUNDS FOR A LEAGUE TEAMS CAMP AND TRIAL FOOTBALL MATCH

108 RESOLVED (Knight):

That Council consider \$50,000 of the funds previously allocated to attract an A League Football Match to Coffs Harbour, be made available to North Coast Football and Pacific Bay Resort.

CONFIRMATION OF MINUTES

109 RESOLVED (Arkan/Degens) that the minutes of the Ordinary meeting held on 28 May 2015 be confirmed as a true and correct record of proceedings.

GENERAL MANAGER'S REPORT

GM15/10 REVISED 2015/2019 DELIVERY PROGRAM

Executive Summary:

Council adopted the Draft 2015/2019 Delivery Program, Draft 2015/2016 Operational Plan, Draft Budgets 2015/2019 and Draft 2015/2016 Fees and Charges on 23 April 2015 (refer GM 15/6). The draft documents were placed on public exhibition for 28 days; the exhibition was publicised and the community was encouraged to provide feedback. A small number of community submissions – relating to budget and fees and charges issues – were received and considered in Council's review of the draft documents.

A separate community engagement strategy was undertaken in relation to a proposed two-year Special Rate Variation (SRV) to address a funding shortfall in Council's maintenance and renewal of infrastructure assets. The SRV application was approved by the Independent Pricing and Regulatory Tribunal (IPART) on 19 May 2015. The implementation of the SRV is a key strategy in the revised Delivery Program and associated documents.

Some minor amendments have been made to the Delivery Program following public exhibition. The projected budget results for the years 2016/2019 have also been updated to include up to date savings realised and 'banked' from the Transformation to Sustainability (T2S) Program. The revised Delivery Program, Operational Plan, Budgets and Fees and Charges are now presented for consideration; the adopted plans will be implemented from 1 July 2015.

110 RESOLVED (Degens/Sultana):

That Council:

1. Adopt the revised 2015/2019 Delivery Program, 2015/2016 Operational Plan, Division Budgets 2015/2019 and 2015/2016 Fees and Charges.
2. Note that the 2015/2016 General Fund Budget will deliver a projected surplus of \$1,884, which includes Council's approved Special Rate Variation (SRV) and investments and savings from the Transformation to Sustainability (T2S) Project.
3. Respond to all who made community submissions, advising them of the outcome of their requests and thanking them for their input.

RESCISSION MOTION

RM15/2 LANDSCAPE CORRIDORS OF THE COFFS HARBOUR LOCAL GOVERNMENT AREA - RESCISSION MOTION

111 RESOLVED (Townley/Degens):

That the following Resolution number 98 of the Ordinary Meeting of 28 May 2015 be rescinded.

1. *That Council notes the Landscape Corridors of the Coffs Harbour Local Government Area Final Report (Attachment 1) and the Coffs Harbour Landscape Corridors Digital Layer (Attachment 2).*
2. *That Landscape Corridors of the Coffs Harbour Local Government Area Final Report (Attachment 1) and the Coffs Harbour Landscape Corridors Digital Layer (Attachment 2) not be utilised for the purpose of development assessment under Part 4 of the Environmental Planning and Assessment Act, 1979 and makes no reference to the landscape corridors as a consideration.*
3. *That Council proceed to preparing a composite Terrestrial Biodiversity Assets and Ecological Significance Layer as the next step in implementing Council's adopted Biodiversity Action Strategy 2012 - 2030, without the Landscape Corridors as a consideration.*

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

The General Manager left the meeting, the time being 5:55pm. The Director of Sustainable Communities assumed his chair.
The General Manager returned, the time being 5:57pm.

NOTICE OF MOTION

NOM15/10 REBATES FOR SOLAR INSTALLATIONS ON COMMERCIAL PROPERTIES

112 RESOLVED (Townley/Arkan):

That Council staff prepare a report based on the following:

That Council use funds allocated to the Renewable Energy Fund (CHCC resolution 15 March 2015) to offer a rate rebate as an incentive for owners of commercial properties to install solar power systems.

The report should explore allocating \$3K to \$5K per applicant, with a minimum system size of >10kW.

GENERAL MANAGER'S REPORTS

GM15/7 GOVERNANCE AND AUDIT COMMITTEE - ANNUAL REPORT TO COUNCIL AND APPOINTMENT OF A COUNCILLOR REPRESENTATIVE

Executive Summary:

The Governance and Audit Committee voting members are a Councillor representative and three external members. Under the committee's Charter it is required to report annually to Council on its achievements and activities. The report of the committee for 2014 is attached.

Councillor Arkan has been the councillor representative on the Governance and Audit Committee since October 2012. Cr John Arkan has recently resigned from this committee and this report seeks appointment of another councillor.

113 RESOLVED (Palmer/Sultana):

That Council:

1. Note the report from the external representatives of the Governance and Audit Committee.
2. Appoint a Councillor to the Governance and Audit Committee.

SUPPLEMENTARY MOTION

114 RESOLVED (Rhoades/Knight):

That Cr Degens be appointed as Councils representative on the Governance and Audit Committee.

GM15/8 LOCAL GOVERNMENT REMUNERATION TRIBUNAL

Executive Summary:

To advise Council of the determination by the Local Government Remuneration Tribunal of fees for Councillors and Mayors for 2015/2016.

115 RESOLVED (Palmer/Sultana) that:

1. Pursuant to the provisions of Sections 248 and 249 of the Local Government Act 1993, the annual fee for Councillors be fixed at \$18,380 for the 2015/16 financial year.
2. An additional annual fee for the position of Mayor be set at \$40,090 for the 2015/16 financial year.

GM15/9 FIT FOR THE FUTURE IMPROVEMENT PROPOSAL

Executive Summary:

At its meeting held on 12 February 2015 Council was provided a report on the results from the Fit for the Future self-assessment tool, progress on the preparation of Council's Improvement Proposal and the interrelationship between Council's current Financial Sustainability Strategies and the Fit for the Future action plan.

Council's scale and capacity was assessed by the Independent Local Government Review Panel and was deemed to satisfy this criterion, and therefore no immediate merger was recommended. Consequently, Council is required to prepare an Improvement Proposal (Template 2) for submission by 30 June 2015.

The Improvement Proposal template addresses each of the criteria and the associated benchmarks. The ratios are focussed on General Fund only, with water and sewerage performance information provided; however, the approach to the assessment of this information is unclear. Council is required to demonstrate its improvement toward these benchmarks by 2019/2020 through strategies and associated action plans.

The draft Improvement Proposal includes the following key strategies:

- Transformation to Sustainability (T2S) Program
- Special Rate Variations approved by IPART
- Improving asset management
- Additional revenue or growth revenue opportunities
- Proposed North Coast Joint Organisation

GM15/9 - Fit For The Future Improvement Proposal (Cont)

The draft Improvement Proposal presents an overall picture, where by the required timeframe of 2019/2020, Council is expected to be able to either meet the FFTF benchmarks or show the necessary improvements required. The only exception is the Real Operating Expenditure Ratio per Capita, which is not ideal for a growth Council such as Coffs Harbour City Council and the results are currently being reviewed.

To provide quality assurance in relation to the draft Improvement Proposal, Council officers have arranged for OLG Fit for the Future Panel consultants, AEC Group Ltd to undertake a peer review. The peer reviewed Improvement Proposal will be presented to Council for endorsement at its meeting on 25 June 2015.

- 116 **RESOLVED** (Sultana/Degens) that Council notes the Fit for the Future Improvement Proposal update report.

BUSINESS SERVICES DEPARTMENT REPORTS

BS15/29 MAKING OF RATES AND CHARGES FOR 2015-2016

Executive Summary:

The rates and annual charges for 2015/2016 have to be formally 'made' under Section 535 of the Local Government Act, 1993, by Council resolution. The rates and charges are required to be made by 1 August each year.

The Ordinary Rate structure detailed in this report incorporates an increase in Council's General Income of 8.14% for 2015/2016. This rating structure is in accordance with Council's approved Special Rate Variation for 2015/2016 from IPART.

In recognition of the affordability concerns of residents associated with the proposed Ordinary Rate increase, Council has previously adopted to freeze water and sewer annual charges, reduce the increase in the water and sewer usage charge and reduce inspection fees for onsite septic systems in rural areas for the next three years. These measures will result in an overall increase in the total rate bill of no more than 3.9% for the average urban ratepayer for the next two years.

Council acknowledges that increasing rates is only part of the solution to becoming financially sustainable. Through its Transformation to Sustainability (T2S) project, Council is also pursuing productivity and efficiency savings and new revenue opportunities to address it's funding gap.

BS15/29 - Making of Rates and Charges for 2015-2016 (Cont)

117 RESOLVED (Sultana/Degens):

That Council:

1. Note the Independent Pricing and Regulatory Tribunal's (IPART) advice of 19 May 2015, approving a two-year (permanent) Special Rate Variation to General Income of 8.14% for 2015/2016 and 7.75% for 2016/2017.
2. Make an Ordinary Rate - Residential, pursuant to Section 494 of the Local Government Act, for 2015/2016 of (0.39821 cents) in the dollar with a Base Amount of \$357.00 for all rateable land in the Coffs Harbour LGA categorised as 'Residential'.
3. Make an Ordinary Rate – Business, pursuant to Section 494 of the Local Government Act, for 2015/2016 of (0.95125 cents) in the dollar with a minimum rate of \$600.00 for all rateable land in the Coffs Harbour LGA categorised as 'Business' EXCEPT land under the sub-category of Business named 'City Centre Business'.
4. Make an Ordinary Rate – City Centre Business, pursuant to Section 494 of the Local Government Act, for 2015/2016 of (1.34626 cents) in the dollar with a minimum rate of \$583.00 for all rateable land in the Coffs Harbour LGA sub-categorised as 'City Centre Business'.
5. Make an Ordinary Rate – Farmland, pursuant to Section 494 of the Local Government Act, for 2015/2016 of (0.39821 cents) in the dollar and a Base Amount of \$357.00 for all rateable land in the Coffs Harbour LGA categorised as 'Farmland'.
6. Make a Special Rate – Environmental, pursuant to Section 495 of the Local Government Act, for 2015/2016 on all rateable land in the Coffs Harbour LGA of (0.01063 cents) in the dollar with a Base Amount of \$20.65.
7. Make an Annual Charge for Domestic Waste Service – Occupied, pursuant to Section 496 of the Local Government Act, for 2015/2016 on all occupied rateable land, categorised Residential or Farmland, to which a domestic waste service is (or able to be) provided.

The amount of the annual charge will be the amount derived by applying the formula: $C = S \times UD$

Where 'C' equals the annual charge, 'S' equals the number of general waste bins provided to the parcel of land or lot in a strata plan for collection or the number of separate occupations, or one (1), whichever is the greater, and 'UD' (Unit Price Domestic Waste) is \$600.00.

Subsidiary (or extra) Domestic Waste Services pursuant to Section 501 of the Local Government Act, for 2015/2016 will incur the following annual charges per service:

- 7.1. Domestic General Waste Service - \$247.00
- 7.2. Domestic Recycling Service - \$92.00
- 7.3. Domestic Recycle Upgrade Service - \$34.00
- 7.4. Domestic Organic Waste Service - \$145.00.

BS15/29 - Making of Rates and Charges for 2015-2016 (Cont)

8. Make an Annual Charge for Domestic Waste – Vacant Land, pursuant to Section 496 of the Local Government Act, for 2015/2016 of \$112.00, on all vacant rateable land categorised Residential and Farmland, to which a domestic waste service is available.
9. Make an Annual Charge for Non-Rateable (Non-Domestic) Waste Service, pursuant to Section 496(2) of the Local Government Act, for 2015/2016 on all occupied non-rateable properties to which a waste collection service is provided.

The amount of the annual charge will be the amount derived by applying the formula $C = S \times UN$, where 'C' equals the annual charge, 'S' equals the number of general waste bins provided for collection or the number of separate occupations, or one (1) whichever is the greater and 'UN' (Unit Price Non-Rateable) is \$600.00 (excluding GST).

Subsidiary (or extra) Non-Rateable (Non-Domestic) Waste Services pursuant to Section 501 of the Local Government Act, for 2015/2016 will incur the following annual charges per service:

- 9.1. Non-Rateable General Waste Service - \$247.00 (excluding GST)
 - 9.2. Non-Rateable Recycling Service - \$92.00 (excluding GST)
 - 9.3. Non-Rateable Recycle Upgrade Service - \$35.00 (excluding GST)
 - 9.4. Non-Rateable Organic Waste Service - \$145.00 (excluding GST)
10. Make an Annual Charge for Non-Domestic Waste – Occupied, pursuant to Section 501 of the Local Government Act for 2015/2016 on all occupied rateable land categorised Business or sub-categorised City Centre Business, to which a waste collection service is provided (or is able to be provided).

The amount of the annual charge will be the amount derived by applying the formula $C = S \times UB$, where 'C' equals the annual charge, 'S' equals the number of general waste bins provided to the parcel of land or lot in a strata plan for collection or the number of separate occupations, or one (1) whichever is the greater and 'UB' (Unit Price - Non Domestic) is \$600.00 (excluding GST).

Subsidiary (or extra) Non-Domestic Waste Services pursuant to Section 501 of the Local Government Act, for 2015/2016 will incur the following annual charges per service:

- 10.1. Non-Domestic General Waste Service - \$247.00 (excluding GST)
 - 10.2. Non-Domestic Recycling Service - \$92.00 (excluding GST)
 - 10.3. Non-Domestic Recycle Upgrade Service - \$35.00 (excluding GST)
 - 10.4. Non-Domestic Organic Waste Service - \$145.00 (excluding GST)
11. Make an Annual Charge for Non-Domestic Waste – Vacant Land, pursuant to Section 501 of the Local Government Act, for 2015/2016 of \$112.00 (excluding GST), on all vacant rateable land categorised Business or sub-categorised City Centre Business to which a non-domestic waste service is available.

BS15/29 - Making of Rates and Charges for 2015-2016 (Cont)

12. Make an Annual Charge – Sewerage Access Charge, pursuant to Section 501 of the Local Government Act, for 2015/2016 on all rateable land categorised Residential or Farmland, EXCEPT land prescribed under Section 552 (3) (a) and (b) of the Local Government Act.

The amount of the annual charge will be \$806.00 per occupation or \$556.00 for vacant land.

13. Make an Annual Charge – Private Sewer Pump Station Management Charge, pursuant to Section 501 of the Local Government Act, for 2015/2016 on all rateable land.

The amount of the annual charge will be \$123.00 per private sewer pump station.

14. Make an Annual Charge – Sewerage Access Charge, pursuant to Section 502 of the Local Government Act, for 2015/2016 on all rateable land categorised Business or within the Business subcategory 'City Centre Business' EXCEPT land prescribed under Section 552(3) (a) and (b) of the Local Government Act.

The amount of the annual charge will be:

For vacant land - \$556.00.

For occupied land the charge will be calculated using the formula:

$SDF \times MF \times AC \text{ factor}$ (with a minimum charge of \$556.00).

Where: SDF = Sewer Discharge Factor
 MF = Meter Factor (refer to table 1 below)
 AC factor = \$789.00 (charge for 2015/2016).

Where no Council water service is installed on an occupied property (and able to be connected to the sewerage system) a Meter Factor (MF) equal to one (1) and a Sewer Discharge Factor (SDF) equal to 95% will be assumed for the calculation of the annual sewer access charge (i.e. $1 \times 95\% \times \$789.00 = \749.55).

Table 1 - Meter Charge Factors - Annual Sewer Access Charge (Non-Residential)

Meter Size (in mm)	Charge Factor	Meter Size (in mm)	Charge Factor	Meter Size (in mm)	Charge Factor
15	1.00	40	4.00	100	25.00
20	1.00	50	6.30	150	56.30
25	1.60	65	10.60	200	100.00
32	2.60	80	16.00	Fire Service	Nil

15. Make an Annual Fee for On-site Sewage Administration (low risk systems), pursuant to Section 608 of the Local Government Act for 2015/2016 on each property on which an on-site sewage management system(s) is installed.

The amount of the fee will be the amount derived by applying the formula

$C = OS \times UPL$ where 'C' equals the annual fee, 'OS' equals the number of on-site sewage management systems and 'UPL' (Unit Price) is \$16.00 for low risk on-site sewage systems.

BS15/29 - Making of Rates and Charges for 2015-2016 (Cont)

16. Make an Annual Fee for On-site Sewage Administration (medium risk systems), pursuant to Section 608 of the Local Government Act for 2015/2016 on each property on which an on-site sewage management system is installed.

The amount of the fee will be the amount derived by applying the formula:

$C = OS \times UPM$ where 'C' equals the annual fee, 'OS' equals the number of on-site sewage management systems and 'UPM' (Unit Price) is \$47.00 for medium risk on-site sewage systems.

17. Make an Annual Fee for On-site Sewage Administration (high risk systems), pursuant to Section 608 of the Local Government Act for 2015/2016 on each property on which an on-site sewage management system is installed.

The amount of the fee will be the amount derived by applying the formula

$C = OS \times UPH$ where 'C' equals the annual fee, 'OS' equals the number of on-site sewage management systems and 'UPH' (Unit Price) is \$171.00 for high risk on-site sewage systems.

18. Make an Annual Charge – Water Access Charge, pursuant to Section 501 of the Local Government Act, for 2015/2016 on all rateable land categorised Residential or Farmland EXCEPT: Land prescribed under Section 552(2) of the Local Government Act (or) Farmland rated properties using water for a commercial farming purpose.

The amounts of the annual charge will be:

18.1. For vacant land or land comprising a single residential dwelling or a lot within a strata plan - \$143.00.

18.2. For land on which is erected a building or buildings adapted for two or more separate occupations, including (but not limited to) a dual occupancy or residential flat building(s) not being part of a strata plan, the amount derived by applying the formula $AC = T \times \$143.00$ where 'AC' equals the Annual Charge, 'T' equals the number of separate occupations.

19. Make an Annual Charge – Water Access Charges, pursuant to Section 501 of the Local Government Act, for 2015/2016 on all rateable land categorised Business (and sub-category City Centre Business) or Farmland EXCEPT: Land prescribed under Section 552(2) of the Local Government Act (or) Farmland rated properties using water for a residential purpose.

The amount of the annual charges will be:

19.1. For vacant land or occupied land that is not connected to the water supply - \$143.00.

19.2. For land not included in (1) above the amount is derived by applying the formula $AC = MF \times \$143.00$ where 'AC' equals the Annual Charge, 'MF' equals the aggregate of the charge factors for all meters on the property (see table 2 below for charge factors), and \$143.00 is the unit price.

BS15/29 - Making of Rates and Charges for 2015-2016 (Cont)

Table 2 – Meter Charge Factors - Water Access Charge (Non-Residential)

Meter Size (in mm)	Charge Factor	Meter Size (in mm)	Charge Factor	Meter Size (in mm)	Charge Factor
15	1.00	40	4.00	100	25.00
20	1.00	50	6.30	150	56.30
25	1.60	65	10.60	200	100.00
32	2.60	80	16.00	Fire Service	1.00

20. Make an Annual Charge - Water Backflow Charge, pursuant to Section 501 of the Local Government Act, for 2015/2016 of \$15.50 per testable backflow device on rateable properties under the category of Residential or Farmland in respect of land prescribed under Section 552(1).
21. Make an Annual Charge - Water Backflow Charge, pursuant to Section 501 of the Local Government Act, for 2015/2016 of \$62.00 for the first testable backflow device and \$15.50 for any additional testable backflow device(s) on rateable properties under the category of Business or sub-category of City Centre Business in respect of land prescribed under Section 552(1).
22. Make an Annual Charge for Effluent Removal, pursuant to Section 501 of the Local Government Act, for 2015/2016 of \$468.00 for each system able to be connected to the sewerage system (properties with this charge applied may also be charged an annual sewer access charge).
23. Make an Annual Charge for Effluent Removal, pursuant to Section 501 of the Local Government Act, for 2015/2016 of \$468.00 for each system not yet on Council's subsidised pump-out service and not able to be connected to the sewerage system.
24. Make an Annual Charge for Effluent Removal (Special), pursuant to Section 501 of the Local Government Act, for 2015/2016 of \$806.00 for each system not able to be connected to the sewerage system. A subsidised effluent pump-out service is provided with this charge.
25. Make an Annual Charge for Trade Waste, pursuant to Section 501 of the Local Government Act, for 2015/2016. This annual charge is based on the number of trade waste generators at each property.

Table three shows the annual charge applicable for a particular number of trade waste generators at a property.

Table 3 – Annual Charge for Trade Waste

Number of Trade Waste Generators	Annual Trade Waste Charge
1	\$194.00
2 to 4	\$388.00
5 to 9	\$921.50
10 to 14	\$1,794.50
15 to 19	\$2,667.50
20 to 24	\$3,492.00
25 to 29	\$4,268.00
>29	\$5,044.00

BS15/29 - Making of Rates and Charges for 2015-2016 (Cont)

26. Make a Water Usage Charge, pursuant to Section 502 of the Local Government Act, for 2015/2016 of \$2.67 per kilolitre for each kilolitre of water registered, up to a daily average of one (1) kilolitre per occupation for the period read, this is to be known as the Tier 1 (or Step 1) water usage charge.
27. Make a Water Usage Charge, pursuant to Section 502 of the Local Government Act, for 2015/2016 of \$4.01 per kilolitre for each kilolitre of water registered, over a daily average of one (1) kilolitre per occupation for the period read, this is to be known as the Tier 2 (or Step 2) water usage charge.
28. Make a Water Usage Charge (Raw Water Supply), pursuant to Section 502 of the Local Government Act, for 2015/2016 of \$1.34 per kilolitre for each kilolitre of water registered, up to a daily average of one (1) kilolitre per occupation supplied for the period read, this is to be known as the Tier 1 (or Step 1) raw water usage charge.
29. Make a Water Usage Charge (Raw Water Supply), pursuant to Section 502 of the Local Government Act, for 2015/2016 of \$2.00 per kilolitre for each kilolitre of water registered, over a daily average of one (1) kilolitre per occupation supplied for the period read, this is to be known as the Tier 2 (or Step 2) raw water usage charge.
30. Make a Water Usage Charge, pursuant to Section 502 of the Local Government Act, for 2015/2016 of \$2.67 per kilolitre for each kilolitre of water registered on any meter fitted to any Non-Residential property.
31. Make a Water Usage Charge, pursuant to Section 502 of the Local Government Act, for 2015/2016 of \$8.01 per kilolitre for each kilolitre of water registered on any meter fitted for providing a fire service at a property.
32. Make a Sewer Usage Charge, pursuant to Section 502 of the Local Government Act, for 2015/2016 of \$2.09 per kilolitre. Sewerage discharge is based on water usage and varies depending on Sewer Discharge Factors (SDF) allocated to individual water meters on individual properties. Usage is generally determined with the use of meters, which in certain circumstances may not be directly connected to Council's water supply.
33. Make a Trade Usage Charge (for compliant trade waste discharge – Charge Category 2 generators), pursuant to Section 502 of the Local Government Act, for the 2015/2016 charge period of \$1.66 per kilolitre.
34. Make a Trade Usage Charge (for non-compliant trade waste discharge – Charge Category 1 generators), pursuant to Section 502 of the Local Government Act, for the 2015/2016 charge period of \$1.66 per kilolitre.
35. Make a Trade Usage Charge (for non-compliant trade waste discharge – Charge Category 2 generators), pursuant to Section 502 of the Local Government Act, for the 2015/2016 charge period of \$15.26 per kilolitre.
36. Make an Annual Stormwater Management Service Charge, pursuant to Section 496A of the Local Government Act, for 2015/2016, to be applied against rateable properties categorised as Business or Residential within Council's stormwater catchments. The amount of the annual charges will be:
 - 36.1. Residential properties (not being strata units) - a flat charge of \$25.00 will apply.
 - 36.2. For Residential Strata Units - a flat charge of \$12.50 will apply.

BS15/29 - Making of Rates and Charges for 2015-2016 (Cont)

- 36.3. For Business properties (not being strata units) the charge is based on total (estimated) impervious land area using the following criteria:
Divide the total impervious land area by 350 square metres. This will result in an amount which, (rounded up to the nearest whole number) is multiplied by \$25.00. This annual charge will therefore be an amount divisible by \$25.00 with the minimum charge being \$25.00 for properties having a land area of 350 square metres or less.
- 36.4. For Business Strata Units (in a complex containing only business units) - the charge is determined by a method similar to that detailed in point (III) above, except that the total land area charge for the strata complex (being a multiple of the \$25.00 charge) is further apportioned to individual strata units within the complex using the unit entitlement recorded for each unit. A minimum charge of \$5.00 per strata unit applies to calculated charges less than this amount.
- 36.5. For Business Strata Units (in a mixed complex containing residential units) – the charge for these units will be the same as residential strata units being a flat charge of \$12.50.
37. Make an Interest Charge of 8.5%, pursuant to Section 566 of the Local Government Act, for 2015/2016 being the maximum amount determined by the Minister for Local Government; calculated daily on a simple basis, on overdue rates and charges (EXCEPT water, sewer and trade waste usage charges).

BS15/30 GRANTING OF VOLUNTARY PENSION REBATES FOR 2015-2016

Executive Summary:

The Local Government Act 1993, (the Act) provides that the Council must grant a mandatory rebate to eligible pensioners for rates and charges. Council is then reimbursed by subsidy payment for a proportion of the amount rebated. Section 582 of the Act provides that Council may grant an additional voluntary pensioner rebate which this report outlines.

Since 2002 Council has granted additional voluntary pensioner rebates to eligible pensioners in respect of the Environmental Levy and Domestic Waste Charges. The granting of these additional rebates is resolved by Council on an annual basis and is provided for in the 2015/2016 budget at a cost of \$630,000.

BS15/30 - Granting of Voluntary Pension Rebates for 2015-2016 (Cont)

118 RESOLVED (Townley/Arkan):

That Council:

1. Grants a voluntary rebate under Section 582 of the Local Government Act in 2015/2016 to eligible pensioners in respect of the Environmental Levy and Domestic Waste charges. The level of rebate to be:
 - 1.1. In the case of the Environmental Levy – the amount that is the difference between 50% of the ad valorem rate and 50% of the Base Amount and the mandatory rebate to be applied under Section 575 of the Local Government Act.
 - 1.2. In the case of the Domestic Waste Charge – the amount that is the difference between \$87.50 and the mandatory rebate to be applied under Section 575 of the Local Government Act.
2. Notes the provision of \$630,000 in the 2015/2016 budget to meet the cost of providing voluntary pension rebates.

SUSTAINABLE INFRASTRUCTURE DEPARTMENT REPORTS

SI15/25 CHCC RECYCLED WATER POLICY AND RECYCLED WATER MANAGEMENT SYSTEM

Executive Summary:

To seek adoption of a new Recycled Water Policy by Council. The policy is supported by a Recycled Water Management System. These documents facilitate in establishing appropriate risk management practices for the supply of recycled water and also facilitate in addressing legislative requirements as prescribed in section 60 of the Local Government Act.

119 RESOLVED (Palmer/Degens):

1. That Council approve the public exhibition of the Coffs Harbour City Council Recycled Water Policy for a period of 28 days.
2. That a report be brought back to Council after submissions have closed.

SI15/26 PRIVATE SEWER PUMP STATION POLICY

Executive Summary:

This report recommends that Council adopt the Private Sewer Pump Station Policy. Council does not currently have a policy in place.

Coffs Harbour City Council has developed the private sewer pump station policy and guideline to detail the responsibilities of the developer and individual property owners with respect to construction, maintenance and operation of associated infrastructure and provides a basic guide to Council's expectations from such systems.

Implementation of this policy and creation of a database will result in regular maintenance of private pump stations (PPS) by the property owners and improved quality of sewage discharged from the PPS to Council's sewer network. This will in turn reduce the severe corrosion of Council's sewer network and costly repairs.

120 RESOLVED (Palmer/Degens):

1. That Council approve the public exhibition of the Coffs Harbour City Council Private Sewer Pump Station Policy for a period of 28 days.
2. That a report be brought back to Council after submissions have closed.

SI15/27 WATER RESTRICTIONS POLICY

Executive Summary:

Council approved the Draft Water Restrictions Policy for public exhibition at its meeting on 12 March, 2015. Public exhibition period from 20 March 2015 to 17 April 2015 received no submissions from the community. Our Regional Water Supply Scheme partners, Clarence Valley Council, also received nil public submissions from the public exhibition of their Draft Water Restrictions Policy over the same period.

This report recommends that Council adopt the Water Restrictions Policy as exhibited, effective 1 July, 2015.

121 RESOLVED (Townley/Palmer):

That Council adopts the Water Restrictions Policy as exhibited, effective 1 July, 2015.

REQUESTS FOR LEAVE OF ABSENCE

No requests for leave of absence.

MATTERS OF AN URGENT NATURE

MUN15/7 Harbour North Wall Upgrade

Cr Palmer raised the issue of the upgrade of the north wall of the Harbour. The General Manager took the matter on notice. Cr Arkan asked that a briefing be held with interested parties/stakeholders.

MUN15/8 Sharks in Harbour

Cr Arkan spoke on the problem of sharks in the harbour and asked that a report be brought back to Council. General Manager advised that operationally this has been attended to but will provide a briefing note to Councillors.

QUESTIONS ON NOTICE

No questions on notice.

This concluded the business and the meeting closed at 6:24 pm.

Confirmed: 25 June 2015.

.....
Denise Knight
Mayor



COFFS HARBOUR CITY COUNCIL

EXTRAORDINARY MEETING

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

17 JUNE 2015

Contents

ITEM	DESCRIPTION	PAGE
COFFS COAST STATE PARK TRUST MEETING REPORTS		2
STP15/2	LEASE OF PART CROWN RESERVE TO COFFS HARBOUR DEEP SEA FISHING CLUB	2



COFFS HARBOUR CITY COUNCIL

EXTRAORDINARY MEETING

17 JUNE 2015

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

Staff: General Manager, Director Business Services, Acting Director Sustainable Infrastructure, Manager Holiday Parks and Reserves, Property Manager and Executive Assistant.

The meeting commenced at 6.00pm 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.

DISCLOSURE OF INTEREST

No disclosures of interest tabled.

APOLOGY

122 RESOLVED (Arkan/Innes) that apologies received from Councillors Rhoades and Sultana for unavoidable absence be received accepted.

CLOSED SESSION – SECTION 10(A)

The Mayor requested a motion to close the meeting to consider a confidential report as outlined in the meeting agenda, the time was 6.03 pm.

- 123 RESOLVED** (Knight/Palmer) that the meeting be closed to the press and public during consideration of the following items for the reasons as stated:

STP15/2 - Lease of Part Crown Reserve to Coffs Harbour Deep Sea Fishing Club

This report was confidential for the reason of Section 10A(2):

- c) information that would, if disclosed confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business:

The motion on being put to the meeting was carried.

The press and public vacated the chamber.

OPEN MEETING

Council reconvened into the Open Meeting following the Closed Session, the time being 7.30pm

The General Manager read to the Open Meeting those parts of the Closed Session able to be made public at this point in time, namely that the matter remain in Closed Session pending consideration to the Administrator.

- 127 RESOLVED** (Arkan/Degens) that the resolutions of the Closed Session be adopted.

This concluded the business and the meeting closed at 7.33 pm.

Confirmed: 25 June 2015.

.....
Denise Knight
Mayor



REPORT TO ORDINARY COUNCIL MEETING

ALLOCATION OF FUNDS FOR A LEAGUE TEAMS CAMP AND TRIAL FOOTBALL MATCH - RESCISSION MOTION

Motion:

Councillors Sultana, Palmer and Cowling have given notice of their intention to move:

That the following Resolution number 108 of the Ordinary Meeting of 11 June 2015 be rescinded.

That Council consider \$50,000 of the funds previously allocated to attract an A League Football Match to Coffs Harbour, be made available to North Coast Football and Pacific Bay Resort.

If the above motion is successful, we intend to move the following;

That \$50,000 of the funds previously allocated to attract an A League Football Match to Coffs Harbour, be made available to North Coast Football and Pacific Bay Resort. These funds will be used to bring two teams to Coffs Harbour where they will conduct coaching clinics and play a pre season match on Friday 7th August 2015.



REPORT TO ORDINARY COUNCIL MEETING

NORTH EMERALD BEACH - RESOLUTION NO 66

REPORTING OFFICER: Group Leader Governance Services
DIRECTOR: General Manager
COFFS HARBOUR 2030: LC 3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour
ATTACHMENTS: Nil

Recommendation:

That Council notes the contents of this report and takes no further action on Notice of Motion 15/8 - Lot 62 DP 1143405 at North Emerald Beach.

EXECUTIVE SUMMARY

At the Ordinary meeting of Council on 23 April 2015 Cr Townley, via a Notice of Motion moved and Council resolved:

- 1. Council's Property Valuer prepares a report for Council with an estimated purchase value for the land known as Lot 62 DP 1143405 at North Emerald Beach.*
- 2. Council enter into discussion regarding contributory funding options from the relevant State and Federal Government departments such as the NSW Roads & Maritime Services, Office of Environment and Heritage, North Coast Local Land Services, Environmental Trust and others.*
- 3. Council acknowledge the above information is being prepared for the sole purpose of understanding the situation clearly, and that any decision to pursue the purchase of the property will not be made without a formal resolution of Council having been adequately informed about the issues and to provide transparency.*

Subsequently, the following week Council was served notice of a class 1 appeal from Pridel Investments (the Emerald Beach property) in the Land & Environment Court.

REPORT

Description of Item:

At the Ordinary meeting of Council on 23 April 2015, Council resolved to commence preliminary investigations into the purchase of the property Lot 62 DP 1143405 at North Emerald Beach owned by Pridel Investments Pty Ltd.

This was resolved noting part 3 of the resolution, 'that the above information is being prepared for the sole purpose of understanding the situation clearly, and that any decision to pursue the purchase of the property will not be made without a formal resolution of Council having been adequately informed about the issues and to provide transparency'.

The following week Council received notification of an appeal by Pridel Investments Pty Ltd in the Land and Environment Court. The development application was refused by Council, resolution no 56 at the meeting on the 26 March 2015.

Issues:

As an appeal is now underway Council has been a determining authority and now a respondent in legal proceedings.

To enter into the process to purchase or even commence investigations into the process to purchase the Emerald Beach property would also put an additional 'hat' on Council of a prospective purchaser. Due diligence would be very difficult to complete, as it could be stated that the current appeal, if successful would drive down the value of the land or conversely that Council did not fully contest aspects of the appeal.

In the interest of good governance it is recommended that Council allow the appeal to run its course. Once the Court has determined the outcome of the appeal if the Council is of the mind to commence investigations into the purchase of the property it can do so. The present difficulties with due diligence and governance dissipate once the appeal is dealt with.

Options:

1. Adopt the recommendation provided to Council
2. Amend the recommendation provided to Council and then adopt. The amendment would need to be carefully worded to ensure Council is not exposed to future complaints or potential litigation.
3. Reject the recommendation provided to Council. This could expose council to future complaints or potentially litigation.

Sustainability Assessment:

- **Environment**

There are no environmental impacts as a direct result of this report.

- **Social**

There are no social impacts as a result of this report.

- **Civic Leadership**

This report is acknowledging that Council needs to ensure it remains transparent and maintains good governance in all dealings.

The report is in line with the 2030 theme: LC 3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour.

- **Economic**

Broader Economic Implications

There are no broader economic impacts as a result of this report.

Delivery Program/Operational Plan Implications

There are no delivery program/operational plan implications as a result of this report.

Risk Analysis:

Not applicable to this report.

Consultation:

Consultation has occurred with a member of Council's legal panel.

Related Policy, Precedents and / or Statutory Requirements:

Nil.

Implementation Date / Priority:

Immediate.

Conclusion:

Now that a class 1 appeal is underway in the Land & Environment Court, it would be prudent of Council not to act on Notice of Motion NOM15/8 NORTH EMERALD BEACH - RESOLUTION NO 66 resolved at the meeting on 23 April 2015 until the appeal has been determined. The timeframe for this is unknown.



REPORT TO ORDINARY COUNCIL MEETING

CODE OF MEETING PRACTICE - NOTICE OF DRAFT POLICY TO BE PLACED ON PUBLIC EXHIBITION

REPORTING OFFICER:	Group Leader Governance Services
DIRECTOR:	General Manager
COFFS HARBOUR 2030:	LC 3.1 Council Supports The Delivery Of High Quality, Sustainable Outcomes For Coffs Harbour
ATTACHMENTS:	ATT Draft Code of Meeting Practice Policy

Recommendation:

That:

1. In accordance with Section 361 of the Local Government Act 1993, Council gives public notice of its intention to adopt the Code of Meeting Practice as attached and allow at least 42 days for the making of public submissions.
2. Following the exhibition period, Council considers a further report including a summary of any submissions received.

EXECUTIVE SUMMARY

To advise Council and the community of the public exhibition of the draft Code of Meeting Practice.

In accordance with Section 361 of the Local Government Act 1993, (the Act) any amendment to the Code of Meeting Practice is required to be on public exhibition for a period of 28 days allowing 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to the Council.

REPORT

Description of Item:

The Code of Meeting Practice sets out the conduct for meetings of council and committees. The Code is available on the Coffs Harbour City Council website.

Section 360 of the Act states:

360 Conduct of meetings of councils and committees

- (1) The regulations may make provision with respect to the conduct of meetings of councils and committees of councils of which all the members are councillors.*
- (2) A council may adopt a code of meeting practice that incorporates the regulations made for the purposes of this section and supplements those regulations with provisions that are not inconsistent with them.*
- (3) A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by it.*

Issues:

The draft policy will be advertised according to legislative requirements and Councillors may also wish to make submissions to the draft policy during the exhibition period.

Changes to the draft policy include, but are not limited to:

1. Change to the Order of Business
2. Addition to information about the Mayoral Minute
3. Clarification to members of the public addressing council
4. Clarification on the reading of speeches
5. Inclusion of recording of all names for all voting decisions
6. Dealing with en globo motions

Options:

1. Adopt the recommendation provided to Council.
2. Amend the recommendation provided to Council and then adopt the revised recommendation.

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 of policy enables Council to identify and respond the community. This is consistent with the *Coffs Harbour 2030* Community Strategic Plan.

- **Economic**

Broader Economic Implications

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

Delivery Program/Operational Plan Implications

There are no delivery program/operational plan implications as a result of this report.

Risk Analysis:

Not applicable to this report.

Consultation:

Consultation has occurred with Councillors and executive.

The purpose of this report is the notification of public exhibition period of no less than 28 days and not less than 42 days after the draft code is for submissions to be made to Council.

Related Policy, Precedents and / or Statutory Requirements:

Section 239 of the Local Government Act established the Tribunal.

Section 241 of the Local Government Act provides for the Tribunal to determine fees.

Section 248 of the Local Government Act provides for Council to pay all Councillors an annual fee, fix the fee for all Councillors but at least the minimum.

Section 249 of the Local Government Act provides for the Council to pay the Mayor an annual fee but at least the minimum fee. The Council may pay the Deputy Mayor a fee but it must be deducted from the Mayor's annual fee.

Implementation Date / Priority:

Implementation for public exhibition is immediate.

Conclusion:

The attached policy is, in accordance with legislative requirements, to be placed on public exhibition. During this time, submissions can be made. The policy and a report detailing the submissions received and any changes as a result of these will be presented to Council for final determination.

Attachment



Code of Meeting Practice

DRAFT



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Coffs Harbour City Council Code of Meeting Practice

INTRODUCTION TO THE CODE

OBJECTIVES

The objectives of this Code of Meeting Practice are:

- to ensure that all meetings of Council and its Committees are conducted in an orderly and proper manner;
- to ensure that all meetings of Council and its Committees are conducted according to the principles of procedural fairness and due process;
- to increase Council's professionalism, transparency and accountability to the community;
- to ensure that all Councillors understand their rights and obligations during Council and Committee meetings;
- to ensure that all Councillors have an equal opportunity to participate fully in the meeting;
- to ensure that Councillors participate in meetings that engender a positive meeting environment that is without malice and avoids insulting, improper or defamatory statements; and
- to be an effective aid to good governance.

Council and Committee meetings comprising of Councillors only are to be conducted in accordance with this policy.

GUIDE TO REFERENCES IN THIS CODE

The Code consolidates provisions in relevant Acts, Regulations and the City's Supplementary Provisions which are specific meeting provisions for the Coffs Harbour City Council.

References to relevant sections in the *Local Government Act* and Regulations are included in the Code, however, these references are not necessarily verbatim.

Definitions:

LGA s.

Local Government Act 1993 – Section Number

Reg

Local Government Regulations 2005 – Regulation Number

DLG Prac note 16/2009

Division of Local Government Meetings Practice Note no 16 August 2009

DLG Circular 10-10

Division of Local Government Circular 10 – 21 May 2010

1.0 The Code of Meeting Practice

1.1 *Application of the Code*

Conduct of meetings of council and committees

- 1.1.1 The regulations of the Local Government Act may make provision with respect to the conduct of meetings of councils and committees of councils of which all the members are Councillors.
- 1.1.2 A council may adopt a code of meeting practice that incorporates the regulations made for the purposes of this section and supplements those regulations with provisions that are not inconsistent with them.
- 1.1.3 A council and a committee of the council of which all the members are Councillors must conduct its meetings in accordance with the code of meeting practice adopted by it.

LGA s.360

1.2 *Preparation of the Code of Meeting Practice*

Preparation, public notice and exhibition of draft code

- 1.2.1 Before adopting a code of meeting practice, a council must prepare a draft code.
- 1.2.2 The council must give public notice of the draft code after it is prepared.
- 1.2.3 The period of public exhibition must not be less than 28 days.
- 1.2.4 The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to the council.
- 1.2.5 The council must publicly exhibit the draft code in accordance with its notice.

LGA s.361

1.3 *Adoption of the Code*

Adoption of draft code

- 1.3.1 After considering all submissions received by it concerning the draft code, the council may decide:
 - (a) to amend those provisions of its draft code that supplement the regulations made for the purposes of Section 360 (Clause 1.1), or
 - (b) to adopt the draft code as its code of meeting practice

- 1.3.2 If the council decides to amend its draft code, it may publicly exhibit the amended draft in accordance with this Division (Part 1 of this Code) or, if the council is of the opinion that the amendments are not substantial, it may adopt the amended draft code without public exhibition as its code of meeting practice.

LGA s.362

A council may amend a code adopted under this Part (Part 1 of this Code) by means only of a code so adopted.

LGA s.363

1.4 Public Availability of the Code

- 1.4.1 The code of meeting practice adopted by a council must be available for public inspection free of charge at the office of the council during ordinary office hours.
- 1.4.2 Copies of the code must be available free of charge or, if the council determines, on payment of the approved fee.

Note: A copy of this Code is also available on Council's website www.coffsharbour.nsw.gov.au.

LGA s.364

2.0 Before Council Meetings

2.1 *Frequency of Meetings*

How often does the council meet?

The council is required to meet at least ten times each year, each time in a different month.

LGA s.365

Dates of council meetings

The council will meet on the second and fourth Thursday of each month for the purpose of holding its Ordinary and committee meetings. Meeting times and dates of committees will be determined on an annual basis by council for the ensuing year and will be set out in an adopted meeting schedule.

CHCC Resolution 177/2008

2.2 *Notice of Meetings to Councillors*

Notice of meetings

The General Manager of a council must send to each Councillor, at least three days before each meeting of the council (*or committee*), a notice specifying the time and place at which and date on which the meeting is to be held and the business proposed to be transacted at the meeting.

LGA s.367(1)

Days of Notice

The day of issue and the day of the meeting are not to be counted as days of notice.

(Sec 36 Interpretations Act 1987)

2.3 Notice for Extraordinary Meeting

Calling of extraordinary meeting on request by Councillors

At least two (2) councillors can make a written request to the mayor to hold an extraordinary council meeting. The mayor can be one of the two councillors, but the mayor cannot call extraordinary meetings by him or herself without having a written request with another councillor's signature. The mayor must then 'call' the meeting, which is to be held as soon as practical but within fourteen (14) days after the request is made

LGA s.366

Notice of meetings

Notice of less than three days may be given of an extraordinary meeting called in an emergency.

LGA s.367(2)

2.4 Public Notice of Meetings

Public notice of meetings

2.4.1 A council must give notice to the public of the times and places of its meetings and meetings of those of its committees of which all the members are Councillors.

LGA s.9(1)

2.4.2 A notice of a meeting of a council or of a committee must be published in a newspaper circulating in the area before the meeting takes place.

2.4.3 The notice must specify the time and place of the meeting.

2.4.4 Notice of more than one meeting may be given in the same notice.

2.4.5 This clause (*public notice requirements*) does not apply to an extraordinary meeting of a council or a committee.

Reg 232(2)-(5)

2.5 Security Arrangements at Meetings

- 2.5.1 The meeting space of the Council Chamber is to be physically divided from the public gallery by the erection of an appropriate barrier and installation of a sign on the barrier stating 'No Public Access'.
- 2.5.2 Security cameras and signage are installed in the Council Chamber, and are to be activated as deemed necessary by the General Manager.
- 2.5.3 A sign is installed and maintained in the Council Chambers, prohibiting unauthorised recording of council meetings in accordance with clause 273 of the Regulation.

CHCC Resolution 16-Aug-2007, clause 5 - 7

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3.0 Quorum and Attendance

3.1 *Quorum for a Meeting*

What is the quorum for a meeting?

The quorum for a meeting of the council is a majority of the Councillors of the council who hold office for the time being and are not suspended from office.

LGA s.368

3.2 *Councillor Presence at Council Meetings*

Presence at council meetings

A Councillor cannot participate in a meeting of a council unless personally present at the meeting and is present in the meeting room.

Reg 235

3.3 *Quorum not Present*

What happens when a quorum is not present

3.3.1 A meeting of a council must be adjourned if a quorum is not present:

- (a) within half an hour after the time designated for the holding of the meeting, or;
- (b) at any time during the meeting.

3.3.2 In either case, the meeting must be adjourned to a time, date and place fixed:

- (a) by the Chairperson, or;
- (b) in his or her absence - by the majority of the Councillors present, or;
- (c) failing that, by the General Manager.

3.3.3 The General Manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the Councillors present.

Reg 233

3.4 Councillor Attendance at Meetings

Councillor absence from meetings

A civic office becomes vacant if the holder (*Councillor*) is absent from three consecutive ordinary meetings of the council unless the holder is absent because he or she has been suspended from office under Section 482 of the Act (*Pecuniary interest disciplinary order*) without:

- (a) prior leave of the council, or
- (b) leave granted by the council at any of the meetings concerned.

LGA s.234(1)(d)

3.5 Application for Leave of Absence

3.5.1 For the purposes of Clause 3.4, a Councillor applying for a leave of absence from a meeting of a council does not need to make the application in person and the council may grant such leave in the absence of that Councillor.

LGA s.234(2)

3.5.2 A Councillor's application for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent.

Reg 235A(1)

3.6 Meeting Attendance while on Leave of Absence

3.6.1 If the holder of a civic office attends a council meeting (whether or not an ordinary meeting) despite having been granted leave of absence, the leave of absence is taken to have been rescinded as regards any future council meeting.

3.6.2 Subsection (3.6.1) above does not prevent the council from granting further leave of absence in respect of any future council meeting.

LGA s.234(3)-(4)

3.6.2 A Councillor who intends to attend a council meeting despite having been granted leave of absence should, if practicable, give the General Manager at least 2 days' notice of his or her intention to attend.

Reg 235A(2)

3.7 *Tendering an Apology*

The tendering of an apology is not the same as applying for a leave of absence.

The tendering of an apology is an accepted convention to notify those present at a meeting that the person tendering the apology will not be attending the meeting.

The acceptance of an apology is a positive acknowledgement of the courtesy of the person who tendered it. It does not amount to a grant of a leave of absence.

DLG practice note 16/2009

3.8 *Who is Entitled to Attend Council Meetings*

3.8.1 Except as provided by this Part:

- (a) everyone is entitled to attend a meeting of the council and those of its committees of which all the members are Councillors, and
- (b) a council must ensure that all meetings of the council and of such committees are open to the public.

3.8.2 However, a person (whether a Councillor or another person) is not entitled to be present at a meeting of the council or of such a committee if expelled from the meeting:

- (a) by a resolution of the meeting, or;
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

3.8.3 A person may be expelled from a meeting only on the grounds specified in, or in the circumstances prescribed by, the regulations.

LGA s.10

3.9 *Attendance of General Manager*

3.9.1 The General Manager is entitled to attend, but not to vote at a meeting of the council or a meeting of a committee of the council of which all the members are Councillors.

3.9.2 The General Manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

3.9.3 However, the General Manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the General Manager or the terms of the employment of the General Manager.

LGA s.376

3.10 Attendance of Council Employees

The General Manager shall arrange for the attendance of such council employees as are considered necessary by the General Manager for the transaction of the notified council business.

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4.0 Presiding over Meetings of Council

4.1 *Chairperson and Deputy Chairperson of Council*

Who presides at meetings of the council?

4.1.1 The Mayor, or at the request of or in the absence of the Mayor, the Deputy Mayor presides at meetings of the council. The Mayor is “first among equals” charged with carrying on the meeting so that business before the meeting is conducted in accordance with this Code.

CHCC Policy/Protocol

4.1.2 If the Mayor and the Deputy Mayor are absent, a Councillor elected to chair the meeting by the Councillors present presides at a meeting of the council.

LGA s.369(1-2)

4.2 *Councillors to be Elected to Preside at Certain Meetings*

4.2.1 If no Chairperson is present at a meeting of a council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a Chairperson to preside at the meeting.

4.2.2 The election must be conducted:

- (a) by the General Manager or, in his or her absence, an employee of the council designated by the General Manager to conduct the election, or
- (b) if neither of them is present at the meeting or there is no General Manager or designated employee – by the person who called the meeting or a person acting on his or her behalf

4.2.3 If, at an election of a Chairperson, two or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the Chairperson is to be the candidate whose name is chosen by lot.

4.2.4 For the purposes of subclause (3), the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

4.2.5 The candidate whose name is on the drawn slip is the candidate who is to be the Chairperson.

Reg 236

4.3 Chairperson to have Precedence

When the Chairperson rises during a meeting of a council:

- (a) any Councillor then speaking or seeking to speak must, if standing, immediately resume his or her seat, and
- (b) every Councillor present must be silent to enable the Chairperson to be heard without interruption.

Reg 237

4.4 Chairperson's Duty with Respect to Motions

- 4.4.1 It is the duty of the Chairperson at a meeting of a council to receive and to put to the meeting any lawful motion that is brought before the meeting.
- 4.4.2 The Chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful.
- 4.4.3 Any motion, amendment or other matter that the Chairperson has ruled out of order is taken to have been rejected.

Reg 238

4.5 Recognition of Chairperson

- 4.5.1 In addressing council, Councillors and other persons addressing the council shall at all times speak through the Chairperson.
- 4.5.2 Councillors and other persons addressing the council shall at all times show appropriate respect and observe the ruling of the Chairperson.
- 4.5.3 A Councillor, despite Clause 4.5.1 and Clause 4.5.2, may, through a motion of dissent, challenge a ruling from the Chairperson.

CHCC Policy/Protocol

4.6 Mode of Address

- 4.6.1 To facilitate debate Councillors, with the exception of the Chairperson, are to stand in their place when speaking at a meeting of council (except when prevented by disability or injury). This procedure does not need to be followed at meetings of committees, nor in circumstances where the Chairperson rules that standing is not required.
- 4.6.2 In addressing council, Councillors and other persons addressing the council will use the appropriate mode of address to the Mayor, Deputy Mayor, fellow Councillors, employees of council and members of the public in attendance.
- 4.6.3 Councillors shall refrain from the use of offensive or inappropriate words in reference to any Councillors, employees of council and members of the public consistent with the City's Code of Conduct.

- 4.6.4 Councillors shall not make imputations of improper motives or personal reflections on Councillors, employees of council and members of the public consistent with the Model Code of Conduct.

CHCC Policy/Protocol

4.7 Protocols for Elected Members during Council Meetings

- 4.7.1 No verbal or written communication is to be received by elected members from a member or members of the gallery during a Council meeting.

- 4.7.2 Elected members must switch off their mobile phones or switch it to silent mode (with the Chair's permission) prior to the commencement of the Council meeting and not switch them back on until the meeting has closed.

CHCC Policy/Protocol

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5.0 Meeting Agenda and Business Papers

5.1 Order of Business

Order of Business

5.1.1 The order of business at Ordinary meetings of Council, other than extraordinary meeting shall be:

1. Opening of Ordinary Meeting
2. Acknowledgement of Country
3. Disclosures of Interest
4. Apologies
5. Public Addresses and /or Public Forum
6. Mayoral Minute
7. Mayoral Actions under Delegated Authority
8. Confirmation of Minutes of Ordinary Meeting
9. Rescission Motion
10. Notice of Motion – General Manager
11. General Manager's Reports
12. Notice of Motion - Business Services
13. Directorate Reports - Business Services
14. Notice of Motion - Sustainable Communities
15. Directorate Reports - Sustainable Communities
16. Notice of Motion - Sustainable Infrastructure
17. Directorate Reports - Sustainable Infrastructure
18. Requests for Leave of Absence
19. Questions on Notice
20. Matters of an Urgent Nature
21. Consideration of Confidential Items
22. Close of Ordinary Meeting

5.1.2 The order of business fixed under subclause (1) may be altered if a motion to that effect is passed. Such a motion can be moved without notice.

5.1.3 Despite Reg. 250 (*Speaking to Motions*), only the mover of a motion referred to in subclause (2) may speak to the motion before it is put.

Reg 239

- 5.1.4 Where a Council meeting has not concluded by 10.00pm, the Mayor will move a Procedural Motion that the meeting be adjourned. In accordance with part 9 of this code, this motion will not require a seconder and debate will take place as to a date and time for the meeting to reconvene to consider all business not transacted at the adjourned meeting.

Council does not need to issue a new agenda and business paper for the adjourned meeting and business not already on the agenda could be dealt with only if the urgency procedure in clause 241(3) of the Regulation is followed.

If the meeting is adjourned to a different date or time, each Councillor and the public (where practicable) should be notified of the new date and time.

DLG practice note 16/2009 and Council protocol

5.2 Business Paper for Council Meetings

Agenda and business papers for council meetings

- 5.2.1 The General Manager must ensure that the agenda for a meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of former meetings of the council, and
 - (b) if the Mayor is the Chairperson - any matter or topic that the Chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) subject to subclause (2), any business of which due notice has been given.
- 5.2.2 The General Manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the General Manager, the business is (or the implementation of the business) would be unlawful. The General Manager must report (without giving details of the item of business) any such exclusion to the next meeting of the council.
- 5.2.3 The General Manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 5.2.4 The General Manager must ensure that the details of any item of business to which section 9 (2A) of the Act applies are included in a business paper for the meeting concerned.
- 5.2.5 Nothing in this clause limits the powers of the Chairperson under Regulation 243 (referring to a Mayoral Minute).

Reg 240

5.3 Removal of Items from the Agenda and Business Papers

- 5.3.1 Once the agenda for a meeting has been sent to Councillors an item of business on the agenda should not be removed from the agenda prior to the meeting.
- 5.3.2 If it is proposed that an item of business which is on the agenda not be dealt with at the meeting council should resolve to defer that business to another meeting or resolve not to consider the matter, as the case may be.

DLG Prac Note 16/2009

5.4 Distribution of Business Papers

Public notice of meetings

- 5.4.1 A council must give notice to the public of the times and places of its meetings and meetings of those of its committees of which all the members are Councillors.
- 5.4.2 A council and each such committee must have available for the public at its offices and at each meeting copies (for inspection or taking away by any person) of the agenda and the associated business papers (such as correspondence and reports) for the meeting.
 - 5.4.2(A) In the case of a meeting whose agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the meeting is closed to the public:
 - (i) the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item), and
 - (ii) the requirements of subsection (5.4.2) with respect to the availability of business papers do not apply to the business papers for that item of business.
- 5.4.3 The copies are to be available to the public as nearly as possible to the time they are available to Councillors.
- 5.4.4 The copies are to be available free of charge.
- 5.4.5 A notice given under this section, or a copy of an agenda, or of a business paper made available under this section may in addition, be given or made available in electronic form.

LGA s.9(1)-(5)

Note: The agenda and business papers are available on Council's website www.coffsharbour.nsw.gov.au

5.5 Public Access to Correspondence and Reports

- 5.5.1 A council and a committee of which all the members are Councillors must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.
- 5.5.2 This section does not apply if the correspondence or reports:
- (a) relate to a matter that was received or discussed, or
 - (b) were laid on the table at, or submitted to the meeting when the meeting was closed to the public.
- 5.5.3 This section does not apply if the council or committee resolves at the meeting, when open to the public, that the correspondence or reports, because they relate to a matter specified in section 10A (2) of the Act, are to be treated as confidential.

LGA s.11

5.6 Giving Notice of Business

A council must not transact business at a meeting of the council:

- 5.6.1 unless a Councillor has given notice of the business in writing within such time before the meeting as is fixed by the council's code of meeting practice; or (if the council does not have a code of meeting practice or its code of meeting practice does not fix that time) as is fixed by resolution of the council, and;
- 5.6.2 unless notice of the business has been sent to the Councillors in accordance with section 367 of the Act (ie, an extraordinary meeting in an emergency).

Reg 241(1)

For the purposes of sub-section (1); Clause 8.1 of this Code specifies that formal notice of a motion put by a Councillor should be submitted to the General Manager 14 days before the meeting at which it is to be resolved.

CHCC Policy/Protocol

Subclause (5.6.1) and (5.6.2) do not apply to the consideration of business at a meeting if the business:

- (1) is already before, or directly relates to a matter that is already before, the council, or;
- (2) is the election of a Chairperson to preside at the meeting as provided by clause 4.2 of this Code, or;
- (3) is a matter or topic put to the meeting by the Chairperson in accordance with clause 5.8 of this Code, or;
- (4) is a motion for the adoption of recommendations of a committee of the council.

Reg 241(2)

5.7 Dealing with Matters Without Notice

Giving notice of business

- 5.7.1 Despite clause 5.6, business may be transacted at a meeting of a council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting, and
 - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency.
 - (c) Such a motion can be moved without notice.
- 5.7.2 Despite clause 8.4 of this Code, only the mover of a motion referred to in subclause (1) can speak to the motion before it is put.

Reg 241(3)-(4)

5.8 Mayoral Minute

- 5.8.1 If the Mayor is the Chairperson at a meeting of a council, the Chairperson is, by minute signed by the Chairperson, entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of the council or of which the council has official knowledge.
- 5.8.2 Such a minute, when put to the meeting, takes precedence over all business on the council's agenda (business paper) for the meeting. The Chairperson (but only if the Chairperson is the Mayor) may move adoption of the minute without the motion being seconded.
- 5.8.3 A recommendation made in a minute of the Chairperson (being the Mayor) or in a report made by a council employee is, so far as adopted by the council, a resolution of the council.

Reg 243

- 5.8.4 *The Mayor may put to a meeting (without notice) any matter which the council is allowed to deal with or which the council officially knows about (cl.243(1) of the Regulation). This would cover any council function under the Act or other legislation, or any matter that has been brought to the council's attention, for example, by letter to the Mayor or the General Manager.*

This power to make mayoral minutes recognises the special role of the Mayor. A mayoral minute overrides all business on the agenda for the meeting, and the Mayor may move that the minute be adopted without the motion being seconded.

Mayoral minutes should not be used to introduce, without notice, matters that are routine, not urgent, or need research or a lot of consideration by the councillors before coming to a decision. These types of matters would be better placed on the agenda, with the usual period of notice being given to the Councillors.

A mayoral minute may be altered, however any changes to a mayoral minute should avoid making changes that would introduce, without notice, matters which need research or a lot of consideration by the Councillors before coming to a decision.

DLG practice note 16/2009

5.9 Agenda for Extraordinary Meeting

The General Manager must ensure that the agenda for an extraordinary meeting of a council deals only with the matters stated in the notice of the meeting.

Reg 242(1)

5.10 Dealing with Matters Without Notice at an Extraordinary Meeting

5.10.1 Despite clause 5.9, business may be transacted at an extraordinary meeting of a council even though due notice of the business has not been given to the Councillors. However, this can happen only if:

- (a) a motion is passed to have the business transacted at the meeting, and
- (b) The business proposed to be brought forward is ruled by the chairperson to be of great urgency

5.10.2 Despite clause 8.4 of this Code only the mover of a motion referred to in subclause (1) can speak to the motion before it is put.

Reg 242(3)-(4D)

5.11 Members of the Public Addressing Council

Addressing council on matters listed before council and committee meetings

Any member of the public may address the council or any one of its committees at the commencement of ordinary meetings on matters listed before the council or committee of council subject to the following conditions:

5.11.1 The purpose of providing for public addresses is to allow representations to council on matters listed before the council or committee of council in the form of a full council report

5.11.2 Speakers must confine their comments to such matters.

- 5.11.3 The duration of a public address is limited to five minutes unless varied in limited circumstances, **and solely at the discretion of the Chair.**
- 5.11.4 Members of the public wishing to address the council or a committee are to nominate at least **three** days before the meeting and of the issue to be addressed.
- 5.11.5 Speakers and representatives either for or against a proposal be limited to the first meeting at which the report from council staff is presented for determination.
- 5.11.6 Public addresses are to be limited to **two** 'for' and **two** 'against' each proposal.
- 5.11.7 The order of speakers be strictly in order of request and where the issue addressed relates to an application before the council, the applicant be offered a right of reply.
- 5.11.8 Approval to late requests to address a meeting of the council or a committee be at the discretion of the Chairperson of the meeting or the General Manager.

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Public Forum

Any member of the public may address council at its 'Public Forum' at a time adopted by council during the first Ordinary meeting of the month on a matter not listed before the council, subject to conditions outlined above in 5.7 (Clause 1).

- (1) Speakers are not permitted to speak again at the Public Forum on that matter for a period of six months.
- (2) The public forum is not to be used as a mechanism for lodging a complaint or airing a grievance, where other avenues to lodge such issues exist within council's policies and procedures.

CHCC Policy/Protocol

Mode of Address

- (1) In addressing council, Councillors and other persons addressing the council will use the appropriate mode of address to the Mayor, Deputy Mayor, fellow Councillors, employees of council and members of the public in attendance.
- (2) All people addressing council shall refrain from the use of offensive or inappropriate words in reference to any Councillors, employees of council and members of the public consistent with City's Code of Conduct.
- (3) No person shall make imputations of improper motives or personal reflections on Councillors, employees of council, members of the public, or those which are inconsistent with the Model Code of Conduct.

CHCC Policy/Protocol

5.12 Public Recording of Meetings Prohibited Without Council Authority

- 5.12.1 A person may use a tape recorder to record the proceedings of a meeting of a council or a committee of a council only with the authority of the council or committee.
- 5.12.2 A person may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a council or a committee of a council for using or having used a tape recorder in contravention of this clause.
- 5.12.3 If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.
- 5.12.4 In this clause, tape recorder includes a video camera and any electronic device capable of recording speech, photographic or video images, whether a magnetic tape is used to record or not.
- 5.12.5 The Chair of the meeting will make the following announcement at the commencement of the Council Meeting:
- "Please note that this meeting is being recorded. No other recordings of this meeting are permitted."

Reg 273

CHCC Policy/Protocol

6.0 Declarations of Interests

6.1 *What is a Pecuniary Interest*

What is a “pecuniary interest”?

- 6.1.1 A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.
- 6.1.2 A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448 of the Act (Clause 6.3 below).

LGAs.442

6.2 *Pecuniary Interest and Conflicts of Interest*

Pecuniary Interests/Conflicts of Interest

- 6.2.1 The first item on the agenda for all council or committee meetings, other than that held annually for election of the Deputy Mayor, (after apologies/requests for leave of absence) shall be the declaring of pecuniary interests/conflicts of interest.
- 6.2.2 A Councillor who has a pecuniary interest or conflict of interest in any matter with which council is concerned and who is present at a meeting of council or a committee at which the matter is being considered must disclose the interest and the nature of the interest to the meeting as soon as practicable.
- 6.2.3 The Councillor or member must not be present at, or in sight of, the meeting of the council or committee:
- (a) at any time during which the matter is being considered or discussed by the council or committee, or
 - (b) at any time during which the council or committee is voting on any question in relation to the matter.
- 6.2.4 Though a conflict of interest is not covered by the provisions of the Act, the Councillor must not be in the meeting room at the time the vote is taken as his/her presence and not voting is taken to be a vote in the negative.

LGAs.451(2)

Disclosures to be recorded

A disclosure made at a meeting of council or a committee must be recorded in the minutes of the meeting.

LGAs.453

6.3 *Interests that do not Require Disclosure*

Interests that do not require disclosure

The following interests do not have to be disclosed:

- 6.3.1 an interest as an elector,
- 6.3.2 an interest as a ratepayer or person liable to pay a charge,
- 6.3.3 an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this Part,
- 6.3.4 an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to a relative of the person by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this Part,
- 6.3.5 an interest as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not),
- 6.3.6 an interest of a member of a council committee as a person chosen to represent the community or as a member of a non-profit organisation or other community or special interest group if the committee member has been appointed to represent the organisation or group on the committee,
- 6.3.7 an interest in a proposal relating to the making, amending, altering or repeal of an environmental planning instrument other than an instrument that effects a change of the permissible uses of:
 - (a) land in which the person or a person, company or body referred to in section 443 (1) (b) or (c) of the Act has a proprietary interest (which, for the purposes of this paragraph, includes any entitlement to the land at law or in equity and any other interest or potential interest in the land arising out of any mortgage, lease, trust, option or contract, or otherwise), or
 - (b) land adjoining, adjacent to or in proximity to land referred to in subparagraph (a), if the person or the person, company or body referred to in section 443 (1) (b) or (c) of the Act would by reason of the proprietary interest have a pecuniary interest in the proposal,
- 6.3.8 an interest relating to a contract, proposed contract or other matter if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company,
- 6.3.9 an interest of a person arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because a relative of the person is a shareholder (but not a director) of the corporation or is a member (but not a member of the committee) of the association or is a partner of the partnership,

- 6.3.10 an interest of a person arising from the making by the council of a contract or agreement with a relative of the person for or in relation to any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
 - (a) the performance by the council at the expense of the relative of any work or service in connection with roads or sanitation,
 - (b) security for damage to footpaths or roads,
 - (c) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council or by or under any contract,
- 6.3.11 an interest relating to the payment of fees to Councillors (including the Mayor and Deputy Mayor),
- 6.3.12 an interest relating to the payment of expenses and the provision of facilities to Councillors (including the Mayor and Deputy Mayor) in accordance with a policy under section 252 of the Act (Councillors' Expenses Policy),
- 6.3.13 an interest relating to an election to the office of Mayor arising from the fact that a fee for the following 12 months has been determined for the office of Mayor,
- 6.3.14 an interest of a person arising from the passing for payment of a regular account for wages or salary of an employee who is a relative of the person,
- 6.3.15 an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a Councillor or member of a council committee;
- 6.3.16 an interest arising from appointment of a Councillor to a body as representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.

LGA s.448

6.4 Pecuniary Interest – Determination of Whether One Exists

- 6.4.1 A person has a pecuniary interest in a matter if the pecuniary interest is the interest of:
 - (a) the person, or
 - (b) the person's spouse or de facto partner or a relative of the person, or a partner or employer of the person, or
 - (c) a company or other body of which the person, or a nominee, partner or employer of the person, is a member.
- 6.4.2 However, a person is not taken to have a pecuniary interest in a matter as referred to in subsection (1) (b) or (c):
 - (a) if the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body, or
 - (b) just because the person is a member of, or is employed by, a council or a statutory body or is employed by the Crown, or

- (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

LGA s.443

6.5 Disclosure of Pecuniary Interests and Presence in Meetings

- 6.5.1 A Councillor or a member of a council committee who has a pecuniary interest in any matter with which the council is concerned and who is present at a meeting of the council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- 6.5.2 The Councillor or member must not be present at, or in sight of, the meeting of the council or committee:
 - (a) at any time during which the matter is being considered or discussed by the council or committee, or
 - (b) at any time during which the council or committee is voting on any question in relation to the matter.
- 6.5.3 For the removal of doubt, a Councillor or a member of a council committee is not prevented by this section from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the Councillor or member has an interest in the matter of a kind referred to in section 448 of the Act (Clause 6.3 of this Code.)

Note: The Code of Conduct adopted by a council may also impose obligations on Councillors, members of staff of councils and delegates of councils.

LGA s.451

6.6 Sufficient General Disclosure

A general notice given to the General Manager in writing by a Councillor or a member of a council committee to the effect that the Councillor or member, or the Councillor's or member's spouse, de facto partner or relative, is:

- 6.6.1 a member, or in the employment, of a specified company or other body, or
- 6.6.2 a partner, or in the employment, of a specified person, unless and until the notice is withdrawn, sufficient disclosure of the Councillor's or member's interest in the matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.

LGA s.454

6.7 Disclosure by Advisor

6.7.1 A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee must disclose the nature of any pecuniary interest the person has in a matter to the meeting at the time the advice is given.

6.7.2 The person is not required to disclose the person's interest as an adviser.

LGA s.456

6.8 Circumstances where Disclosure Rules are not Breached

A person does not breach section 451 or 456 of the Act (*Clause 6.5 and Clause 6.7 of this Code*) if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

LGA s.457

6.9 Disclosure to be Recorded in Minutes

A disclosure made at a meeting of council or a council committee must be recorded in the minutes of the meeting.

LGA s.453

6.10 Disclosures to be in Writing and Tabled at Meetings

Disclosures of Pecuniary Interests and Non-Pecuniary Interests are to be made in writing and are to be tabled at the commencement of ordinary meetings, committee meetings and extra-ordinary meetings.

CHCC Policy/Protocol

7.0 Questions and Tabling of Matters

7.1 Questions to Councillors and Employees

- 7.1.1 A Councillor:
- (a) may, through the Chairperson, put a question to another Councillor, and;
 - (b) may, through the General Manager, put a question to a council employee.
- 7.1.2 However, a Councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents.
- 7.1.3 The Councillor must put every such question directly, succinctly and without argument.
- 7.1.4 The Chairperson must not permit discussion on any reply or refusal to reply to a question put to a Councillor or council employee under this clause.

Reg 249

7.2 Questions on Notice

- 7.2.1 Questions on Notice must be lodged in writing with the General Manager or specified delegate no later than Close of Business (COB) ten days preceding the meeting of council at which the Questions on Notice are to be considered.
- 7.2.2 Questions on Notice must directly relate to the business of council and must comply with the Local Government (General) Regulation 2005 which provides at Clause 249 that a "Councillor must put every such question directly, succinctly and without argument".
- 7.2.3 Questions should not contain:
- (a) statements of facts or names of persons unless they are strictly necessary to render the question intelligible and can be authenticated;
 - (b) argument;
 - (c) inference, or;
 - (d) imputation.

CHCC Policy/Protocol

7.3 Matters for Tabling – Pecuniary Interests

Register and tabling of returns

- 7.3.1 The General Manager must keep a register of returns required to be lodged with the General Manager under section 449 of the Act.

- 7.3.2 The returns required to be lodged with the General Manager under section 449 of the Act must be tabled at a meeting of the council, being:
- (a) in the case of a return lodged in accordance with section 449(1) – the first meeting held after the last day for lodgement under that subsection, or
 - (b) in the case of a return lodged in accordance with section 449(3) – the first meeting held after the last day for lodgement under that subsection, or
 - (c) in the case of a return otherwise lodged with the General Manager – the first meeting after the lodgement.

LGA s.450A

7.4 *Tabling a Report of Departmental Representative*

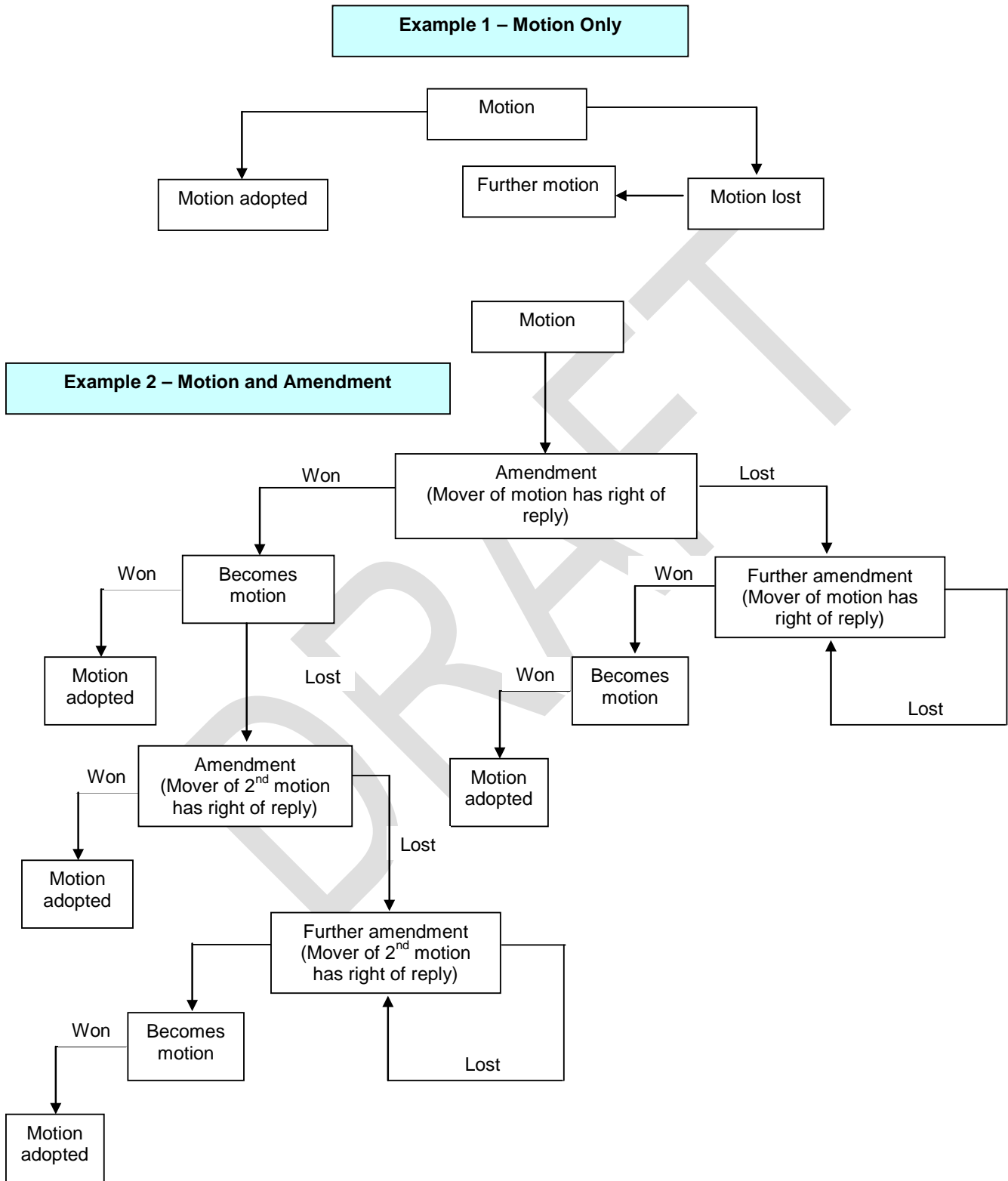
Report of a Departmental representative to be tabled at council meeting

When a report of a Departmental representative has been presented to a meeting of a council in accordance with section 433 of the Act (*that is, investigation of council ordered by the Director General of the Department of Local Government*), the council must ensure that the report:

- 7.4.1 is laid on the table at that meeting, and
- 7.4.2 is subsequently available for the information of Councillors and members of the public at all reasonable times.

Reg 244

8.0 Motions – Process of Motions Flowchart



8.1 Notice of Motion

Notices of Motion

Notices of Motion – Minimum Notice Required

- 8.1.1 A formal Notice of Motion by a Councillor, not being the Mayor, which is to be included in the General Manager's report in a business paper, should be submitted in writing to the General Manager fourteen (14) days before the meeting at which it is to be resolved; unless the matter is of an urgent nature.
- 8.1.2 If the Mayor wishes, because of importance or urgency, he/she may include the matter in a Mayoral minute. If the Mayor refuses to accept the motion for inclusion in a Mayoral minute, such a refusal shall be noted in General Business and recorded in the minutes of the meeting.
- 8.1.3 Staff, through the General Manager, may provide factual information on a Councillor's Notice of Motion, but shall not make a recommendation.
- 8.1.4 Presentation of the Notice of Motion shall not be delayed beyond the next Ordinary meeting of council without the consent of the Mayor and the Councillor lodging the Notice of Motion, or the council in meeting.
- 8.1.5 The Mayor may, at the request of the Councillor giving notice of motion or with his consent, present the Notice of Motion to council as a Mayoral minute.

CHCC Policy/Protocol

8.2 Notice of Motion - Absence of Mover

In the absence of a Councillor who has placed a notice of motion on the business paper for a meeting of a council;

- 8.2.1 Any other Councillor may move the motion at the meeting, or
- 8.2.2 The Chairperson may defer the motion until the next meeting of the council at which such motion can be considered.

Reg 245

- 8.2.3 No discussion on the notice of motion will occur in the absence of the Councillor to ensure that the Councillor has the opportunity to speak to the notice of motion and provide information that will allow informed debate to occur, unless the Councillor has specifically requested this to happen prior to the meeting commencing.

CHCC Policy/Protocol

8.3 Motions to be Seconded

A motion or an amendment cannot be debated unless or until it has been seconded. This clause is subject to clause 5.8(2) (*Mayoral Minute*) and clause 9.2(2) (*where a motion has been put*).

Reg 246

8.4 *Speaking to Motions*

- 8.4.1 A Councillor who, during a debate at a meeting of a council, moves an original motion has the right of general reply to all observations that are made by another Councillor during the debate in relation to the motion and to any amendment to it, as well as the right to speak on any such amendment.
- 8.4.2 A Councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.

Reg 250

8.5 *Speaking to a Misrepresentation or Misunderstanding*

- 8.5.1 A Councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than 5 minutes at any one time. However, the Chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than 5 minutes on that motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.

Reg 250

- 8.5.2 Nothing in Clauses 8.4 or 8.5 affects questions being asked, with the leave of the Chairperson, relevant to any matter under discussion at a meeting.

CHCC Policy/Protocol

8.6 *Variations to Motions*

A Councillor may seek to vary a motion by:

- 8.6.1 obtaining the unanimous consent of council; or
- 8.6.2 proposing an amendment to the Motion

CHCC Policy/Protocol

8.7 *Variations by Consent*

- 8.7.1 If a Councillor, including the seconder to the original motion, proposes a variation to a motion, the Chairperson shall ask whether any Councillor objects to the variation.
- 8.7.2 If there is no objection, the proposed variation is adopted into the motion by consent of the council.
- 8.7.3 If there is an objection, the proposed variation must be dealt with as an amendment and seconded and voted on accordingly.

- 8.7.4 If the variation is proposed by the seconder to the original motion, but not accepted by Councillors, then a new seconder should be sought for the original motion.

Note: The intention of a variation by consent is to enable a change to a motion that is non-contentious, improves clarity or effects a correction. This is also consistent with the common law rule that a seconder to a motion cannot move an amendment but enables a seconder to move a variation.

CHCC Policy/Protocol

8.8 Amendments to Motions

- 8.8.1 An amendment is a proposition to alter a motion that is under consideration by the meeting and is not subject to the notice of motion requirements set out at Clause 8.1.
- 8.8.2 An amendment must be moved and seconded.
- 8.8.3 To be accepted as an amendment, it must relate to the motion.
- 8.8.4 The amendment must also be moved before the debate on the motion has been concluded and the right of reply of the mover of the motion has been exercised.
- 8.8.5 An amendment cannot be accepted if it is a direct rebuttal of the motion it seeks to amend.
- 8.8.6 An amendment should not be moved that is substantially the same as an earlier rejected amendment on the motion.
- 8.8.7 An amendment that is in opposition to an amendment already accepted should not be moved or accepted for debate.
- 8.8.8 In the situation where a number of amendments have been foreshadowed, it is important that they should be considered in due succession ensuring the practicality of the motion.
- 8.8.9 Each amendment is separately considered and voted on.
- 8.8.10 Only one amendment may be considered by the meeting at any one time. Debate is confined to the amendment under consideration although during debate a Councillor may foreshadow a motion or amendment.
- 8.8.11 Once an amendment has been moved and seconded, it cannot be withdrawn without the consent of the meeting.

CHCC Policy/Protocol

8.9 How Subsequent Amendments may be Moved

If an amendment has been rejected, a further amendment can be moved to the motion to which the rejected amendment was moved, and so on, but no more than one motion and one proposed amendment can be before the council at any one time.

Reg 247

8.10 Foreshadowed Motions or Amendments

- 8.10.1 Foreshadowed motions and amendments will be considered in the order they were notified to the meeting.
- 8.10.2 The Chairperson may exercise discretion and recommend to the meeting a change of order for foreshadowed motions or amendments.
- 8.10.3 Foreshadowed motions or amendments are still subject to the Clause 8.3 (to be moved and seconded).

CHCC Policy/Protocol

8.11 Motions Without Notice

Giving notice of business

- 8.11.1 Despite subclause 8.1.1 (Notice of Motion requirements), business may be transacted at a meeting of a council even though due notice of the business has not been given to the Councillors. However, this may only occur if:
 - (a) a motion is passed to have the business transacted at the meeting, and
 - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency.
- 8.11.2 Subject to the conditions of subclause (1) above being fulfilled then a motion can be moved without notice.
- 8.11.3 If, after the Councillor has addressed the council, the Chairperson has ruled the matter is of great urgency, then the motion is moved, seconded, debated and voted on.
- 8.11.4 If the Chairperson rules the motion is not urgent, then no further debate on the matter is to be permitted.
- 8.11.5 If the Chairperson rules the motion is not urgent, a Councillor may move a Motion of Dissent.

Reg 241(3)

CHCC Policy/Protocol

8.12 Motions following a Question on Notice

Where an answer has been provided to a question on notice and a Councillor seeks to move a motion arising from that question and considered by Council, notice should be given to the General Manager in the usual way. The General Manager can include the item on the agenda for the next meeting. If the matter is urgent, it could be dealt with as in 8.11 above.

8.13 Reading of Speeches

- 8.13.1 No Councillor shall read his or her speech. A speech prepared prior to a council meeting cannot take into consideration speeches made earlier in the course of a debate. Thus a read speech may repeat points already expounded, while failing to reply to arguments advanced by an opposing position.
- 8.13.2 An exception to this may be made in the case of the mover's original speech particularly if the item is technical and is presenting facts on which the subsequent debate will be based.

CHCC Policy/Protocol

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9.0 Procedural Motions

9.1 *Motions of Dissent*

- 9.1.1 A Councillor can, without notice, move to dissent from the ruling of the Chairperson on a point of order. If that happens, the Chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 9.1.2 If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 9.1.3 Despite clause 8.4 of this Code, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Reg 248

Note:The Chairperson shall put the motion as “that the Chairperson’s ruling be upheld”.

9.2 *Putting the Motion or Amendment*

Limitation as to number of speeches

- 9.2.1 A Councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it, or
 - (b) if at least 2 Councillors have spoken in favour of the motion or amendment and at least 2 Councillors have spoken against it.
- 9.2.2 The Chairperson must immediately put to the vote, without debate, a motion moved. A seconder is not required for such a motion.
- 9.2.3 If a motion that the original motion or an amendment be now put is passed, the Chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised his or her right of reply.
- 9.2.4 If a motion that the original motion or an amendment be now put is rejected, the Chairperson must allow the debate on the original motion or the amendment to be resumed.

Reg 250(4)-(7)

10.0 Order at Meetings

10.1 Questions of Order

The Chairperson, without the intervention of any other Councillor, may call any Councillor to order whenever, in the opinion of the Chairperson, it is necessary to do so.

- 10.1.1 A Councillor who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the Chairperson to the matter.
- 10.1.2 The Chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 10.1.3 The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Reg 255

10.2 Act of Disorder by Councillor

- 10.2.1 A Councillor commits an act of disorder if the Councillor, at a meeting of a council or a committee of a council:
 - (a) contravenes the Act or any regulation in force under the Act, or
 - (b) assaults or threatens to assault another Councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or committee, or addresses or attempts to address the council or committee on such a motion, amendment or matter, or
 - (d) insults or makes personal reflections on or imputes improper motives to any other Councillor, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or committee into contempt.
- 10.2.2 The Chairperson may require a Councillor:
 - (a) to apologise without reservation for an act of disorder referred to in subclause (1) (a) or (b), or
 - (b) to withdraw a motion or an amendment referred to in subclause (1) (c) and, where appropriate, to apologise without reservation, or
 - (c) to retract and apologise without reservation for an act of disorder referred to in subclause (1) (d) or (e).
- 10.2.3 A Councillor may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a council having failed to comply with a requirement under subclause (2). The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned.

Reg 256

10.3 Act of Disorder by Others not being Councillors

The definitions of “disorder” and “disorderly conduct” for the purpose of the Act and Regulation will be that of “behaviour which causes disturbance or annoyance to others present or any breach of decorum which tends to disturb the peace or interfere with the comfort of people”.

CHCC Resolution 99/2007

10.4 Disorder at Meetings – Adjournment/Expulsion

How disorder at a meeting may be dealt with

- 10.4.1 If disorder occurs at a meeting of a council, the Chairperson may adjourn the meeting for a period of not more than 15 minutes and leave the Chair. The council, on reassembling, must, on a question put from the Chairperson, decide without debate whether the business is to be proceeded with or not. This subclause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.
- 10.4.2 A member of the public may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a council for engaging in or having engaged in disorderly conduct at the meeting.

Reg 257

10.5 Effect of Expulsion

A person (whether a Councillor or another person) is not entitled to be present at a meeting of the council or committee if expelled from the meeting:

- 10.5.1 by resolution of the meeting, or
- 10.5.2 by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

LGA s.10 (2) (a-b)

10.6 Power to Remove Persons from Council Meeting

- 10.6.1 The power to expel a person or persons from a meeting of council, or from a committee of council of which all members are Councillors, may be exercised by any person presiding at that meeting.

CHCC Resolution 99/2007

- 10.6.2 If a Councillor or a member of the public fails to leave the place where a meeting of a council is being held:
- (a) immediately after the council has passed a resolution expelling the Councillor or member from the meeting, or
 - (b) where the council has authorised the person presiding at the meeting to exercise the power of expulsion - immediately after being directed by the person presiding to leave the meeting

A police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the Councillor or member from that place and, if necessary, restrain the Councillor or member from re-entering that place.

Reg 258

- 10.6.3 For the purposes of sub-section (2), a person authorised to enforce a decision of expulsion will mean the Rangers, private security guards, General Manager, or his delegate, and that all these persons are authorised to remove the person subject to an expulsion decision from the meeting, without prior consultation or delegation by council or the person presiding at that meeting.

CHCC Resolution 99/2007

- 10.6.4 To assist in the enforcement of expulsion powers as may be exercised by duly authorised persons, professional security personnel will attend council meetings as deemed necessary by, and at the discretion of, the General Manager.

CHCC Resolution 99/2007

11.0 Closed Meetings

11.1 *Motion to Close Part of the Meeting*

Which parts of a meeting can be closed to the public?

A council, or a committee of the council of which all the members are Councillors, may close to the public so much of its meeting as comprises:

- (a) the discussion of any of the matters listed in subclause (1) – (*Clause 11.2*), or
- (b) the receipt or discussion of any of the information so listed.

LGA s.10A(1)

A motion to move to closed session to deal with the item for the specific reason from Section 10A(2) of the Act may be moved

The motion when put, if carried, requires the Chairperson inform the press and public to depart the Chamber. If lost, the matter can rest or a motion to deal with the information in open meeting can be moved. (A cautionary note is offered that the debate is restricted to the motion not the content of the confidential information).

The agenda must give sufficient information for the public to be aware of what is to be discussed in closed session and specifically refer to the reason for dealing with the matter by identifying it from LGA s. 10A (2)(a) to (g) of the Act.

DLG Practice Note 16/2009

11.2 *Grounds to Close Meetings*

11.2.1 The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than Councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (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,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, Councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

- 11.2.2 A council, or a committee of the council of which all the members are Councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

LGAs.10A(2)-(3)

11.3 Limitations to Closing Meetings

A meeting is not to be closed during the discussion:

- 11.3.1 except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- 11.3.2 if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret - unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

LGA s.10B(1)

11.4 Discussion of Legal Matters

A meeting is not to be closed during the receipt and consideration of information or advice referred to in Section 10A(2)(g) of the Act unless the advice concerns legal matters that:

- 11.4.1 are substantial issues relating to a matter in which the council or committee is involved, and
- 11.4.2 are clearly identified in the advice, and
- 11.4.3 are fully discussed in that advice.

LGA s.10B(2)

11.5 Motions to Close other Parts of a Meeting

If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in Section 10A (3) of the Act), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is a matter referred to in Section 10A (2) of the Act).

LGA s.10B(3)

11.6 Matters of Public Interest

For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- 11.6.1 a person may misinterpret or misunderstand the discussion, or

- 11.6.2 the discussion of the matter may:
- (a) cause embarrassment to the council or committee concerned, or to Councillors or to employees of the council; or
 - (b) cause a loss of confidence in the council or committee.

LGA s.10B(4)

11.7 Department Guidelines for Meeting Closure

In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must have regard to any relevant guidelines issued by the Director-General.

LGA s.10B(5)

11.8 Representation by Public Before a Council Meeting is Closed

- 11.8.1 A council, or a committee of council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

LGA s.10A(4)

- 11.8.2 A representation at a council meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded.

- 11.8.3 That period is as fixed by the council's code of meeting practice. (if the council does not have a code of meeting practice or its code of meeting practice does not fix that period) as fixed by resolution of the council. Different periods can be fixed according to the different types of matters to be discussed or received and discussed at closed parts of meetings.

Reg 252(1)-(2)

11.9 Specifying Grounds for Closing Meetings

- 11.9.1 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.

- 11.9.2 The grounds must specify the following:

- (a) the relevant provision of Section 10A(2) of the Act,
- (b) the matter that is to be discussed during the closed part of the meeting,
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

LGA s.10D(1)-(2)

11.10 Notice of Closure not required in Urgent Cases

Part of a meeting of a council, or of a committee of the council of which all the members are Councillors, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting as a matter that is likely to be considered when the meeting is closed, but only if:

11.10.1 it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in section 10A (2) of the Act, and

11.10.2 the council or committee, after considering any representations made under section 10A (4) of the Act, resolves that further discussion of the matter:

- (a) should not be deferred (because of the urgency of the matter), and;
- (b) should take place in a part of the meeting that is closed to the public.

LGA s.10C

11.11 Conclusion of Closed Meeting

At the conclusion of business in closed Council, Council must resolve that the meeting be open to the public.

DLG Prac Note 16/2009

11.12 Resolutions to be Made Public

If a council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the meeting or part of the meeting has ended.

Reg 253

12.0 Voting and Decisions of Council

12.1 *What Constitutes a Decision of the Council?*

A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

LGA s.371

12.1.1 The names of those who voted for the motion and those who vote against it will be recorded in the minutes for all matters before council.

CHCC Policy/Protocol

12.2 *Invalidation of Council and Committee Decisions*

Proceedings at a meeting of a Council or a Council Committee are not invalidated because of:

- 12.2.1 a vacancy in a civic office, or
- 12.2.2 a failure to give notice of the meeting to any Councillor or Committee member, or
- 12.2.3 any defect in the election or appointment of a Councillor or Committee member, or
- 12.2.4 a failure of a Councillor or Committee member to disclose a pecuniary interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a Council meeting in accordance with Section 451 of the Local Government Act, or
- 12.2.5 a failure to comply with the Code of Meeting Practice.

LGA s. 374

12.3 *Voting Entitlements of Councillors and Chairperson's Casting Vote*

What are the voting entitlements of Councillors?

Each Councillor is entitled to one vote. If the voting on a matter is equal, the chairperson has a second or 'casting' vote. This is in addition to any vote the chairperson has as a Councillor.

There is nothing in the legislation to say how a casting vote is to be used. The chairperson does not need to vote the same way on their first and second vote.

LGA s.370

DLG practice note 16/2009

12.4 Abstentions to be Counted

Voting at council meetings

- 12.4.1 A Councillor who is present at a meeting of a council but who fails to vote on a motion put to the meeting is taken to have voted against the motion. (This subclause does not apply to a Councillor who does not vote because he or she has a pecuniary interest in the subject matter of the motion.)
- 12.4.2 If a Councillor who has voted against a motion put at a council meeting so requests, the General Manager must ensure that the Councillor's dissenting vote is recorded in the council's minutes.

Reg 251

12.5 Divisions

Conducting a Division

- 12.5.1 The decision of the Chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than 2 Councillors rise and demand a division.
- 12.5.2 When a division on a motion is demanded, the Chairperson must ensure that the division takes place immediately.
- 12.5.3 The General Manager must ensure that the names of those who vote for the motion and those who vote against it are respectively recorded in the council's minutes.

Reg 251

12.6 Planning Decisions – Division Required

A division is always required whenever a motion for a planning decision is put to the vote at a meeting of Council or a meeting of a council committee.

LGAs.375A

12.7 Voting at Council Excepting Elections

Voting at a council meeting, including voting in an election at such a meeting, is to be by open means (such as on the voices or by show of hands). However, the council may resolve that the voting in any election by Councillors for Deputy Mayor is to be by secret ballot.

Reg 251(5)

12.8 Items by Exception (en globo)

- 12.8.1 Council may deal with officers reports individually or by exception (en globo). This is where Council adopts the recommendation contained within the officers reports with no discussion on the matter.
- To enable Council to expedite its business, Council may, by resolution, deal with its business *En Globo*
- 12.8.2 The Chairperson requests each Councillor to call for consideration any officers reports on the agenda they wish to discuss, then by a Council resolution each of the recommendations in the remaining staff reports (those not called) are adopted en globo.
- 12.8.3 All officers reports can be dealt with by exception including confidential reports after which, in accordance with clause 11.12, the General Manager will read out the resolutions of those confidential reports.
- 12.8.4 Where a Councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a report, that Councillor must leave the Council Chamber and not vote on the resolution to adopt the reports en globo.
- 12.8.5 The items dealt with by exception will be adopted unanimously unless any Councillor, at the time of voting, clearly indicates that he/she wants his/her name counted in the vote against a particular item.

CHCC Policy/Protocol

12.9 Voting at Committees

Voting procedure in committees

- 12.9.1 Subject to subclause (3), each committee of a council may regulate its own procedure.
- 12.8.2 Without limiting subclause (1), a committee of a council may decide that, whenever the voting on a motion put to a meeting of the committee is equal, the Chairperson of the committee is to have a casting vote as well as an original vote.
- 12.9.3 Voting at a committee meeting is to be by open means (such as on the voices or by show of hands).

Reg 265

12.10 Rescinding or Altering Resolutions of the Council

- 12.10.1 A resolution passed by a council may not be altered or rescinded except by a motion to that effect of which notice has been duly given in accordance with the regulations made under section 360 of the Act and, if applicable, the council's code of meeting practice.
- 12.10.2 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

- 12.10.3 If a motion has been negated by a council, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with the council's code of meeting practice.
- 12.10.4 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been negated by the council, must be signed by 3 Councillors if less than 3 months has elapsed since the resolution was passed, or the motion was negated, as the case may be.
- 12.10.5 If a motion to alter or rescind a resolution has been negated, or if a motion which has the same effect as a previously negated motion, is negated, no similar motion may be brought forward within 3 months. This subsection may not be evaded by substituting a motion differently worded, but in principle the same.
- 12.10.6 A motion to which this section applies may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.
- 12.10.7 The provisions of this section concerning negated motions do not apply to motions of adjournment.

LGA s.372

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13.0 Committees of Council

13.1 *Committee of Whole of Council*

Committee of council

- 13.1.1 A council may resolve itself into a committee to consider any matter before the council.

LGA s.373

- 13.1.2 Committees of council which membership consists of the full council will:

- (a) Commence as a full council meeting.
- (b) Resolve into committee of the whole for the purpose of considering the committee's report.
- (c) Recommend to return to full council to adopt or reject the recommendations of the committee of the whole.

- 13.1.3 Committees of council which membership does not consist of the full council, will make recommendations or pass resolutions (pursuant to approved delegations), for either adoption or confirmation at the next meeting of council, where practical.

CHCC Policy/Protocol

13.2 *Committee of the Whole*

- 13.2.1 All the provisions of this Regulation relating to meetings of a council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provision limiting the number and duration of speeches.

- 13.2.2 The General Manager or, in the absence of the General Manager, an employee of the council designated by the General Manager is responsible for reporting to the council proceedings in committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

- 13.2.3 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

Reg 259

13.3 Functions of the Committees

A council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Reg 261

13.4 Notice of Committee Meetings to be Given

13.4.1 The General Manager of a council must send to each Councillor, at least 3 days before each meeting of the committee, a notice specifying:

- (a) the time and place at which and the date on which the meeting is to be held, and
- (b) the business proposed to be transacted at the meeting.

13.4.2 However, notice of less than 3 days may be given of a committee meeting called in an emergency.

Reg 262

13.5 Councillors Entitled to Attend Committee Meetings

Non-members entitled to attend committee meetings

13.5.1 A Councillor who is not a member of a committee of a council is entitled to attend, and to speak at, a meeting of the committee.

13.5.2 However, the Councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Reg 263

13.6 Chairperson and Deputy Chairperson of Committees

13.6.1 The Chairperson of each committee of the council must be:

- (a) the Mayor, or;
- (b) if the Mayor does not wish to be the Chairperson of a committee - a member of the committee elected by the council, or;
- (c) if the council does not elect such a member - a member of the committee elected by the committee.

13.6.2 A council may elect a member of a committee of the council as deputy Chairperson of the committee. If the council does not elect a deputy Chairperson of such a committee, the committee may elect a deputy Chairperson.

- 13.6.3 If neither the Chairperson nor the deputy Chairperson of a committee of a council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting Chairperson of the committee.
- 13.6.4 The Chairperson is to preside at a meeting of a committee of a council. If the Chairperson is unable or unwilling to preside, the deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the deputy Chairperson is able or willing to preside, the acting Chairperson is to preside at the meeting.

Reg 267

13.7 Representation by Public Before Closure of Committee Meeting

- 13.7.1 A representation at a committee meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded.
- 13.7.2 That period is as fixed by the council's code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix that period) as fixed by resolution of council. Different periods can be fixed according to the different types of matters to be discussed or received and discussed at closed parts of committee meetings.

Reg 264

Reg 265

13.8 Absence from Committee Meetings

- 13.8.1 A member (other than the Mayor) ceases to be a member of a committee if the member:
- (a) has been absent from 3 consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
 - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- 13.8.2 Subclause (1) does not apply in respect of a committee that consists of all of the members of the council.

Reg 268

Note: The expression *year* means the period beginning 1 July and ending the following 30 June as noted in the Dictionary to the Local Government Act.

13.9 Disorder in Committee Meetings

The provisions of the Act and of the Regulation relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Reg 270

13.10 Certain Persons may be Expelled from Council Committee meetings

13.10.1 If a meeting or part of a meeting of a committee of a council is closed to the public in accordance with section 10A of the Act, any person who is not a Councillor may be expelled from the meeting as provided by section 10 (2) (a) or (b) of the Act.

13.10.2 If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council, committee or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.

Reg 271

13.11 Committees to Keep Minutes

13.11.1 Each committee of a council must ensure that full and accurate minutes of the proceedings of its meetings are kept. In particular, a committee must ensure that the following matters are recorded in the committee's minutes:

- (a) details of each motion moved at a meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment is passed or lost.

13.11.2 As soon as the minutes of an earlier meeting of a committee of the council have been confirmed at a later meeting of the committee, the person presiding at the later meeting must sign the minutes of the earlier meeting.

Reg 266

13.12 Reports of Committees

13.12.1 If in a report of a committee of the council distinct recommendations are made, the decision of the council may be made separately on each recommendation.

13.12.2 The recommendations of a committee of the council are, so far as adopted by the council, resolutions of the council.

13.12.3 If a committee of a council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must:

- (a) make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and;
- (b) report the resolution or recommendation to the next meeting of the council.

Reg 269

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14.0 Minutes and Access to Information

14.1 Minutes of Meeting

- 14.1.1 The council must ensure that full and accurate minutes are kept of the proceedings of a meeting of the council.
- 14.1.2 The minutes must, when they have been confirmed at a subsequent meeting of the council, be signed by the person presiding at that subsequent meeting.

LGA s.375

14.2 Matters to be included in Minutes of Council Meeting

The General Manager must ensure that the following matters are recorded in the council's minutes:

- 14.2.1 details of each motion moved at a council meeting and of any amendments moved to it,
 - 14.2.2 the names of the mover and seconder of the motion or amendment,
 - 14.2.3 whether the motion or amendment is passed or lost.
- Reg 254
- 14.2.4 the circumstances and reasons relating to the absence of a quorum together with the names of the councillors present.
- Reg 233 (3)
- 14.2.5 the dissenting vote of a councillor, if requested.
- Reg 251 (2)
- 14.2.6 the grounds for closing part of a meeting to the public.
- LGASec10D
- 14.2.7 the report of a council committee leading to a rescission or alteration motion.
- LGASec 372 (6)
- 14.2.8 the disclosure to a meeting by a councillor of a pecuniary interest.
- LGASec 453
- 14.2.9 a report of the proceedings of the committee of the whole, including any recommendations of the committee.
- Reg 259 (3)
- 14.2.10 sufficient detail to indicate the nature of any resolution made in a closed part of a meeting

DLG Prac Note 16/2009

Note: Section 375(1) of the Act requires a council to ensure that full and accurate minutes are kept of the proceedings of a meeting of the council (other provisions of this Regulation and of the Act require particular matters to be recorded in a council's minutes).

14.3 Inspection of the Minutes of a Council or Committee Meeting

- 14.3.1 An inspection of the minutes of a council or committee of a council is to be carried out under the supervision of the General Manager or an employee of the council designated by the General Manager to supervise inspections of those minutes.
- 14.3.2 The General Manager must ensure that the minutes of the council and any minutes of a committee of the council are kept secure and in safe custody and that no unauthorised person is allowed to interfere with them.

Reg 272

Note: The Government Information (Public Access) Act 2009 confers a right (restricted in the case of closed parts of meetings) to inspect the minutes of a council or committee of a council.

The minutes of a meeting of Council will be made available on Council's website at www.coffsharbour.nsw.gov.au as soon as practicable after the Council meeting.

CHCC Policy/Protocol

14.4 Disclosure and Misuse of Information

- 14.4.1 A person must not disclose any information obtained in connection with administration or execution of the Act unless that disclosure is made:
- (a) with the consent of the person from whom the information was obtained; or
 - (b) in connection with the administration or execution of the Act, or
 - (c) for the purposes of any legal proceedings arising out of the Act or of any report of any such proceedings, or
 - (d) in accordance with a requirement imposed under the *Ombudsman Act 1974* or the *Government Information (Public Access) Act 2009*, or
 - (e) with other lawful excuse.
- 14.4.2 In particular, if part of a meeting of a council or a committee of a council is closed to the public in accordance with Section 10A(1) of the Act, a person must not, without the authority of the council or the committee, disclose (otherwise than to the council or a Councillor of the council) information with respect to the discussion at, or the business of, the meeting.
- 14.4.3 Subsection (2) does not apply to:
- (a) the report of a committee of a council after it has been presented to the council, or
 - (b) disclosure made in any of the circumstances referred to in subsection (1)(a)-(e), or
 - (c) disclosure made in circumstances prescribed by the regulations, or
 - (d) any agenda, resolution or recommendation of a meeting that a person is entitled to inspect in accordance with the *Government Information (Public Access) Act 2009*.

- 14.4.4 A person acting in the administration or execution of this Act must not use, either directly or indirectly, information acquired by the person in that capacity, being information that is not generally known, for the purpose of gaining either directly or indirectly a financial advantage for the person, the person's spouse or de facto partner or a relative of the person.
- 14.4.5 A person acting in the administration or execution of this Act, and being in a position to do so, must not, for the purpose of gaining either directly or indirectly an advantage for the person, the person's spouse or de facto partner or a relative of the person, influence:
- (a) the determination of an application for an approval, or
 - (b) the giving of an order.

LGA s.664

14.5 Recording of Meetings by the Council

- 14.5.1 The proceedings, including all debate, of all Council and Standing Committee Meetings in Open Session shall be suitably tape recorded.
- 14.5.2 Reproductions of the proceedings in Open Session shall be placed on Council's website.
- 14.5.3 Written transcriptions of such proceedings shall not be available.
- 14.5.4 Reproductions of Meetings shall be stored in accordance with the State Records General Disposal Authority – Local Government Records – GDA10 may be destroyed two (2) years after the date of the Meeting.

CHCC Policy/Protocol

15.0 Workshops/Briefings

15.1 Attendance at Workshops

Council can hold workshops (or briefing sessions), involving Councillors, staff and invited participants to provide background information to Councillors on issues. These workshops are informal gatherings and should not be used for detailed or advanced discussions. Workshops are a means which enable Councillors to bring an informed mind to the appropriate decision-making forum.

DLG practice note 16/2009

Workshops are to be chaired by the General Manager or another senior council officer and are not compulsory for Councillors to attend, though every Councillor should be invited. Any information distributed at a workshop, must also be distributed to any Councillor who is not present.

DLG Circ 10/10

All matters and discussions at Councillor briefings / workshops which on the day are stated as confidential are to be treated as confidential by all participants. Any confidential documents distributed are to be marked as 'confidential'. In accordance with Coffs Harbour City Council's Code of Conduct section 10.5, the information is only to be used for the purpose it is intended to be used.

CHCC Policy/Protocol

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REPORT TO ORDINARY COUNCIL MEETING

FIT FOR THE FUTURE IMPROVEMENT PROPOSAL

REPORTING OFFICER:	Director Business Services
DIRECTOR:	General Manager
COFFS HARBOUR 2030:	LC3.1: Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour
ATTACHMENTS:	ATT1 Fit for the Future Improvement Proposal ATT2 Executive Summary - Review of Fit for the Future Improvement Proposal – Coffs Harbour City Council – AEC Group

Recommendation:

That Council endorses the attached Fit for the Future Improvement Proposal.

EXECUTIVE SUMMARY

At its meeting held on 11 June 2015 Council was provided an update report on the preparation and progress of Council's Fit for the Future Improvement Proposal and the interrelationship between the Improvement Proposal's action plan and Council's current Financial Sustainability Strategies.

Council's scale and capacity was assessed by the Independent Local Government Review Panel and was deemed to satisfy this criterion, and therefore no immediate merger was recommended. Consequently, Council is required to prepare an Improvement Proposal (Template 2) for submission by 30 June 2015.

The Improvement Proposal template addresses each of the criteria and the associated benchmarks. The ratios are focussed on General Fund only, with water and sewerage performance information provided; however, the approach to the assessment of this information is unclear. Council is required to demonstrate its improvement toward these benchmarks by 2019/2020 through strategies and associated action plans.

The Improvement Proposal includes the following key strategies:

- Transformation to Sustainability (T2S) Program
- Special Rate Variations approved by IPART
- Improving asset management
- Additional revenue or growth revenue opportunities
- Proposed North Coast Joint Organisation

The Improvement Proposal presents an overall picture, where by the required timeframe of 2019/2020, Council is expected to be able to either meet the Fit for the Future benchmarks or show the necessary improvements required.



REPORT TO ORDINARY COUNCIL MEETING

Consultants AEC Group Ltd have undertaken a peer review of the Improvement Proposal to provide quality assurance. Their findings (Attachment 2) are supportive of Council's approach and have been addressed in the final Improvement Proposal (Attachment 1) submitted for Council endorsement.

REPORT

Description of Item:

At its meeting held on 11 June 2015 Council was provided an update report on the preparation and progress of Council's Fit for the Future Improvement Proposal and the interrelationship between the Improvement Proposal's action plan and Council's current Financial Sustainability Strategies.

Fit for the Future is the State Government's response to the final report from the Independent Local Government Review Panel released in early 2014. The process requires councils to submit proposals to show how they will credibly improve toward meeting the Fit for the Future requirements in four areas:

- Scale and capacity
- Sustainability
- Effective Infrastructure and Service Management
- Efficiency

Scale and capacity was assessed by the Independent Local Government Review Panel and Coffs Harbour City Council was deemed to satisfy this criterion and therefore no immediate merger was recommended. Consequently, Council is required to prepare an Improvement Proposal (Template 2) for submission by 30 June 2015.

The Improvement Proposal template addresses each of the criteria and the associated benchmarks. The ratios are focussed on General Fund only, with water and sewerage performance information provided; however, the approach to the assessment of this information is unclear. Council is required to demonstrate its improvement toward these benchmarks by 2019/2020 through strategies and associated action plans.

In late April 2015, the Premier requested the Independent Pricing and Regulatory Tribunal (IPART) fulfil the role of the Fit for the Future Expert Advisory Panel, and undertake a review of NSW councils' Fit for the Future proposals in accordance with supplied Terms of Reference. IPART will provide the Minister for Local Government and the Premier with a final report by 16 October 2015 identifying whether or not each council is 'fit for the future' and the reasons for this assessment, to be publicly released following Cabinet approval.

Issues:

The ratio results for Council's current performance (2013/2014) are used in the Improvement Proposal to establish a baseline position. Council is required to model its strategies to become 'fit for the future' and the resultant forecast ratios for the five years 2015/2016 to 2019/2020. A summary of the ratio results and Fit for the Future (FFTF) benchmark outcomes for the baseline year and for the final year (2019/2020) are summarised in the table below.

Benchmark Category and Benchmark	Results 2013/2014	Meets FFTF Benchmark 2013/2014	Results 2019/2020	Meets FFTF Benchmark 2019/2020
Sustainability				
Operating Performance Ratio (greater or equal to break-even average over 3 years)	-17.03%	No	1.68%	Yes
Own Source Revenue Ratio (greater than 60% average over 3 years)	70.78%	Yes	69.25%	Yes
Building and Infrastructure Asset Renewal Ratio (greater than 100% average over 3 years)	37.16%	No	91.65%	Improving
Effective Infrastructure and Service Management				
Infrastructure Backlog Ratio (less than 2%)	9.11%	No	1.78%	Yes
Asset Maintenance Ratio (greater than 100% average over 3 years)	79.01%	No	93.92%	Improving
Debt Service Ratio (greater than 0 and less than or equal to 20% average over 3 years)	6.05%	Yes	3.11%	Yes
Efficiency				
A decrease in Real Operating Expenditure per capita over time	Increasing	No	Decreasing	Yes

As previously reported and from the results above Coffs Harbour City Council is not currently deemed by the benchmarks as 'fit for the future'. In particular, the Operating Performance Ratio result indicates an underlying accrual accounting loss of approximately \$12 million. Council since 2011 has been focussed on developing, adopting and now implementing several Financial Sustainability Strategies to become operationally and financially sustainable for the longer term. As reported on 15 June 2015, a summary of the key strategies included in the Improvement Proposal are as follows:

Transformation to Sustainability (T2S) Program

The T2S Program will produce efficiencies and cost reductions in service delivery, currently estimated at \$3.2 million per annum after three years. For modelling purposes T2S reduces operating costs and invests in asset renewals (capital) (\$2M from 2016/2017 and \$3.2M from 2017/2018). Employee costs have been indexed at 3% p.a. and Material and Contracts indexed at 2.5% p.a. This:

- improves the Operating Performance Ratio;
- improves the Building and Infrastructure Asset Renewal Ratio;
- improves the Infrastructure Backlog Ratio; and
- reduces Real Operating Expenditure Per Capita.

Special Rate Variations (SRV)

The three year SRV for the ordinary general rate, of which one year has been implemented and the remaining further two years approved by IPART on 19 May 2015, to generate after three years \$6.2 million in additional revenue dedicated for infrastructure maintenance and renewal. For modelling purposes the SRV increases revenue (growing to \$6.2M by 2016/2017) and invests in asset renewals (capital) and increases asset maintenance costs. This:

- improves the Operating Performance Ratio;
- improves Own Source Revenue;
- improves the Building and Infrastructure Asset Renewal Ratio;
- improves the Infrastructure Backlog Ratio;
- improves the Asset Maintenance Ratio; and
- increases the Real Operating Expenditure Per Capita.

Improving Asset Management

Further improving Council's asset management to ensure appropriate policy and accurate information is used will optimise maintenance costs, asset renewals (useful lives), depreciation and the measurement of infrastructure backlog. For modelling purposes improved asset management reduces depreciation by \$4.5M p.a.

A new backlog methodology has also been applied, consistent with the new MIDROC regional approach, to include costs to bring to 'satisfactory' for condition 4 (where renewal is required) and condition 5 (where urgent renewal is required) assets only. This excludes condition 3 assets where maintenance is required, but not renewal. This:

- improves the Operating Performance Ratio;
- improves the Building and Infrastructure Asset Renewal Ratio;
- improves the Infrastructure Backlog Ratio;
- improves the Asset Maintenance Ratio; and
- reduces Real Operating Expenditure Per Capita.

Additional Revenue or Growth Revenue Opportunities

There is potential to identify additional revenue or growth revenue opportunities, such as the returns from Council's commercial business units and the commercialisation of CityWorks. This strategy is being further progressed through the T2S Program; however, at this stage, no additional revenue sources or dividends have been included in the modelling to support Council's Improvement Proposal.

Proposed North Coast Joint Organisation (JO)

The proposed North Coast Joint Organisation (JO), which is composed of Coffs Harbour City, Clarence Valley, Bellingen and Nambucca Shire Councils, may present an opportunity to explore shared services which would likely reduce costs and therefore have a positive impact on Council's Operating Performance Ratio and Real Operating Expenditure Per Capita. Although Council is supportive of exploring the JO concept, the arrangements for JOs are yet to be legislated and the necessary policy decisions from the proposed member Councils are yet to be taken. Therefore, at this stage, no cost savings or efficiencies have been included in the modelling to support Council's Improvement Proposal.

In addition to these strategies, the Improvement Proposal notes that to technically achieve the 100% benchmark thresholds for the Building and Infrastructure Asset Renewal Ratio and the Asset Maintenance Ratio, Council's General Fund has significant capacity to undertake further borrowings for asset renewal and maintenance. However, given both benchmarks by 2019/2020 are greater than 90% and are improving significantly, this strategy is not recommended at this time. Such borrowing would also reduce the Operating Performance Ratio which is considered even less desirable.

Water Utility Performance

In relation to the Water Utility Performance, the Improvement Proposal provided the information requested in the template, being:

- That Council meets the requirements of NSW Government Best Practice Management of Water Supply and Sewerage Framework;
- Council's current (2013/14) water and sewerage infrastructure backlog is a relatively small \$2.4M;
- The proposed significant water and sewerage capital works for the period 2016-17 to 2019/20 of \$18.0M, of which \$7.8M (43%) funded by s64 developer contributions;
- That Council's water and sewerage funds are not currently at break-even due to massive capital works investment (\$300M) and debt profile (\$221M originally borrowed); however, they are on a deliberately planned trajectory to surplus; and
- Details of various water and sewerage performance improvement strategies.

It is important to emphasise that not one strategy can close Council's financial sustainability 'gap' on its own. These strategies represent a package of measures that together can finally achieve a sustainable Council to deliver the community its current services. Staying the course has required leadership from both the elected body and management and should put Council in a solid position in the context of any future NSW State Government initiated reform of Local Government.

The financial modeling from the Long Term Financial Plan and ongoing refinements, based on Council's existing Financial Sustainability Strategies presents an overall picture, where by the required timeframe of 2019/2020, Council is expected to be able to either meet the Fit for the Future benchmarks or show the necessary improvements required.

Consultants AEC Group Ltd have undertaken a peer review of the Improvement Proposal to provide quality assurance. Their findings are supportive of Council's approach and have been addressed in the final Improvement Proposal submitted for Council endorsement.

Options:

This report provides Council with an Improvement Proposal, based on Council's existing Financial Sustainability Strategies and consistent with its IPR documents, for consideration and endorsement for lodgement with IPART by the due date of 30 June 2015. The following options are available to Council:

1. **Adopt the recommendation provided to Council.** This will enable the Improvement Proposal to be lodged with IPART by the due date.
2. **Amend the recommendation provided to Council by amending the Improvement Proposal and then adopt.** Depending on the nature of the amendment, this may impact the structure and content of the Improvement Proposal and impact on Council's ability to finalise and lodge the Improvement Proposal by the due date; or alternatively, change the strength of the Council's case.
3. **Reject the recommendation provided to Council.** This will impact on Council's ability to finalise and lodge the Improvement Proposal by the due date. Failure to lodge its Improvement Proposal by the due date will deem Council 'unfit'.

Sustainability Assessment:

- **Environment**

There are no environmental impacts as a result of the recommendations in this report.

- **Social**

Whilst Council currently delivers an extensive range of services achieving social, environmental and economic outcomes, its ability to do so into the future is dependent upon it being financially sustainable and deemed 'fit for the future'.

- **Civic Leadership**

The financial sustainability of Council, enabling the organisation to maintain current levels of service delivery, contributes towards achieving a broad range of outcomes identified within the *Coffs Harbour 2030* Community Strategic Plan. Direct alignments can be made to the 2030 themes "Looking after our Community" (LC), "Moving Around" (MA) and "Places for Living" (PL). The lead strategy is LC3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour.

- **Economic**

Broader Economic Implications

Sustainable service delivery, through the generation of savings, improved productivity efficiency and additional rate revenue, offers broad positive growth and economic impacts for the entire city into the future. The impact of the proposed rate increase on ratepayers needs to be balanced against the positive economic impact of maintaining Council programs and services across the local government area.

Delivery Program/Operational Plan Implications

The 2015/2019 Delivery Program and 2015/2016 Operational Plan and Division Budgets include the key financial strategies as outlined above, necessary for Council to be financially sustainable and therefore 'fit for the future'. As the budgets are currently cash-based the reduction of depreciation is not included; however, as part of the T2S Program all financial reports will be reformed to be accrual based in during 2015/2016. Also, the modeled financial strategies for the Improvement Proposal will be formally incorporated in the next update of the Long Term Financial Plan.

Risk Analysis:

The Integrated Planning and Reporting (IPR) Framework provides an approach to assist Council move to financial sustainability, particularly through long term financial planning to fund strategic actions and levels of services. The requirement for additional revenue to maintain the current levels of service, together with the need for cost reductions and efficiencies, is clear from Council's IPR documents.

Therefore, there is a significant financial risk for Council to manage if Council's Financial Sustainability Strategies are not fully implemented. Levels of service would need to be revisited with a reduction and/or removal of services. Further, any delay in implementation may risk Council's ability to demonstrate that it can improve to be deemed 'fit for the future' within the State Government's required timeframe. However, service reductions are not consistent with the feedback received from previous community surveys.

Consultation:

An internal working group comprised of members from the Financial Management and Governance Services Groups within Council, with liaison and consultation with other groups, in particular with the Strategic Asset Planning Group, prepared the Improvement Proposal.

Several Councillor briefings in relation to the Fit for the Future Program and Council's Financial Sustainability Strategies have been held over the last six months and two update reports provided to Council on the preparation and progress of the Improvement Proposal.

In terms of community consultation on the Financial Sustainability Strategies included in the Improvement Proposal, various consultations have occurred since 2013, including:

- Levels of service, commenced October 2013;
- Proposed three year SRV, commenced December 2013; and
- Proposed 2-Year SRV, commenced November 2014.

The Funding Our Future brochure in the last consultation explained that in conjunction with the SRV proposal, Council was implementing significant cost reduction and efficiencies through the Transformation to Sustainability (T2S) Program.

Details of each of these community consultations are also included in the Improvement Proposal.

Related Policy, Precedents and / or Statutory Requirements:

There are no specific statutory requirements which underpin the Fit for the Future Program. The Improvement Proposal has been prepared based on Council's existing Financial Sustainability Strategies and related policies.

Implementation Date / Priority:

Once endorsed by Council, the Improvement Proposal will be lodged with IPART for assessment. Assessments are due to be completed by IPART by 16 October 2015 and reported to the State Government.

Conclusion:

Fortunately, Council has already developed and is now implementing Financial Sustainability Strategies which enable Council to generally meet the 'fit for the future' benchmarks. The Improvement Proposal has now been completed and peer reviewed ready for Council endorsement. The Fit for the Future program emphasises the importance of Council staying the course in implementing its current strategies.

Fit for the Future



Template 2

Council Improvement Proposal

(Existing structure)



Council name: Coffs Harbour City Council

Date of Council resolution endorsing this submission: 25 June 2015

1.1 Executive Summary

Provide a summary (up to 500 words) of the key points of your Proposal including current performance, the issues facing your council and your planned improvement strategies and outcomes.

Using the Self-Assessment Tool Coffs Harbour City Council is not currently deemed by the benchmarks as 'fit for the future'. In particular, the Operating Performance Ratio result indicates an underlying accrual accounting loss of approximately \$12 million. This situation is not unexpected, as Council since 2011 has been proactive and focussed on developing, adopting and implementing several Financial Sustainability Strategies to become operationally and financially sustainable for the longer term. A summary of the key strategies are as follows:

Transformation to Sustainability (T2S) Program

The T2S Program will produce efficiencies and cost reductions in service delivery, currently estimated at \$3.2 million per annum after three years. T2S reduces operating costs and invests in asset renewals (capital) (\$2M from 2016/2017 and \$3.2M from 2017/2018).

Special Rate Variations (SRV)

The three year SRV for the ordinary general rate, of which one year has been implemented and the remaining further two years approved by IPART on 19 May 2015, to generate after three years \$6.2 million in additional revenue dedicated for infrastructure maintenance and renewal.

Improving Asset Management

Further improving Council's asset management to ensure appropriate policy and accurate information is used will optimise maintenance costs, asset renewals (useful lives), depreciation and the measurement of infrastructure backlog. Improved asset management reduces depreciation by \$4.5M p.a.

A new backlog methodology has also been applied, consistent with the new MIDROC regional approach, to include costs to bring to 'satisfactory' for condition 4 (where renewal is required) and condition 5 (where urgent renewal is required) assets only. This excludes condition 3 assets where maintenance is required, but not renewal.

Additional Revenue Opportunities

There is potential to identify additional revenue or growth revenue opportunities, such as the returns from Council's commercial business units and the commercialisation of CityWorks. This strategy is being further progressed through the T2S Program; however, at this stage, no additional revenue sources or dividends have been included to support Council's Improvement Proposal.

Proposed North Coast Joint Organisation (JO)

The proposed North Coast Joint Organisation (JO), which is composed of Coffs Harbour City, Clarence Valley, Bellingen and Nambucca Shire Councils, may present an opportunity to explore shared services which would likely reduce costs and therefore have a positive impact on Council's Operating Performance Ratio and Real Operating Expenditure Per Capita. At this stage, no cost savings or efficiencies have been included to support Council's Improvement Proposal.

It is important to emphasise that not one strategy has been employed to close Council's financial sustainability 'gap' on its own. These strategies outlined in this Improvement Proposal represent a package of measures that together achieve a sustainable Council to deliver the community its current services.

The financial modelling used to generate the benchmarks in this Improvement Proposal, based on Council's existing Financial Sustainability Strategies presents an overall picture, where Council is expected to be able to either meet the Fit for the Future benchmarks or show the necessary improvements required. Council therefore is strongly of the view that it is indeed 'fit for the future'.



1.2 Scale and Capacity

Does your council have the scale and capacity broadly consistent with the recommendations of the Independent Local Government Review Panel?

Yes

The Independent Local Government Review Panel divided non-metropolitan councils into seven groups and made recommendations for each group. Coffs Harbour City Council was classified as a larger regional council and placed in Group G. The panel noted that 'councils in this group appear to be likely to be sustainable in their current form for several decades'. Accordingly, the panel's recommendation for Coffs Harbour City Council did not include a merger option. Coffs Harbour City Council agrees with the panel's assessment that it has the appropriate strategic capacity.

Extract from Revitalising Local Government – Final Report of the NSW Independent Local Government Review Panel Table 11 (page 114)

Options for Non-Metropolitan Councils

Council	Popn. 2011	†Popn. 2031	TCorp FSR (Apr 13)	TCorp Outlook (Apr 13)	DLG Inf. Audit (May 13)	^Merger Potential	Options (preferred options shown in bold where applicable)
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Group G: Larger rural and regional councils (excluding Hunter, Central coast and Illawarra)

<i>Coffs Harbour</i>	70,933	80,500	Weak	Negative	Weak	Medium	Council in North Coast JO
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Key Elements of Strategic Capacity

Coffs Harbour City Council can also demonstrate key elements of strategic capacity as follows:

A **more robust revenue base and increased discretionary spending** is demonstrated by a continuing strong own source revenue ratio.

The **scope to undertake new functions and major projects** is demonstrated by:

- Coffs CityWorks undertaking major projects for the Roads and Maritime Authority.
- Business units successful operating caravan parks, a laboratory and a regional airport.
- Telecommunication and technology business unit undertaking major projects for other Councils in NSW.

The **ability to employ a wider range of skilled staff** is demonstrated by a workforce of 550 with a diverse skill set and an ongoing ability to attract highly skilled staff due to Coffs Harbour's attractive geographic location.

Knowledge, creativity and innovation are demonstrated by:

- The design and development of water infrastructure switchboards that are in demand from Council's across NSW.
- The installation of a fibre optic network to support future technology requirements.
- The Jetty4Shores Project recognised with a Public Engagement and Community Planning Excellence award from the Planning Institute of Australia.
- Council's water supply action plan included as an example of best practice in the NSW Best Practice Management of Water Supply and Sewerage Framework.
- The Clarence Valley Coffs Harbour Regional Water Supply Strategy winning a Project Innovation Award from the International Water Association.

Effective regional collaboration is demonstrated by:

- The Councils of Clarence Valley, Coffs Harbour City, Bellingen and Nambucca Shires took the opportunity to pursue the consideration of the Minister for Local Government and the Office of Local Government to be appointed as one of the Pilot Joint Organisations. The four Councils that make up the proposed North Coast JO are keen to progress this matter and have continued to meet periodically to discuss the strategic way forward.

- The Clarence Valley Coffs Harbour Regional Water Supply Strategy, the centrepiece of which is the 30,000-megalitre Shannon Creek Dam, was completed on-time and \$3 million under budget. The strategy was developed as a partnership between Clarence Valley Council, Coffs Harbour City Council and the NSW State Government to provide a sustainable, secure water resource for the region's growing population.
- Coffs Coast Waste Services is a regional partnership between Coffs Harbour City Council, Bellingen Shire Council, Nambucca Shire Council and Handybin Waste Services for the collection of household waste on the Coffs Coast.
- All three councils in our regional waste partnership are ranked in the top five councils in NSW for overall diversion rates for municipal solid waste.
- Involvement in the development of a regional infrastructure strategy with Mid North Coast Regional Organisation of Councils (MIDROC).

Being a capable partner for State and Federal agencies is demonstrated by:

- Coffs CityWorks is accredited by the Roads and Maritime Service and has a proven ability to deliver on projects on their behalf.
- A partnership between Clarence Valley Council, Coffs Harbour City Council and the NSW State Government to provide a sustainable, secure water resource for the region's growing population.

Having the resources to cope with complex and unexpected change is demonstrated by:

- A proven ability to mobilise workforce and other resources to respond to natural disaster events including major floods.
- The implementation of the T2S program which involves complex and unprecedented change.

High quality political and managerial leadership is demonstrated by:

- Strong leadership from the General Manager to initiate innovative strategies to pave the way for a sustainable future for Coffs Harbour City.
- The leadership team that supports the General Manager has the qualifications, background and experience to ensure successful implementation of the strategies.
- The Councillors have shown leadership through their support of recommendations to implement strategies to apply for a Special Rate Variation and the implementation the T2S program.

2. Your council’s current position

2.1 About your local government area

Explain the key characteristics of your local government area, your community’s goals and priorities and the challenges you face in the future (up to 500 words).

Key characteristics

Coffs Harbour is a major regional city on the Mid North Coast with a population of approximately 73,000.

The city encompasses a total area of 1,174 square kilometres. The 70 km coastal strip includes three major urban centres. The traditional home of the Gumbaynggirr people, Coffs Harbour has evolved from a humble agricultural centre into a vibrant, coastal city with a broader economy based on tourism, retail, manufacturing and construction, government services, education and the health industry.

Population (2013)	71,798
Average annual population growth (2008-2013)	0.9% (NSW=1.3%)
Unemployment Rate (June quarter 2014)	5.8% (NSW=5.7%)
Per capita income (2010/11)	\$20,051 (NSW=\$25,846)
Average Wage (2011 Census)	\$40,300 (NSW= \$53,917)
Median age (2011 Census)	42.5 (NSW=37.8)
Population over 55 (2011 Census)	32.3% (NSW=26.4%)

Community Goals and Priorities

The local community has articulated its goals and priorities through the five themes of the Coffs Harbour 2030 Community Strategic Plan:

- We are a prosperous and learning community. We are recognised as a model of sustainable business and industry with a strong and diverse local economy. We have a lively and diverse city centre. We have excellent education and lifelong learning opportunities that reflect our community values.
- Our communities are healthy, informed and engaged. We are healthy and strong. We are engaged and connected and work together to live sustainably. We enjoy a comprehensive range of community, artistic and cultural opportunities.
- Our natural environment is protected and conserved for future generations. We understand and value our unique natural environment and its cultural connections. We protect and restore our environment to conserve its unique biodiversity for future generations. We manage our resources and development sustainably.
- We are moving around easily, safely and sustainably. We make best use of an excellent, environmentally friendly public transport system. Many of us walk and cycle from place to place. We are well connected to each other and services.
- Our built environment connects us and supports us in living sustainably. We have designed our built environment for sustainable living. We have created through our urban spaces, a strong sense of community, identity and place. We have vibrant rural communities.
- Recent engagement initiatives have demonstrated the community's desire for Council to maintain its current infrastructure service levels despite resourcing issues and community aspirations for the enhancement of cultural facilities.

Future Challenges

- Coffs Harbour has an ageing population presenting challenges including the provision of health, housing and other specialist services and creating local workforce issues.
- Funding for current infrastructure and services is a challenge requiring the ongoing review of service levels, delivery and resourcing. This challenge will increase as projected population growth creates matching demand for services and infrastructure.
- Climate Change represents a significant challenge. The assessment and mitigation of risk, associated with the city's extensive coastline and estuary systems, will require ongoing investment across the community.
- Traffic congestion will continue to worsen in the absence of a Pacific Highway bypass of Coffs Harbour.

2.2 Key challenges and opportunities

Strengths	Weaknesses
<ul style="list-style-type: none"> • Proactive approach to addressing financial sustainability issues and challenges through the Transformation to Sustainability Program (T2S) • Positive own source revenue • Low General Fund debt service ratio • Growing regional hub • Business unit dividends • Innovative (e.g., water, sewerage and waste solutions) • Able to adapt to change • Staff proud to work for Council • Positive working environment characterised by friendliness and respect • Confidence in the leadership of the Administration • Water and sewerage divisions are secure with high-quality assets • Desirable destination for Tourism market being halfway between Sydney and Brisbane with a 4-5 hour drive and with the Airport being one of the largest and busiest NSW regional airports • Joint arrangement efficiencies with Clarence Valley Council for Waste Services and Bulk Water Supply • IPART accepted SRV permanent increases in 2015/16 and 2016/17 	<ul style="list-style-type: none"> • T-Corp Financial Sustainability Rating for Council: Weak and Outlook: Negative. General Fund has been historically unsustainable; the fund has been unable to generate sufficient funds for capital expenditure on asset renewals to match depreciation • Underlying operational deficit • Delivery Program/Operational Plan – activities not always tied to strategic targets; a lack of the ‘golden thread’ • Staff uncertainty during the T2S program reforms, relating to job security and alternative structures such as outsourcing • Water and Sewer Funds not generating operating surpluses for some time • Other business units not generating required returns.

Opportunities	Threats
<ul style="list-style-type: none"> • Transformation to Sustainability (T2S) Program – examining internal and external Services, systems, processes and resources with a view to identifying areas for sustainable improvement. • Improved Asset Management • Further development of city leadership role by supporting preferred positions with robust analysis and passionate justification of positive outcomes • New Organisational Development Strategy • Integration of community, economic, environmental and spatial strategies to improve the sustainability of Council's activities • Council fees for service to be based on actual cost or commercial principles rather than historical trends • Better use of technology to enhance service delivery and staff productivity • Proposed Joint Organisation and existing regional partnerships to deliver innovative, consistent and cost-effective outcomes • Continue to implement pricing structures for business units that will achieve required returns to the General Fund • Potential for efficiencies through Joint Organisation arrangements • Better utilisation of procured goods and services • Best use review of property review • Technology advancements for asset management, such as reliability and up-to-date of data, and transition to online portal for repetitive processes such as forms and community grant applications 	<ul style="list-style-type: none"> • Competing community demands • Limited resources • Aging population • Aging workforce • Climate change • Asset failure if insufficient asset renewal • Natural disasters and resulting impacts on assets • Ongoing rate pegging • Ongoing cost shifting • Population growth • Council elections in 2016 which may have a different focus or competing priorities • Decline in tourism market

2.3 Performance against the Fit for the Future benchmarks

Sustainability				
Measure/ benchmark	2013/2014 performance	Achieves FFTF benchmark?	Forecast 2016/2017 performance	Achieves FFTF benchmark?
Operating Performance Ratio (Greater than or equal to break-even average over 3 years)	-17.72%	No	-6.89%	No
Own Source Revenue Ratio (Greater than 60% average over 3 years)	73.30%	Yes	76.42%	Yes
Building and Infrastructure Asset Renewal Ratio (Greater than 100% average over 3 years)	37.16%	No	86.34%	No – Improving

If the Fit for the Future benchmarks are not being achieved, please indicate why.

For example, historical constraints/context, one-off adjustments/factors, council policies and trade-offs between criteria.

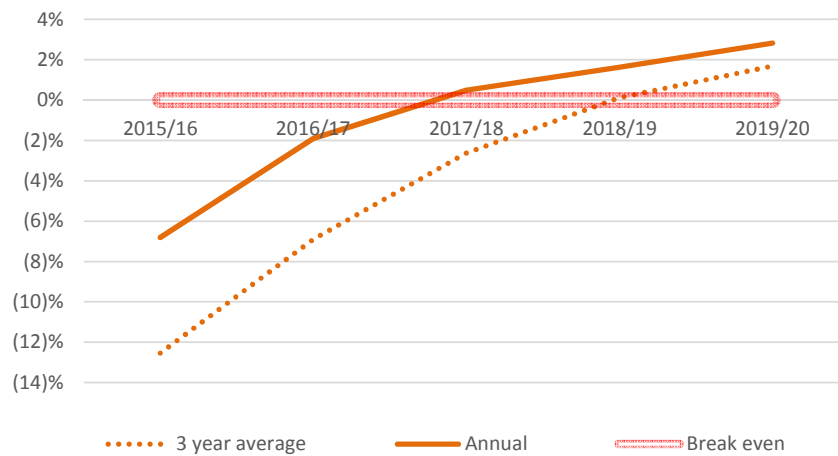
Operating Performance Ratio

Council has operated with a negative Operating Performance Ratio since 2007/08 and this has been exacerbated by:

- Ongoing cost shifting from other tiers of government;
- Ongoing rate pegging at levels below relevant cost indices;
- Increased demands from the community for new services; and
- Improved recognition of assets and therefore increasing depreciation expense;

However, since 2011 Council has recognised its financial sustainability challenges and has taken proactive and substantive action to address the issue. As a consequence the operating deficit (before capital grants and contributions) is estimated at \$6.9 million in 2015/16, improving to a deficit of \$2.0 million in 2016/17 and returning a surplus in 2017/18 of \$0.6 million. The 3 year averaging shows a positive result in 2018/19 of 0.13%.

Figure 2.3.1: Operating Performance Indicator, 2015/16-2019/20



Source: Council LTFP

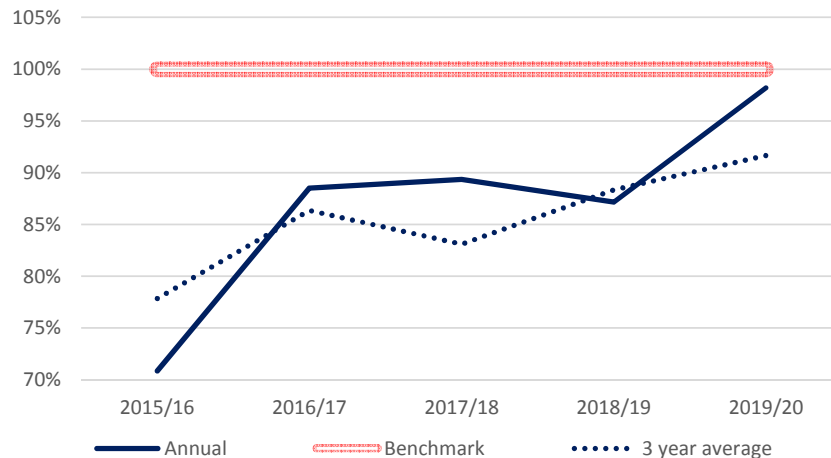
Council achieves the requirement of 'must meet within 5 years' in relation to at least a break even operating position.

Building and Infrastructure Asset Renewal Ratio

As Council has more accurately recognised its infrastructure asset base over recent years, General Fund depreciation expense has increased by \$7.7M between 2008/09 and 2013/14. Consequently, the renewal ratio has deteriorated and a \$6M annual funding gap for asset renewals became clear. This has now been addressed through a Special Rate Variation which is included as one of the key strategies in this improvement proposal.

The benchmark for this ratio at greater than 100% averaged over three years is not considered a valid benchmark for infrastructure asset renewal where effective lives can be up to 100 years. It is natural in the renewal cycle for such assets and in growth areas such as Coffs Harbour City Council that peaks and troughs will occur, where in certain time periods the ratio will be significantly greater than 100% and equally in other time periods the ratio will be less than 100%. It is agreed that in the management of renewals a reasonable level should, and is likely, to occur; however, 100% is a theoretical benchmark only over a long time horizon.

Figure Error! No text of specified style in document..1.2: Building & Infrastructure Asset Renewal Indicator, 2015/16-2019/20



Source: Council LTFP

Council achieves the requirement to 'meet or improve/inform within 5 years' in relation to the 100% benchmark.

2.3 Performance against the Fit for the Future benchmarks

Infrastructure and service management

Measure/ benchmark	2013/2014 performance	Achieves FFTF benchmark?	Forecast 2016/2017 performance	Achieves FFTF benchmark?
Infrastructure Backlog Ratio (Less than 2%)	9.15%	No	2.08%	No – Improving
Asset Maintenance Ratio (Greater than 100% average over 3 years)	79.01%	No	89.56%	No – Improving
Debt Service Ratio (Greater than 0% and less than or equal to 20% average over 3 years)	6.05%	Yes	5.66%	Yes

If the Fit for the Future benchmarks are not being achieved, please indicate why.

Infrastructure Backlog Ratio

The Infrastructure Backlog Ratio is widely recognised as being highly subjective in its measurement with the approach differing between Councils. Specific concerns with this ratio measurement are:

- The ratio contains the highly subjective component, Estimated Cost to bring Assets to a Satisfactory Condition. There is no consistency in the measurement of this across Local Government;
- The inclusion of Condition 3 assets in the ratio is spurious as the definition for these is that maintenance is required and not renewal. Renewal is only required for Conditions 4 and 5 and this should be the focus of this ratio; and
- The use of Written Down Value is inappropriate in an infrastructure sustainability measure as it is likely to lead to inconsistent and potentially unreliable policy decisions.

Coffs Harbour City Council as part of the Mid North Coast Regional Organisation of Councils (MIDROC) has developed a Regional Infrastructure Strategy, including an improved methodology for measuring the infrastructure backlog, which states:

Asset condition is an objective measure (i.e. that can and should be consistent between councils) whereas “satisfactory” is a subjective measure (i.e. that must be determined by each community as part of IPR). This will differ between councils, and even within a council for different roads (e.g. a CBD road needs renewal at condition 3 whereas a rural road servicing two properties may be “satisfactory” up to the point of physical failure).

Ideally, asset condition and what is “satisfactory” should line up (i.e. an asset in condition 4 should need replacement). This is the assumption behind the OLG condition rating methodology in the IPR Manual; however, this is not the case at many councils. This is the reason the backlog is overstated and largely meaningless.

“Recalibration” of condition rating methodologies (e.g. increasing roughness and cracking scores necessary for a road to be as “condition 4”) is problematic. Data held by many councils is limited and the “trigger points” for what is satisfactory are influenced by many factors.

Anyway, changing condition scales so they align with renewal programs risks rendering comparisons of condition over time meaningless (because a condition 4 ten years ago is different to a condition 4 now). Understanding these trends is vital if we are to formulate predictive models of deterioration so as to forecast the required renewal funding.

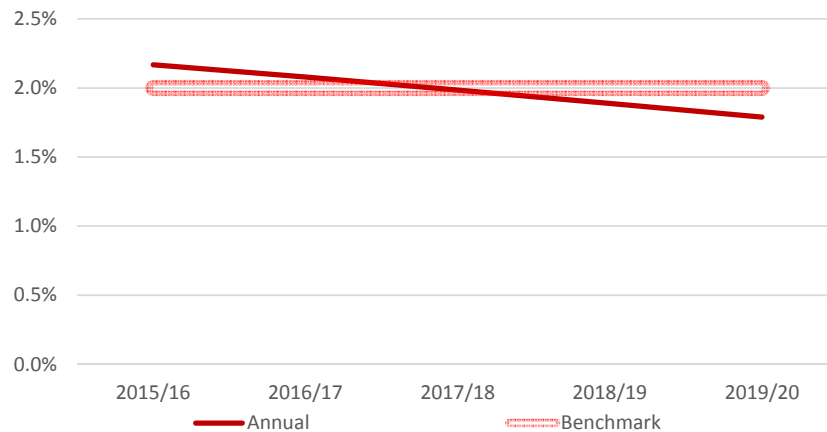
*Instead MIDROC councils have endorsed a definition of “satisfactory” infrastructure based on why an asset is unsatisfactory. **Satisfactory infrastructure provides:***

- *an **affordable level of service***
- *at **minimum life cycle cost** and*
- *an **acceptable risk**.*

Each of these factors can “trigger” an asset being deemed “unsatisfactory”. While asset condition is one of the most valuable pieces of information to determine whether or not an asset is “unsatisfactory”, it does not itself determine it. Each “trigger” may occur at a different point in the life cycle (a different asset condition)...

Coffs Harbour City Council plans to adopt this methodology moving forward once the necessary data is gathered and analysed. In the meantime Council has applied condition categories 4 and 5 as a proxy measure, consistent where asset renewal is likely. This reduces the Infrastructure Backlog Ratio to a realistic level of just over 2% in 2017/18. This continues on a declining trend as increased levels of asset renewal occur over coming years, funded from the recent Special Rate Variations.

Figure Error! No text of specified style in document..3.3: Infrastructure Backlog Indicator, 2015/16-2019/20



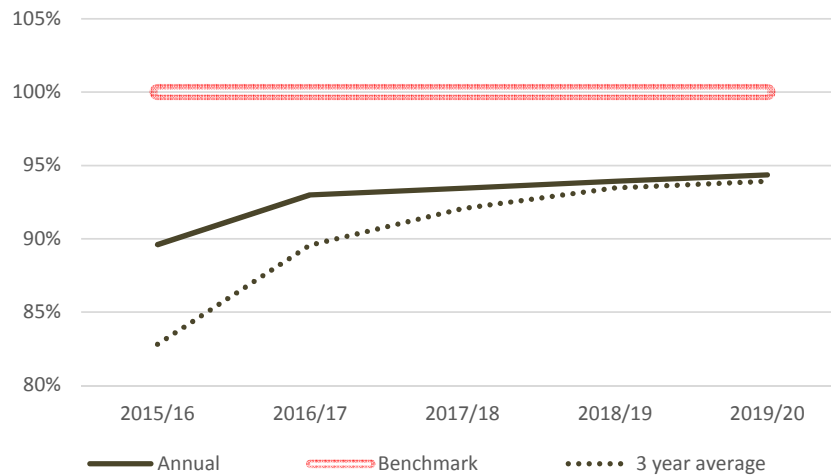
Source: Council LTFP

Council achieves the requirement to ‘meet or improve/inform within 5 years’ in relation to the less than 2% benchmark.

Asset Maintenance Ratio

As with asset renewals Council's historic level of asset maintenance expense has been somewhat lower than the required levels. This has again been assessed and will be funded through the recent Special Rate Variations. Although the Asset Maintenance Ratio is still less than the benchmark of greater than 100% average over 3 years, it is considered at the required level for the sustainable management of Council's infrastructure. The level of this ratio cannot be considered in isolation from Building and Infrastructure Renewal Ratio and a correctly measured Infrastructure Backlog Ratio as the treatments applied to assets for ensuring the continued satisfactory provision of levels of service vary with a combination of maintenance, renewal and upgrade works.

Figure Error! No text of specified style in document..3.4: Asset Maintenance Financial Indicator, 2015/16 to 2019/20



Source: Council LTFP

Council achieves the requirement to 'meet or improve/inform within 5 years' in relation to the 100% benchmark.

2.3 Performance against the Fit for the Future benchmarks

Efficiency

Measure/ benchmark	2013/2014 performance	Achieves FFTF benchmark?	Forecast 2016/2017 performance	Achieves FFTF benchmark?
Real Operating Expenditure per capita A decrease in Real Operating Expenditure per capita over time	2009/10 1.170 2010/11 1.255 2011/12 1.179 2012/13 1.351 2013/14 1.308 Increasing	No	2012/13 1.470 2013/14 1.423 2014/15 1.318 2015/16 1.307 2016/17 1.281 Decreasing	Yes

If the Fit for the Future benchmarks are not being achieved, please indicate why.

Although Council meets Efficiency benchmark, this is only forecast to occur from 2016/17 once expenditure normalises following the implementation of T2S and SRV strategies.

The proposed North Coast Joint Organisation (JO), which is composed of Coffs Harbour City, Clarence Valley, Bellingen and Nambucca Shire Councils, may present an opportunity to explore shared services which would likely have a positive impact on this ratio in the longer term.

2.4 Water utility performance

NB: This section should only be completed by councils who have direct responsibility for water supply and sewerage management

Does your council currently achieve the requirements of the NSW Government Best Practice Management of Water Supply and Sewerage Framework?

Yes

How much is your council's current (2013/14) water and sewerage infrastructure backlog?

\$2,439,000

2.4 Water utility performance

Identify any significant capital works (>\$1m) proposed for your council’s water and sewer operations during the 2016-17 to 2019-20 period and any known grants or external funding to support these works.

Capital works			
Proposed works	Timeframe	Cost	Grants or external funding
Wastewater Pump Stations, Mechanical Equipment and Rising Mains- New and Upgrade Works	2016/17	\$1,751,000	\$311,000 S64 contributions
	2017/18	\$1,804,000	Nil
	2018/19	\$1,858,000	\$23,000 S64 contributions
	2019/20	\$1,951,000	\$75,000 S64 contributions
	Total	\$7,364,000	\$409,000
Reticulation Mains from strategy	2016/17 – 2019/20	\$3,091,000	Fully funded by S64 contributions
Mains Renewals Water	2016/17	\$1,200,000	\$254,500 S64 contributions
	2017/18	\$1,248,000	\$264,000 S64 contributions
	2018/19	\$1,298,000	\$666,000 S64 contributions

	2019/20	\$1,350,000	\$704,000 S64 contributions
	Total	\$5,096,000	\$1,888,500
Sewer Rehabilitation	2016/17 – 2019/20	\$2,400,000	Fully funded by S64 contributions

2.4 Water utility performance

Does your council currently manage its water and sewerage operations on at least a break-even basis?

No

If No, please explain the factors that influence your performance.

Both the Water and Sewerage Funds have undertaken massive programs of capital works in recent years. Capital expenditure has been in excess of \$300M. These works have been essential to maintain the viability of the Coffs Harbour LGA in providing environmentally compliant water and sewerage infrastructure and capacity for the city's future growth. Work is soon to be completed on the final project of this program: the decommissioning of the Sawtell Sewerage Treatment Plant and the construction of a sewerage trunk main from Sawtell to Coffs Harbour.

This unprecedented program has been funded by a combination of loan funds, developer contributions, reserve funds and grants. Loan funds have been the major source with \$221M borrowed.

Water and Sewerage charges have been held to reasonable increases in recent years, despite the large increase in loan repayments. This has been achieved by using the cash reserves of each fund to meet annual budgeted cash deficits.

Although the Net Operating Result is positive for both Funds, once capital grants and contributions are removed, the results are currently in a loss position. The Operating Performance Ratio (not averaged) for each fund and combined for the Fit for the Future period are as set out below.

Fund	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Water	-20.0%	-17.9%	-18.7%	-16.8%	-15.6%	-13.1%	-8.3%
Sewerage	-19.9%	-16.3%	-13.5%	-13.8%	-14.7%	-13.2%	-11.9%
Water & Sewerage	-19.9%	-17.0%	-15.6%	-15.0%	-15.1%	-13.1%	-10.3%

The decrease in the losses over time is achieved primarily due to reducing loan interest but also due to growth in assessments and developer contributions. The debt for the major capital program is scheduled to be fully repaid by 2029/30.

However, to address community concerns around affordability in relation to Council's recent Special Rate Variation, the water and sewerage annual charges have been frozen for the three years 2015/16 to 2017/18. Updated financial modelling of Council's Water and Sewerage Funds has revealed that this reduction in revenue can be accommodated over coming years. This approach provides a balance between Council's need to maintain public assets appropriately while also being able to continue to provide services. Although this causes a slowing of the improvement trend both funds will eventually reach a break-even position and eventually generate operating profits to enable appropriate dividends to be paid to the General Fund.

2.4 Water utility performance

Identify some of your council’s strategies to improve the performance of its water and sewer operations in the 2016-17 to 2019-20 period.

Improvement strategies

Strategy	Timeframe	Anticipated outcome
1. Levels of Service a) Monitor performance against levels of service b) Identify deficiencies and implement remedial actions	Annually	a) Improve the existing monitoring system and review performance and prepare report
	2016	b) Implement remedial actions and implement Drinking Water Quality Management Plan - Improvement Plan
	2016	c) Implement actions from Strategic Business Plan
	2018	d) Prepare and implement Integrated Water Cycle Management Strategy
2. Areas Serviced a) Ensure appropriate plans and policies in place b) Identify future urban release areas and plan infrastructure c) Include in capital works and financial plan	Annually	a) Implement Coffs Harbour City Council’s capital works findings of the strategies for urban release areas
	2018	b) Develop Water and Wastewater Developer Services Plans

<p>3. Demand Management (Water Supply) Ensure continuation of Demand Management Strategy</p>	<p>Annually 2016</p>	<p>a) Continue water efficiency measures b) Review and update Demand Management Plan and measures</p>
<p>4. Inflow/Infiltration Management (Sewerage) Implement inflow/ infiltration reduction program in accordance with investigation report</p>	<p>2016 to 2020</p>	<p>Investigate and reduce wet weather inflow and infiltration to performance target levels in sewerage system</p>
<p>5. Reclaimed Water Manage the reuse scheme effectively</p>	<p>2016 2016 2016 2016</p>	<p>a) Implement Reclaimed Water Management Plan - Improvement Plan b) Implement charging for recycled water c) Continue to review and update recycled water agreements d) Prepare and implement Biosolids Management Emergency Plan</p>
<p>6. Pricing Review and update pricing structure annually</p>	<p>2018 Annually Annually</p>	<p>a) Review and update Water and Wastewater Developer Services Plans b) Review long term price path towards achievement of full cost recovery and ultimately a surplus position with appropriate dividends to the General Fund c) Review the budget</p>

<p>7. Customer Satisfaction Implement remedial actions to reduce customers complaints</p>	<p>Ongoing Ongoing</p>	<p>a) Review complaints and take appropriate action b) Ensure industry service standards and KPIs are met</p>
<p>8. Community Consultation Ensure community consultation is built into the project implementation plan</p>	<p>Ongoing</p>	<p>Ensure effective community consultation regarding major decisions using Council's Consultation Policy</p>
<p>9. Environment Protection and Sustainable Development a) Undertake environmental assessment of all significant and legislative activities (operational, maintenance and capital works) b) Ensure the actions comply with the determination of the environmental assessment</p>	<p>Ongoing Ongoing 2016 Ongoing</p>	<p>a) Monitor impact of existing works and where the impact is not acceptable, implement works to reduce impacts. b) Meet all environmental licences conditions and Pollution Reduction Programs c) Develop and implement water and sewerage Environmental Management System d) Develop and maintain a Due Diligence Program</p>
<p>10. Operations a) Monitor the performance of the system operations b) Implement continuous improvement processes c) Operate the schemes in accordance with documented operational procedures</p>	<p>Ongoing Annually 2016 2016 2016</p>	<p>a) Maintain and update the telemetry system b) Review and optimise sewerage quality monitoring requirements c) Develop and implement odour and septicity control strategy d) Continue to develop asset condition assessment e) Prepare and implement Total Asset Management Plan to</p>

		ensure optimal operational levels and maintenance intervention.
<p>11. Maintenance Maintain the systems in accordance with maintenance schedules.</p>	2016	a) Implement Water and Wastewater Asset Criticality Assessment Plans
	2016	b) Prepare and implement Total Asset Management Plan
	2016	c) Implement Water and Wastewater Asset Management Plan - Improvement Plans to ensure appropriate maintenance versus renewal planning and cost/benefit assessment
<p>12. Capital Works a) Revise the capital works program with reference to the Water Supply and Sewerage Strategy Studies b) Construct the necessary capital works to ensure that existing and future demands can continue to be met at the agreed Levels of Service within financial constraints.</p>	2016	a) Review Water Supply and Sewerage Strategy Studies
	2016 to 2020	b) Continue to develop water and sewerage hydraulic models
	Ongoing	c) Revise the capital works program utilising advanced asset management based on Asset Management Plans, including condition assessment
	Ongoing	d) Implement Sewerage rehabilitation program
	Annually	e) Construct reclaimed water mains as in program
	Annually	f) Implement water mains renewals program

<p>13. Works Force Planning</p> <ul style="list-style-type: none"> a) Define water and sewerage tasks and skills required to deliver Level of Service b) Ensure that job descriptions are kept up to date c) Train and recruit as required 	<p>2015 to 2017</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	<ul style="list-style-type: none"> a) Implement Transformation to Sustainability organisational structure b) Ensure that job descriptions are kept up to date c) Develop succession plans d) Develop and implement training plan e) Recruit appropriate staff
<p>14. Finance</p> <ul style="list-style-type: none"> a) Undertake financial planning to support operation b) Maximise income from grants 	<p>Annually</p> <p>Ongoing</p>	<ul style="list-style-type: none"> a) Undertake financial planning to support operation, including reviewing long term price path towards achievement of full cost recovery and ultimately a surplus position with appropriate dividends to the General Fund b) Monitor availability of grants and apply when available

3. How will your council become/remain Fit for the Future?

3.1 Sustainability

Summarise your council's key strategies to improve performance against the Sustainability benchmarks in the 2016-20 period, including the outcomes you expect to achieve.

Council's Transformation to Sustainability (T2S) Program, in conjunction with the Special Rate Variation (SRV) approved in May 2015, sets the platform for the future financial performance of Council.

Transformation to Sustainability (T2S) Program

During 2013/14 Council engaged independent consultants to undertake an organisation diagnostic. The approach taken by the consultants was a strategic review of Council using international standards and benchmarks for well-governed organisations delivering high quality public services. The independent review resulted in a business case identifying opportunities for improvement to ensure improved service delivery and long term financial sustainability along with a detailed organisation diagnostic report with 32 recommendations.

The improvement journey Council has embarked on over the next three years is titled the Transformation to Sustainability (T2S) Program. This involves examining Council's internal and external services, systems, processes, financials and resources with a view to identifying areas for sustainable improvement.

The adopted T2S improvement strategy consists of three steps to achieve financially sustainable service provision that meets community expectations:

1. Improving short term financial viability by reducing the annual operating deficit without reducing services to the community. The design of new operating models across the organisation and development of new operating structures for each group within the organisation will enable Council to put in place a framework for sustainable service delivery and result in the identification of excess staff capacity.
2. Developing long term financial sustainability by fundamentally transforming the way the organisation works. This will be achieved by implementing the 32 recommendations identified in the organisation diagnostic which are focused on Council's strategy and vision

and improving Councils strategic planning framework, leadership and organisational culture and managing performance. Key steps in the strategy to improve sustainability include the establishment of a service quality framework, reengineering business processes across the entire organisation and identification of procurement savings opportunities. This will result in efficient and sustainable business practices and identification of further excess staff capacity.

3. Developing continuous improvement and innovation within Council will be implemented after steps 1 and 2 have been completed. This will be ongoing and largely driven by the leadership development and cultural change program currently being undertaken.

The current focus of the T2S program is establishing the permanent staff structure which is forecast to generate \$2.6 million in ongoing annual savings as a result of reducing identified excess staff capacity and business process reengineering. A further \$750,000 in ongoing annual savings are projected through improved procurement methods.

During the 2014/2015 financial year annualised savings of \$866,000 have been realised in the first 8 months of the Program through the restructure of Levels 2 to 4 in the organisational structure. The Program is therefore on target to deliver the \$3.2M of annualised savings at the end of the three years.

For modelling purposes T2S reduces operating costs and invests in asset renewals (capital) (\$2M from 2016/2017 and \$3.2M from 2017/2018). Employee costs have been indexed at 3% p.a. and Material and Contracts indexed at 2.5% p.a. In terms of the Sustainability benchmarks this:

- ⇒ improves the Operating Performance Ratio; and
- ⇒ improves the Building and Infrastructure Asset Renewal Ratio.

Special Rate Variations (SRV)

The three year SRV for the ordinary general rate, of which one year has been implemented and the remaining further two years approved by IPART on 19 May 2015, to generate after three years \$6.2 million in additional revenue dedicated for infrastructure maintenance and renewal. For modelling purposes the SRV increases revenue (growing to \$6.2M by 2016/2017) and invests in asset renewals (capital) and increases asset maintenance costs. In terms of the Sustainability benchmarks this:

- ⇒ improves the Operating Performance Ratio;
- ⇒ improves Own Source Revenue; and
- ⇒ improves the Building and Infrastructure Asset Renewal Ratio.

Improving Asset Management

Further improving Council's asset management to ensure appropriate policy and accurate information is used will optimise maintenance costs, asset renewals (useful lives), depreciation and the measurement of infrastructure backlog. For modelling purposes improved asset management reduces depreciation by \$4.5M p.a.

A new backlog methodology has also been applied, consistent with the new MIDROC regional approach, to include costs to bring to 'satisfactory' for condition 4 (where renewal is required) and condition 5 (where urgent renewal is required) assets only. This excludes condition 3 assets where maintenance is required, but not renewal. In terms of the Sustainability benchmarks this:

- ⇒ improves the Operating Performance Ratio; and
- ⇒ improves the Building and Infrastructure Asset Renewal Ratio;

Additional Revenue Opportunities

There is potential to identify additional revenue or growth revenue opportunities, such as the returns from Council's commercial business units and the commercialisation of CityWorks. This strategy is being further progressed through the T2S Program; however, at this stage, no additional revenue sources or dividends have been included in the modelling to support Council's Improvement Proposal.

Proposed North Coast Joint Organisation (JO)

The proposed North Coast Joint Organisation (JO), which is composed of Coffs Harbour City, Clarence Valley, Bellingen and Nambucca Shire Councils, may present an opportunity to explore shared services which would likely reduce costs and therefore have a positive impact on Council's Operating Performance Ratio. Although Council is supportive of exploring the JO concept, the arrangements for JOs are yet to be legislated and the necessary policy decisions from the proposed member Councils are yet to be taken. Therefore, at this stage, no cost savings or efficiencies have been included in the modelling to support Council's Improvement Proposal.

Explain the key assumptions that underpin your strategies and expected outcomes.

For example the key assumptions that drive financial performance including the use of SRVs, growth in rates, wage increases, Financial Assistance or other operating grants, depreciation, and other essential or major expense or revenue items.

The key assumption that underpins the strategies and expected outcomes is continuing to achieve the savings and milestones from the T2S Program. The actual savings realised to date provide confidence that they can be achieved. Other assumptions are:

1. The containment of employee cost increases to 3% per annum and materials and contracts cost increases to 2.5% per annum;
2. The full levying of the SRV granted by IPART in 2016/17; and
3. The reduction in depreciation by \$4.5M from improved asset management, particularly in relation to the application of more accurate unit rates and useful lives.

3.1 Sustainability

Outline your strategies and outcomes in the table below.

3.1 Sustainability

Objective	Strategies	Key milestones	Outcome	Impact on other measures
1. T2S Program - Improve Council's short term viability	<ul style="list-style-type: none"> a) Design new business operating models for each group across the organisation b) Develop a new operating structure for each group across the organisation 	<p>New operating model developed by 30/6/15</p> <p>New operating structure approved by 30/9/15</p>	<p>Framework for sustainable service delivery</p> <p>Identification of excess staff capacity</p>	Positive impact on operating performance ratio and real operating expenditure per capita
2. T2S Program - Develop Council's long term financial sustainability	<ul style="list-style-type: none"> a) Establish a Quality Framework for each Group b) Reengineer business processes across the entire organisation, including implementation of Enterprise Resource Planning (ERP) software. 	<p>Quality Framework to be implemented across groups by 31/12/15</p> <p>Assess current state processes by 31/10/15</p> <p>Identify improvement opportunities by 4/11/15</p>	<p>Ability to measure group performance</p> <p>Development of efficient and sustainable business processes across each group in the organisation</p>	Positive impact on operating performance ratio and real operating expenditure per capita

	c) Identify procurement savings opportunities	<p>Design future state processes by 25/11/15</p> <p>Implement future state processes by 31/12/15</p> <p>Review existing expenditure and procurement framework by 30/9/15</p> <p>Establish new procurement framework by 15/2/16</p>	<p>Identification of excess staff capacity</p> <p>Improved procurement processes and ongoing cost savings through category management and supply chain rationalisation</p>	
3. T2S Program - Deliver continuous improvement and innovation	<p>a) Leadership development and culture change program</p> <p>b) Explore new opportunities for innovation in service delivery</p>	<p>Completion of leadership development program phase 1 by 15/3/15</p> <p>Ongoing improvement and innovation</p>	<p>Leadership group with increased competencies and behavioural improvements to ensure change is both effective and sustainable</p> <p>Improved sustainable service delivery to the community</p>	Positive impact on operating performance ratio and real operating expenditure per capita
4. Implement SRV funded	a) Levy SRV	Delivery Program	Funding stream	Positive impact on

asset maintenance and renewal program	b) Implement works program	adoption June 2015 and June 2016 and ongoing	established Works program delivered	operating performance ratio, building and asset renewal ratio and infrastructure backlog ratio
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T2S Program Implementation Status

A summary of the status of implementation of the 32 recommendations in the T2S Program, as at May 2015, is as follows:

- R8 Reassess the organisation values ✓
- R9 Develop and implement a leadership development program- Phase 1 ✓
- R12 Develop a vision of the administration of the future ✓
- R13 Formalise the internal change program using program management methodology and governance ✓
- R14 Establish a formal program management office (PMO) ✓
- R21 Establish a new transformational change program building on previous improvement initiatives ✓
- R22 Establish an “Invest to Save” bank ✓
- R24 Establish a corporate project management methodology and protocols overseen by the Program Management Office (PMO) ✓
- R32 Introduce a Corporate Information Management Board ✓
- R25 Reengineer all processes **In Progress**

3.2 Infrastructure and Service Management

Summarise your council's key strategies to improve performance against the Infrastructure and service management benchmarks in the 2016-20 period, including the outcomes you expect to achieve.

Transformation to Sustainability (T2S) Program

The T2S Program will produce efficiencies and cost reductions in service delivery, currently estimated at \$3.2 million per annum after three years. For modelling purposes T2S reduces operating costs and invests in asset renewals (capital) (\$2M from 2016/2017 and \$3.2M from 2017/2018). In terms of Infrastructure and Service Management benchmarks this:

⇒ improves the Infrastructure Backlog Ratio.

Special Rate Variations (SRV)

The three year SRV for the ordinary general rate, of which one year has been implemented and the remaining further two years approved by IPART on 19 May 2015, to generate after three years \$6.2 million in additional revenue dedicated for infrastructure maintenance and renewal. For modelling purposes the SRV increases revenue (growing to \$6.2M by 2016/2017) and invests in asset renewals (capital) and increases asset maintenance costs. In terms of Infrastructure and Service Management benchmarks this:

⇒ improves the Infrastructure Backlog Ratio; and
⇒ improves the Asset Maintenance Ratio.

Improving Asset Management

Regional Collaboration

It is widely recognised that the reliability of infrastructure data within NSW local government is mixed. This brings into question comparisons between councils based on figures reported in Special Schedule 7 and elsewhere (particularly depreciation) which inform *Fit for the Future* ratios and also the auditability of these figures.

The “talking apples and apples about infrastructure” project was initiated by Coffs Harbour City Council within MIDROC specifically to address this issue and as such the project will positively influence all infrastructure related ratios. The project has been recognised as a case study that can help other regions address this issue and it is expected that the principles and many of the outcomes will be applied across the state.

The first component of the project is the development of a consistent methodology for asset condition, valuation, levels of service, backlog and required maintenance. The expected outcomes are consistency of reporting on assets between councils (improving the validity of benchmarking via *Fit for the Future* ratios) and confidence in the figures reported. The outcomes at the regional level will inform, and be informed by, Council’s own strategies as discussed below.

The second element of the project involves undertaking an Asset Management Maturity Assessment for each council (based on the National Assessment Framework for Local Government Asset Management and Financial Reporting – refer implementation proposal by ACELG, 2012) to establish a snapshot of asset management practices across the region that will inform a Regional Asset Management Strategy to be implemented by the MIDROC Asset Management Working Group (held accountable by regular reporting to MIDROC Mayors and GMs).

The expected outcomes arising from the second component are more rapid improvement in asset management capability and capacity as a result of collaboration and sharing best practice, as well as reduced duplication and increased economies of scale created by joint initiatives in both asset management planning and, potentially, infrastructure-related service delivery.

Reducing the Backlog

With regards to reducing the backlog, Council is particularly focused on public roads, not only given the revaluation of transport assets is occurring this year, but also because this asset class represents 61% of the WDV of assets and 81% of the backlog for the General Fund. That said, the same principles are being applied to other asset classes.

The work Council is undertaking is informing, and will be informed by, the “talking apples” project through MIDROC.

The basic strategy is that Council is differentiating between asset renewal projects that are urgent (having regard to a range of risk drivers such as traffic speed, volume, the type of hazard, etc.) and those which can be programmed for completion within the short to medium term horizon. The former – deemed “unsatisfactory” – will be retained in reporting as the “backlog” and the latter will be recorded and reported via Council’s Asset Management Plans.

It is important to note (with reference to the commentary on Report on Infrastructure Assets i.e. Special Schedule 7 contained in the OLG Code of Accounting Practice update 22) that this policy approach is supported by Council’s Community Engagement Regarding Levels of Service undertaken in 2013, where a statistically-significant reference panel gave clear feedback to Council that, having regard to the costs of service delivery, they agreed to retain current levels of service across the network as a whole.

Thus, assets falling below a previous-defined standard (based on condition) are not “backlog” because the community has agreed to accept a certain percentage of the network (actual locations will change as the highest priority works are undertaken and other roads deteriorate over time) being in relatively poor condition.

However, in order to ensure that Council complies with its obligations under the NSW Civil Liabilities Act, 2002 (i.e. to assess risks and allocate its limited resources having regard to these) a relatively small percentage of assets will remain classified as “backlog” because they represent an “unsatisfactory” risk.

In addition to this portion of backlog arising from safety risk, it is anticipated that another category of backlog based on “economic risk” will be retained e.g. where some works should be undertaken as at the reporting date so as to avoid significantly higher renewal costs being incurred by Council in future (i.e. an unsustainable way to manage assets). Examples of assets presenting an “economic risk” are resealing of sealed roads to avoid rapid deterioration because of water ingress (meaning the road structure / pavement does not reach its assumed useful life / design life) or renewal of the roof of a building to avoid damage to the remainder of the structure (leading to far greater expense).

Council’s approach to reducing the backlog will be tempered via a “reasonableness” test by benchmarking against other MIDROC councils as part of the “talking apples” project.

The expected outcome of this approach will be a substantial reduction in the numerator of the infrastructure backlog ratio in the 2015/16 reporting year.

By focusing renewal expenditure on these assets identified as being “high risk” (i.e. unsatisfactory) and with a continued increase in funding for infrastructure renewal (via the Special Rate Variation agreed to by the community as part of the 2013 Community Engagement process) Council is confident in being able to significantly reduce the quantum of the backlog, and therefore the infrastructure backlog ratio, further.

Improving Asset Maintenance

Council recognises the importance of preventative maintenance, particularly in order to ensure that assets reach their anticipated useful life / design life.

It is worthy of note, again, that as part of Council's Community Engagement Regarding Levels of Service from 2013, the community agreed to pay more for infrastructure maintenance via a Special Rate Variation in order to maintain current levels of service.

Council has made significant investments in the implementation of the Reflect maintenance management system (particularly for roads, but it is being rolled out across other asset classes) including GPS enabled mobile technology to that means maintenance activities are carried out more efficiently and also gathering data on assets requiring significant maintenance (which then informs renewal programs).

Over the medium term these initiatives, together with a focus on assets having a high maintenance cost (and those presenting an economic risk to Council) it is expected that both the cost of maintenance (the numerator) and required maintenance (the denominator) will decrease, thereby improving the result in the asset maintenance ratio.

Improving Infrastructure Program Management

Council has established an infrastructure program management function with primary responsibility for delivering infrastructure related works programs through both internal and external service providers.

This has resulted in better forward programming and specification of works (doing the right treatment to renew assets), improved information being fed back to the strategic asset planning function (to refine future works programs) and greater accountability for internal service providers (decreasing costs of infrastructure maintenance and renewal).

Improved program management improves all infrastructure-related ratios including:

- Operating performance ratio, because depreciation is reduced by increasing useful life and decreasing renewal cost (both a focus of program management engineers for each asset class)
- Building and asset renewal ratio, because depreciation is reduced
- Infrastructure backlog ratio, because the "backlog" will be better targeted for reduction and the cost of renewal works (by both internal and external providers) will reduce
- Asset maintenance ratio, because actual maintenance costs will reduce as a result of greater accountability
- Real operating expenditure will reduce because of better program management

Improving the Competitiveness of Internal Service Provision

Council has also established its works department, CityWorks, as a commercialised business unit. In addition to providing services to council, CityWorks provides services to a range of state government and private customers (e.g. \$8.5M reconstruction of Cook Drive and Pacific Highway under an Alliance Contract with RMS, multi-million dollar projects to relocate water and sewerage mains for Leighton-Fulton Hogan Joint Venture and RMS, road and bridge construction for Bellingen Shire Council).

This exposure to the market is improving competitiveness and building capacity, which then applies to works carried out for council thereby reducing the unit cost of renewal works (meaning more work can be completed for current funding) to address “unsatisfactory” assets and therefore reducing the infrastructure backlog ratio.

Summary

Further improving Council’s asset management to ensure appropriate policy and accurate information is used will optimise maintenance costs, asset renewals (useful lives), depreciation and the measurement of infrastructure backlog. For modelling purposes improved asset management reduces depreciation by \$4.5M p.a.

A new backlog methodology has also been applied, consistent with the new MIDROC regional approach, to include costs to bring to ‘satisfactory’ for condition 4 (where renewal is required) and condition 5 (where urgent renewal is required) assets only. This excludes condition 3 assets where maintenance is required, but not renewal. In terms of Infrastructure and Service Management benchmarks this:

- ⇒ improves the Infrastructure Backlog Ratio; and
- ⇒ improves the Asset Maintenance Ratio.

Explain the key assumptions that underpin your strategies and expected outcomes.

Included in above commentary.

3.2 Infrastructure and Service Management

Outline your strategies and outcomes in the table below.

3.2 Infrastructure and service management

Objective	Strategies	Key milestones	Outcome	Impact on other measures
1. Challenge the validity of current assumptions informing asset valuation	a) Undertake a benchmarking exercise against other councils and industry experts to review useful life and renewal cost of all transport assets b) Adopt revised values for useful life and replacement cost	Completion of revaluation by June 2015.	It is expected that useful lives will increase, increasing WDV (denominator in infrastructure backlog ratio) and therefore improving the result.	The most significant impact is expected to be a reduction in depreciation, and therefore operating expenses (increasing the numerator in operating performance ratio and denominator in building and asset renewal ratio) and therefore improving both results.
2. Review asset renewal strategies	a) Review drivers for renewal (levels of service, minimising life cycle cost, risk)	Finalisation of prioritisation methodologies for	Differentiating between assets that represent a high risk (and are	Potential for reduction in infrastructure-related

	<ul style="list-style-type: none"> b) Review classification of “unsatisfactory” assets c) Formulate new renewal program based on improved prioritisation methodology 	<p>transport and buildings by May 2015 and production of revised renewal programs and list of backlog infrastructure.</p>	<p>therefore “unsatisfactory”) v’s assets requiring renewal in the medium term will potentially significantly reduce the estimated cost to bring to satisfactory (numerator in infrastructure backlog ratio) and therefore improving the result.</p>	<p>expenditure by better targeting available funds (reducing numerator in real operating expenditure) therefore improving the result.</p>
<p>3. Review asset maintenance strategies</p>	<ul style="list-style-type: none"> a) Detailed analysis of maintenance effort in the context of drivers (levels of service, minimising life-cycle cost, risk) b) Formulate revised maintenance strategies to improve prioritisation and resource effectiveness / efficiency 	<p>Completion of review by May 2015</p>	<p>Better targeting maintenance expenditure may reduce required maintenance (denominator in asset maintenance ratio) although this is considered unlikely (Council has identified the need to invest more in preventative maintenance).</p>	<p>More effective maintenance techniques will extend useful life, reducing depreciation (increasing numerator in operating performance ratio and denominator in building and asset renewal ratio) therefore improving the result. May reduce required maintenance over</p>

				time and therefore numerator in real operating expenditure, improving the result.
4. Increased competitiveness of infrastructure-related service provision	<ul style="list-style-type: none"> a) Increase accountability for internal service providers through more effective program management b) Commercialisation of internal service provider (CityWorks) 	Ongoing implementation	Reduction in the unit costs of asset renewal and maintenance work will reduce numerator in infrastructure backlog ratio and denominator in asset maintenance ratio) therefore improving both results.	Increased revenues from commercial activities (increasing the numerator in own source revenue) will improve result.
5. Implement SRV funded asset maintenance and renewal program	<ul style="list-style-type: none"> a) Levy SRV b) Implement works program 	Delivery Program adoption June 2015 and June 2016 and ongoing	<p>Funding stream established</p> <p>Works program delivered</p>	Positive impact on operating performance ratio, building and asset renewal ratio and infrastructure backlog ratio

3.3 Efficiency

Summarise your council's key strategies to improve performance against the Efficiency measures in the 2016-20 period, including the outcomes you expect to achieve.

Real Operating Expenditure per capita is currently on an increasing trend and is expected to continue in the near term as the maintenance costs are increased to properly maintain transport, buildings and parks and reserves infrastructure assets in line with Council's proposed Special Rate Variations. This increase will reflect in achievement of an Asset Maintenance Ratio level, which is considered satisfactory. The full Special Rate Variation program of maintenance works will be in place by 2016/2017.

Council's Transformation to Sustainability (T2S) Program is currently being implemented to transform the organisation and find estimated annual efficiency savings of \$3.2M by 2016/2017. Therefore, once these efficiencies are realised and after the Special Rate Variation asset maintenance expenditure has stabilised, it is expected that the Real Operating Expenditure Per Capita ratio will start to decrease. However, in the long term any improvement is still constrained by factors, which the current measurement of the ratio may not adequately take into account, such as:

- the level of Award based salary increases;
- ongoing cost shifting from other tiers of government;
- community services levels remaining constant over time; and
- growth that does not necessarily improve economy of scale.

Transformation to Sustainability (T2S) Program

The T2S Program will produce efficiencies and cost reductions in service delivery, currently estimated at \$3.2 million per annum after three years. For modelling purposes T2S reduces operating costs and invests in asset renewals (capital) (\$2M from 2016/2017 and \$3.2M from 2017/2018). Employee costs have been indexed at 3% p.a. and Material and Contracts indexed at 2.5% p.a. In terms of the Efficiency benchmark this:

⇒ decreases Real Operating Expenditure Per Capita.

Special Rate Variations (SRV)

The three year SRV for the ordinary general rate, of which one year has been implemented and the remaining further two years approved by IPART on 19 May 2015, to generate after three years \$6.2 million in additional revenue dedicated for infrastructure maintenance and renewal. For modelling purposes the SRV increases revenue (growing to \$6.2M by 2016/2017) and invests in asset renewals (capital) and increases asset maintenance costs. In terms of the Efficiency benchmark this:

⇒ increases Real Operating Expenditure Per Capita in the near term.

Improving Asset Management

Further improving Council's asset management to ensure appropriate policy and accurate information is used will optimise maintenance costs, asset renewals (useful lives), depreciation and the measurement of infrastructure backlog. For modelling purposes improved asset management reduces depreciation by \$4.5M p.a.

A new backlog methodology has also been applied, consistent with the new MIDROC regional approach, to include costs to bring to 'satisfactory' for condition 4 (where renewal is required) and condition 5 (where urgent renewal is required) assets only. This excludes condition 3 assets where maintenance is required, but not renewal. In terms of the Efficiency benchmark this:

⇒ decreases Real Operating Expenditure Per Capita.

Additional Revenue Opportunities

There is potential to identify additional revenue or growth revenue opportunities, such as the returns from Council's commercial business units and the commercialisation of CityWorks. This strategy is being further progressed through the T2S Program; however, at this stage, no additional revenue sources or dividends have been included in the modelling to support Council's Improvement Proposal. Their inclusion would assist in further decreasing Real Operating Expenditure Per Capita.

North Coast Joint Organisation (JO)

The Fit for the Future guidelines make it clear that councils need to be mindful of the specific recommendations of the Independent Local Government Review Panel (ILGRP) around scale and capacity. In our case, particularly regarding the options for non-metropolitan councils, Coffs Harbour City Council is listed in Group G of Table 11 of the ILGRP Report as a "Council in the North Coast JO". Clarence Valley, Bellingen Shire and Nambucca Shire Councils are proposed as the other members of the North Coast JO.

The Councils of Clarence Valley, Coffs Harbour City, Bellingen and Nambucca Shires took the opportunity to pursue the consideration of the Minister for Local Government and the Office of Local Government to be appointed as one of the Pilot Joint Organisations. The initial application was not successful and a subsequent revised application seeking consideration in the event that other Pilot JOs are to be endorsed has not thus far progressed. Nevertheless, the four Councils that make up the proposed North Coast JO are keen to progress this matter and have continued to meet periodically to discuss the strategic way forward.

Whilst the Councils collectively support the three identified core functions of regional strategic planning, working with state government and regional leadership and advocacy, the four councils also strongly believe that the JO has a role to play in facilitating shared service delivery sooner rather than later to improve financial sustainability, and understanding that this could take many forms.

The pursuit of shared service delivery between these four councils has the potential to yield efficiency gains for each of the member councils of the North Coast JO. These efficiency gains could manifest themselves in a variety of ways; however, it is expected that financial efficiencies could be expected to be realised. It is difficult to quantify the value of these financial efficiency gains until such time as there is the opportunity to examine the business case that would be produced to assist in the consideration of various options for shared service delivery. Nevertheless, we expect that there will be financial efficiencies that will impact the sustainability, infrastructure and service management, and efficiency criteria in a positive manner.

It is also acknowledged that prior to the individual members of the North Coast JO considering pursuit of shared service delivery across the JO region, the individual member councils will need to undertake a policy decision making process within their respective organisations regarding the pursuit of shared service delivery. The member Councils will need to consider the pros and cons of any shared service delivery proposal carefully and arguably in consultation with their respective workforces. This is part of a natural, considered and evidenced based decision making process.

Given the NSW Government's timetable for the implementation of Joint Organisations, at this stage the four Councils can expect to be part of a Joint Organisation from September 2016 at the latest. Allowing for a consultative decision making process as intimated above, it is likely that some level of financial efficiencies from shared service delivery could be anticipated toward 2020, albeit difficult to quantify at this point in time.

This should influence the assessment of the efficiency criterion in a positive manner and accordingly should be taken into account when assessing Coffs Harbour City Council's submission regarding it being Fit for the Future.

Explain the key assumptions that underpin your strategies and expected outcomes.

Assumptions are the development of a more appropriate measure to adequately address external and other factors uncontrollable by Council; and the legislative mandate for a Joint Organisation to deliver shared services and the necessary policy decision by the member Councils.

3.3 Efficiency

Outline your strategies and outcomes in the table below.

3.3 Efficiency

Objective	Strategies	Key milestones	Outcome	Impact on other measures
1. Establish baseline for cost structures	a) Implement existing strategies including T2S Program, SRV and Improved Asset Management	October 2016	Baseline established for cost structures as at 30 June 2016	N/A
2. Improve efficiency performance	a) Identify additional efficiency actions	May 2017 and ongoing	Further improved efficiency performance	N/A
3. Joint Organisation shared services delivery	a) Explore opportunities with member Councils	June 2017	Shared services identified for delivery	N/A

3.4 Improvement Action Plan

Summarise the key improvement actions that will be achieved in the first year of your plan.

Action plan

Actions	Milestones
1. Continue implementation of Transformation to Sustainability (T2S) Program	September 2015 – New operating structure finalised December 2015 – Establish a service quality framework for each Division December 2015 – Realise efficiency and improved service delivery in sourcing, purchasing and procurement December 2015 – Develop a customer service improvement strategy March 2016 – Reengineer all internal processes
2. Implement approved Special Rate Variation for 2015/2016 and 2016/2017	May 2015 - IPART determination ✓ June 2015 – Make rates for 2015/16 April 2016 – Assessment of SRV requirement for 2016/17 June 2016 – Make rates for 2016/17

<p>3. Continue the implementation of Asset Management Improvement initiatives</p>	<p>May 2015 – Asset Management Strategy reviewed</p> <p>May 2015 – Asset revaluations incorporating new methodology completed for Transport and Drainage</p> <p>July 2015 – Asset Management Strategy adopted</p> <p>August 2015 – Infrastructure Backlog calculated for 2014/15 based on new methodology</p> <p>December 2015 – New Asset Management Plans adopted</p>
<p>4. Implement Enterprise Resource Planning modules to support the T2S Program and Asset Management Improvement</p>	<p>April 2015 – Procurement of enterprise system modules completed</p> <p>June 2015 – Recruitment of ERP Project Leader</p> <p>July 2015 – Commencement of implementation</p> <p>July 2016 – Go-live for core system modules</p>
<p>* Please attach detailed action plan and supporting financial modelling</p>	

Attachments

- Financial Modelling
- T2S High-Level Program Implementation Plan
- T2S Status Report 15 May 2015 (Confidential)
- ERP Program Implementation Plan

Outline the process that underpinned the development of your Action Plan.

For example, who was involved, any external assistance, consultation or collaboration, and how the council has reviewed and approved the plan.

Consultation

Level of Service Community Engagement (October 2013)

Council at its meeting on 26 September 2013 endorsed a 'Level of Service' – community engagement process which was undertaken in October 2013. The objective of this process was to seek community feedback on preferred levels of service and proposed funding solutions to meet those service levels. This feedback was received through community responses and comments made via a 'Budget Allocator' tool.

Feedback from this engagement made clear that the community values the services Council currently delivers and was willing to pay more to maintain these rather than see levels of service reduced.

Proposed 3-Year SRV Community Engagement (December 2013)

The second phase of the engagement process, which commenced in December 2013 sought community feedback on proposed steps to be taken to adopt a financially sustainable position, including the proposal for a three-year SRV and further funding options to close the remainder of the 'gap' to financial sustainability. Council in phase two engaged the community through various channels – all of which had a focus on seeking feedback via a 'proposed rate rise' survey.

The survey (in both on-line and hard copy formats) was made available to the open public as well as council's online community reference group. The survey asked if the community would support Council applying for a rate increase over a three-year period to help pay for ongoing renewal and maintenance of the assets needed to deliver services to the community.

In 2014, Council applied for a permanent Special Rate Variation (SRV) to be phased in over three years to generate revenue to address a \$6.2 million shortfall in funding for infrastructure maintenance and renewal across Coffs Harbour. The Independent Pricing and Regulatory Tribunal (IPART) acknowledged the merit of the application but approved only the first year of the SRV (2014/2015), suggesting that the extent of the 'rate rise' in percentage terms was communicated ambiguously.

Proposed 2-Year SRV Community Engagement (November 2014)

Council's most recent Community Engagement Program, which commenced in November 2014, sought community feedback on a proposed SRV which incorporates a permanent multiple year rate increase over a two year period (commencing 2015/2016) – being the period previously not approved by IPART.

Council engaged the community through various channels including a 20-page community brochure 'Funding Our Future' which was sent to over 25,000 households, e-newsletters, various media releases, four information stalls (Growers Market and Harbour-side Market) and Council's page in *The Coffs Coast Advocate* – all of which had a focus on seeking feedback via Council's 'Funding Our Future' proposed rate rise survey.

The Funding Our Future brochure explained that in conjunction with the SRV proposal, Council was implementing significant cost reduction and efficiencies through the Transformation to Sustainability (T2S) Program.

External Assistance

Transformation to Sustainability (T2S) Program

On 14 November 2013 Council resolved to endorse the T2S project and proceed with the development of Terms of Reference for the engagement of a suitable consulting firm to conduct an organisational diagnostic and prepare a detailed business case and proposed implementation plan.

On 10 July 2014 Council resolved to:

1. Note the Organisation Diagnostic, Business Case and the Indicative Program Plan prepared by the consultants engaged to undertake this aspect of the T2S Project, namely LKS Quaero.
2. In acknowledging its civic leadership role, endorse the further implementation of the T2S Project, particularly in light of the projected efficiency gains that will assist Council in achieving financial and operational sustainability.

LKS Quaero Ltd formulated a total of 32 recommendations out of the Organisational Diagnostic in response to issues identified. 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.

Council then called for tenders for the provision of consultancy services to support delivery of the T2S Program and on 23 October 2014 Council resolved to appoint LKS Quaero.

Peer Review of Improvement Proposal

Council commissioned AEC Group to peer review its draft Fit for The Future Improvement Proposal to provide quality assurance to Council. The Executive Summary of the review report stated:

Coffs Harbour City Council (Council) has prepared a draft Fit for the Future (FFTF) Improvement Proposal which aims to meet the requirements of the Fit for the Future program Expert Advisory Panel – the Independent Pricing and Regulatory Tribunal (IPART). AEC was commissioned to review relevant sections of the proposal for appropriateness of the financial inputs, assumptions and identify improvements or other strategies that may assist in enhancing Council's overall financial sustainability position.

Council has demonstrated that it has been proactive towards becoming a financially sustainable, with approving the implementation of the Transformation to Sustainability (T2S) Program in July 2014, as developed by LKS Quaero Ltd. In addition, and providing certainty of future rating revenue, was the recent SRV approval by IPART in May 2015.

The following outcomes of AEC's reasonableness test of Coffs Harbour City Council's long-term financial modelling and FFTF Improvement Proposal are noted below:

- *The FFTF Improvement Proposal is comprehensive, with only minor changes recommended principally around the ratios (and in particular the efficiency ratio);*
- *AEC can confirm that Council's proposal includes strategies that are appropriate and robust and have a high degree of confidence attached to their resulting impact on financial sustainability outcomes and indicators;*
- *Council is not reliant on a potential SRV to ensure its ongoing financial sustainability, having been approved for the second and third phases of its 2014/15 SRV proposal in May 2015 for implementation in 2015/16;*
- *In conjunction with the approved SRV, Council has also been proactively undertaking a range of other reviews to maximise operational cost savings (e.g. the T2S Program which estimates that by year three there is projected savings of \$3.2 million, increasing to \$3.4 million after year three) and more accurately determine its consumption of assets;*
- *It might be expected that other additional revenues and cost savings are realised moving forward as a result of other initiatives (e.g. property review to commence in 2015/16, potential North Coast JO) that are not quantified in the Improvement Proposal, all of which would further improve Council's sustainability;*

- *Council's results show that it is able to meet or show improvement in all seven ratios for the 2016/17 to 2019/20 forecast period to meet the IPART requirements to be Fit for the Future; and*
- *The key focus for Council beyond the forecast horizon is to ensure that the Building and Infrastructure Renewals Ratio and the Asset Maintenance Ratio are further progressed towards their respective targets.*

A review by AEC of potential additional strategies beyond those already implemented or under investigation by Council highlighted that the scope for additional investigations and strategies is quite limited, given that Council is undertaking the T2S Program.

3.5 Other actions considered

In preparing your Improvement Action Plan, you may have considered other strategies/actions but decided not to adopt them. Please identify what these strategies/actions were and explain why you chose not to pursue them.

Consideration of Reductions in Current Levels of Service Delivery

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 \$1.8M 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 (e.g. 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.

4. How will your plan improve performance?

4.1 Expected improvement in performance

Measure/ benchmark	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	Achieves FFTF benchmark?
Operating Performance Ratio (Greater than or equal to break-even average over 3 years)	-15.57%	-12.54%	-6.89%	-2.62%	-0.13%	1.68%	Yes
Own Source Revenue Ratio (Greater than 60% average over 3 years)	72.98%	75.19%	76.42%	79.49%	80.23%	80.54%	Yes
Building and Infrastructure Asset Renewal Ratio (Greater than 100% average over 3 years)	59.17%	77.84%	86.34%	83.09%	88.33%	91.65%	No – Improving
Infrastructure Backlog Ratio (Greater than 2%)	2.05%	2.17%	2.08%	1.98%	1.89%	1.79%	Yes
Asset Maintenance Ratio (Greater than 100% average over 3 years)	80.16%	82.80%	89.56%	92.05%	93.46%	93.92	No - Improving
Debt Service Ratio (Greater than 0% and less than or equal to 20% average over 3 years)	6.05%	6.20%	5.66%	4.62%	3.61%	3.11%	Yes
Real Operating Expenditure per capita A decrease in Real Operating Expenditure per capita over time	10/11 1.285 11/12 1.207 12/13 1.383	11/12 1.244 12/13 1.426 13/14 1.381	12/13 1.470 13/14 1.423 14/15 1.318	13/14 1.473 14/15 1.364 15/16 1.353	14/15 1.417 15/16 1.405 16/17 1.377	15/16 1.446 16/17 1.417 17/18 1.393	Yes

13/14 1.339	14/15 1.278	15/16 1.307	16/17 1.326	17/18 1.354	18/19 1.386		4
14/15 1.240	15/16 1.268	16/17 1.281	17/18 1.304	18/19 1.347	19/20 1.372		
Decreasing	Increasing	Decreasing	Decreasing	Decreasing	Decreasing		

4.1 Expected improvement in performance

If, after implementing your plan, your council may still not achieve all of the Fit for the Future benchmarks, please explain the likely reasons why.

For example, historical constraints, trade-offs between criteria, longer time required.

Although Council does not technically achieve the 100% benchmark thresholds for the Building and Infrastructure Asset Renewal Ratio and the Asset Maintenance Ratio, Council's General Fund has significant capacity to undertake further borrowings for asset renewal and maintenance. However, given both benchmarks by 2019/2020 are greater than 90% and have been improving, this strategy is not recommended at this time. Such borrowing would also reduce the Operating Performance Ratio which is considered even less desirable.

Finally, to improve other benchmarks, such as the Asset Maintenance Ratio, Real Operating Expenditure per Capita is actually increased in the near term. However, a reduction is achieved once expenditure becomes normalised from 2016/17 onwards.

5. Putting your plan into action

How will your council implement your Improvement Action Plan?

For example, who is responsible, how the council will monitor and report progress against achieving the key strategies listed under Section 3.

Transformation to Sustainability (T2S) Program Implementation

At its ordinary meeting of 10 July 2014, Coffs Harbour City Council noted the outcomes of the first stage of the T2S Program (the Organisation Diagnostic, Business Case and the Indicative Program Plan) and endorsed its further implementation.

A key recommendation (R14) in the Organisation Diagnostic (which informs the Business Case and Implementation Plan) was the establishment of a formal Program Management Office (PMO) to oversee the implementation of the internal change program, and to monitor and communicate the benefits that are achieved.

The T2S Program Board oversees all activity related to the Transformation 2 Sustainability Program. More specifically the Program Board is responsible for:

- The overall governance of the T2S program;
- Approval of the detailed program plan;
- Resolving any potential corporate conflicts on the critical path of the T2S program;
- Ensuring the direction of the T2S program is aligned with the organisations strategic and corporate objectives;
- Reporting to Council on a regular basis on the progress of the T2S program, benefits realisation and risk management plans (this includes quarterly Councillor briefings) ;
- Ensuring the T2S program objectives are met;
- Determining costs and savings to be accounted for in in the Invest to Save Bank;
- Establishing the priority of projects, and resolving competing demands for resources and funds;
- Reviewing and approving new T2S program initiatives;
- Monitoring and acting on risks associated with T2S program initiatives;
- Taking action to ensure the T2S program is delivered within the agreed budget and timeframe;

- Ensuring the T2S program adopts a structured methodology that is consistently applied across all program initiatives;
- Modelling the behaviours that demonstrate the values of the T2S program and CHCC; and
- Ensuring a culture of personal and organisational accountability is consistent through the T2S program initiatives.

The T2S Program Board is comprised of the following - post structure recruitment:

- General Manager
- Director Business Services
- Director Sustainable Infrastructure
- Director Sustainable Communities

The detailed Program structure (attached) sets out the responsibilities for the individual projects within T2S.

Special Rate Variation (SRV) Implementation

The responsibility of Council to monitor and report progress is clearly defined in IPART's determination in regard to the special rate variation application and the details are set out below.

IPART's approval of Coffs Harbour City Council's application for a special variation over the period from 2015/16 to 2016/17 is subject to the following conditions:

- The council uses the additional income from the special variation for the purposes of rehabilitation, maintenance and renewal of infrastructure as outlined in the council's application
- The council reports in its annual report for each year from 2015-16 to 2024-25 on:
 - the actual revenues, expenses and operating balance against the projected revenues, expenses and operating balance, as outlined in the Long Term Financial Plan provided in the council's application,
 - any significant variations from its proposed expenditure as forecast in the current Long Term Financial Plan and any corrective action taken or to be taken to address any such variation
 - expenditure consistent with the council's application and listed in Appendix A, and the reasons for any significant differences from the proposed expenditure, and

- the outcomes achieved as a result of the actual program of expenditure.
- The council reports in its financial statements (currently in Special Schedule 9) each year from 2015-16 to 2024-25 on its compliance with the special variation and these conditions.

Council will consider the application of the SRV to ratepayers through the rating structure in each of June 2015 and June 2016.

Improved Asset Management Implementation

Through the adoption of a new Asset Management Strategy and new Asset Management Plans during the second half of 2015, the basis for further asset management improvements will be in place. New full asset life cycle processes will be supported by a new Enterprise Asset Management System as part of the rollout of Enterprise Resource Planning (ERP) system modules programed for implementation and go-live by July 2016.

Executive Summary

Coffs Harbour City Council (Council) has prepared a draft Fit for the Future (FFTF) Improvement Proposal which aims to meet the requirements of the Fit for the Future program Expert Advisory Panel – the Independent Pricing and Regulatory Tribunal (IPART). AEC was commissioned to review relevant sections of the proposal for appropriateness of the financial inputs, assumptions and identify improvements or other strategies that may assist in enhancing Council's overall financial sustainability position.

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- It might be expected that other additional revenues and cost savings are realised moving forward as a result of other initiatives (e.g. property review to commence in 2015/16, potential North Coast JO) that are not quantified in the Improvement Proposal, all of which would further improve Council's sustainability;
- Council's results show that it is able to meet or show improvement in all seven ratios for the 2016/17 to 2019/20 forecast period to meet the IPART requirements to be Fit for the Future; and
- The key focus for Council beyond the forecast horizon is to ensure that the Building and Infrastructure Renewals Ratio and the Asset Maintenance Ratio are further progressed towards their respective targets.

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REPORT TO ORDINARY COUNCIL MEETING

DEVELOPMENT APPLICATION NO. 0504/15 – DEMOLITION OF MOTEL, CONSTRUCTION OF MIXED USE DEVELOPMENT COMPRISING HOTEL, RETAIL PREMISES AND MULTI DWELLING HOUSING - LOT 56 DP 1187099, 78 BEACH STREET, WOOLGOOLGA

REPORTING OFFICER:	Manager Development Assessment
DIRECTOR:	Director, Sustainable Communities
COFFS HARBOUR 2030:	LP 3.1 Establish and maintain a balanced mix of commercial and residential opportunities PL 1.5 Encourage innovative development that embrace our climate and local environment PL 1.2 Provide infrastructure that supports sustainable living and is resilient to climatic events PL 1.6 Reinforce the unique identity of villages and communities MA 2.2 Facilitate safe traffic, bicycle and pedestrian movement
ATTACHMENTS:	ATT1 Development Application 0504/15 - Section 79C ATT2 Development Application 0504/15 - Plans ATT3 Development Application 0504/15 - Conditions ATT4 CONFIDENTIAL Development Application 0504/15 - Submissions

Recommendation:

- 1. That Development Application No. 0504/15 for demolition of Motel, construction of Mixed Use Development comprising Hotel, Retail Premises and Multi Dwelling Housing at Lot 56, DP1187099, 78 Beach Street, Woolgoolga be approved subject to the conditions provided in Attachment 3.**
 - 2. That persons who made a submission on Development Application No. 0504/15 be informed of Council's decision.**
 - 3. That Council commence the process to extend the Alcohol Free Zone in Woolgoolga to incorporate Younger Lane**
-

EXECUTIVE SUMMARY

This report provides an assessment of Development Application 0504/15 for demolition of motel, construction of hotel, retail premises and multi dwelling housing at Lot 56, DP1187099, 78 Beach Street, Woolgoolga. The application was advertised and notified and a total of three (3) submissions were received, all of which raised objections to the proposed development. It is recommended that the application be granted conditional approval.

At its meeting of 15 December 2005, Council resolved:

- 1. That development applications for approval involving substantial aspects of the following elements be referred to Council for determination:*
 - Significant public interest and community input;*
 - Substantial non-compliance with relevant strategic controls;*
 - Significant land use;*
 - Major environmental issue(s);*

Accordingly, this matter is reported to Council for determination due to the proposal involving a significant land use.

REPORT

Description of Item:

- **The Site**

The site is identified as Lot 56, DP 1187099, 78 Beach Street, Woolgoolga and comprises a motel (10 units) and a two storey manager's residence. The site is zoned B2 Local Centre pursuant to Coffs Harbour Local Environmental Plan 2013 and is located within the Woolgoolga Central Business District. The site has dual public road frontages and can be accessed from Beach Street and Younger Lane.



- **The Development:**

The proposed development involves demolition of the existing motel and construction of a contemporary designed, mixed use three storey building, comprising the following uses:

- Two (2) retail premises (shops) and 28 onsite car parking spaces located on the ground floor, with driveway access from Beach Street and Younger Lane.
- A hotel, bar, toilets, indoor lounge areas and outdoor alfresco area, located on the first floor.
- Four (4) residential units, located on the second floor.
- The proposed hours of operation of the hotel are Monday to Sunday 7.00am – 12 midnight with outdoor areas closed by 10.00pm. The hours of operation of the shops will be 9.00am -5.00pm daily.

- **Development History:**

The site has a recent history of development approvals for a mixed use development similar to the current development application (DA).

On 23 January 2009, development consent (1314/07DA) was granted for a four storey building comprising a basement level car park with 25 car parking spaces, ground level hotel and eight (8) accommodation units on the first and second floor. The total car parking requirement for the development was 69 spaces, resulting in a shortfall of 44 spaces. A condition of consent was imposed requiring a monetary contribution to be paid for the remaining 44 spaces, in accordance with the Woolgoolga Town Car Parking Developer Contributions Plan 2004. The DA has been physically commenced with minor engineering works.

On 12 December 2013, development consent (0765/13DA) was granted for a two storey building comprising a ground floor hotel and four (4) residential units on the first floor. The total car parking requirement for the development was 66 spaces and 6 spaces were provided onsite. At the time the DA was being considered, Council was unable to impose a condition of consent requiring a monetary contribution to be paid for the remaining 60 spaces, because the limited number of spaces identified in the Woolgoolga Town Car Parking Developer Contributions Plan, had already been allocated to previous developments, including 1314/07DA. To avoid any delays associated with waiting for the Contributions Plan to be updated, the Proponent decided to submit a voluntary planning agreement (VPA), which involved payment to Council for the construction of 60 car spaces in lieu of the provision of onsite car parking. At this stage, the Proponent and Council have not formally entered into the VPA, no payment has been made to Council and the development consent has not been physically commenced.

Issues:

- **Car Parking**

The current DA has responded to some of the previous historical concerns in relation to the lack of onsite car parking and will provide 28 onsite car parking spaces. Council has determined that the total car parking requirements for the current DA is 64 spaces, resulting in a short fall of 36 spaces. At this stage, Council remains unable to impose a condition of consent requiring a monetary contribution to be paid for the remaining 36 spaces, because the Woolgoolga Town Car Parking Developer Contributions Plan has not been reviewed and is unlikely to be amended until the Woolgoolga WOW project has been completed.

As an alternative to submitting a new VPA for car parking, the Proponent has elected to pay for 36 car parking spaces under 1314/07DA and use these car parking credits to satisfy car parking for the current DA. This approach is consistent with component C2.3.2 (e) i) of Coffs Harbour Development Control 2013, which is reproduced as follows:

Car Parking Credits for Developments

i) Where a developer contribution for car parking has previously been paid for a current approved use on a development site, new development will be entitled to car parking credits equivalent to the number of spaces for which developer contributions were received by the Consent Authority.

Payment of contributions (indexed to current figures) for 36 car parking spaces was made by the Proponent on 27 May 2015 and the site therefore has a car parking credit of 36 spaces. It is considered that the car parking requirements for the current DA have been satisfied by the provision of 28 on site car parking spaces and payment of developer contributions for 36 spaces under 1314/07DA.

Options:

1. Adopt the recommendation thereby granting consent to the application, subject to the draft conditions
2. Reject the recommendation and list reasons for refusal to the application.

It is recommended that Council pursue option one as outlined above.

Sustainability Assessment:

• **Environment**

The subject site is located in an active urban environment surrounded by commercial land uses. The proposed building will be a focal point for community interaction, within a high frequency pedestrian and traffic movement environment. An existing beachfront caravan park and playground is located directly opposite the site. It is considered that the form and function of the proposed development will be compatible with surrounding land uses.

Conditions of consent are recommended to minimise the impacts of the development on the natural environment during the construction and operational phase of the development.

• **Social**

It is acknowledged that licensed premises have the potential to contribute to a range of social impacts, both positive and negative. To identify and address these impacts, a Social Impact Assessment (SIA) was prepared by the Proponent and submitted with the DA. The investigations, conclusions and recommendations of the SIA are considered further in the Section 79C Evaluation appended to this report (Attachment 1).

In summary, it is considered that the proposed development is likely to have an overall benefit to the community and make a positive contribution to the town centre of Woolgoolga, by providing employment, residential accommodation and support for local businesses and the tourism industry. The proposed hotel is intended to be a family oriented tavern that provides areas for indoor and alfresco dining and consumption of alcohol. The site is located within a designated alcohol free zone (AFZ) and the unregulated consumption of alcohol in public areas around the entryway to the premises will not be permitted. An extension of Council's Alcohol Free zone is recommended in Younger Lane, to address any concerns about the consumption of alcohol in public areas and associated anti-social behaviour.

The development will be required to operate in accordance with conditions imposed by Council and the Office of Liquor, Gaming and Racing through its liquor license conditions, which will assist in minimising the potential for adverse social impacts.

- **Civic Leadership**

Council has a statutory role in assessment of development applications in accordance with the *Environmental Planning and Assessment Act* and Regulations. This report and the recommendation will assist Council in carrying out this role.

- **Economic**

Broader Economic Implications

It is considered that the proposal will have a positive economic impact associated with the initial construction and subsequent operation of the development.

Delivery Program/Operational Plan Implications

There are no significant implications for Council's Delivery Program / adopted Operational Plan resulting from the proposal.

Risk Analysis:

Risk analysis matters have been considered and it is considered that approval of the development application as recommended does not pose a significant risk to Council.

Consultation:

The DA was advertised and notified in accordance with Council's Development Control Plan and a total of three (3) submissions were received which raised objections to the DA. A detailed analysis of the submissions received and Council's response to the issues raised is included in the Section 79C Evaluation appended to this report as Attachment 1.

Full copies of the submissions are a confidential attachment to this report. The submissions have been included as a confidential attachment as they contain personal and private information that is not appropriate to be fully disclosed under the *Privacy and Personal Information Protection Act*.

The application has been reviewed by the NSW Police and Council's technical sections and their comments and conditions have been incorporated into this report and the recommended consent conditions.

Related Policy, Precedents and / or Statutory Requirements:

- **Our Living City Settlement Strategy – February 2008**

The Our Living City Settlement Strategy provides for urban land release in the Coffs Harbour region to satisfy the broader objectives of creating a strong regional economy, a vibrant community and a healthy environment. While the strategy does not specifically reference the site or proposal, it is considered that the development is consistent with the strategy and will assist in meeting the aims and objectives of the strategy.

- **Mid North Coast Regional Strategy**

The Mid North Coast Regional Strategy is an overarching planning document which guides Councils in setting regional parameters for future strategic planning. While the strategy does not specifically reference the site or proposal, it is noted that the proposed development is permissible with development consent in the zone and complies with Councils adopted planning guidelines. It is considered that the development will assist in meeting the aims and objectives of the strategy.

- **Statutory Planning Controls**

The statutory instruments relevant to the development include the following:

- *State Environmental Planning Policy No. 55 – Remediation of Land;*
- *State Environmental Planning Policy No. 71 – Coastal Protection;*
- *State Environmental Planning Policy (SEPP) No 65 – Design Quality of Residential Flat Development*
- *State Environmental Planning Policy (SEPP) No 64 - Advertising and Signage*
- *Coffs Harbour City Local Environmental Plan 2013;*
- *Coffs Harbour Development Control Plan 2013;*

Each of these statutory instruments is considered in detail in the Section 79C assessment appended to this report as Attachment 1.

Implementation Date / Priority:

In the event that Council adopts the recommendation, a formal notice of determination will be issued for the DA and persons who made a submission will be notified. A formal notice of determination is valid for five years and the applicant can act on the development consent at any time within that period, subject to meeting any relevant conditions of the consent.

Conclusion:

A comprehensive assessment of the DA has been undertaken in accordance with all statutory requirements. It is considered that the current DA is an improvement on previous developments on the site and addresses the historical concerns relating to onsite car parking. The addition of retail premises on the ground level fronting Beach Street, will assist in integrating the development with existing shop fronts and activating the streetscape and contributing to a multifunctional town centre. The proposal complies with all applicable planning development standards and guidelines and it is therefore recommended that the DA be granted conditional approval.

**Development Application 0504/15
Section 79C Assessment**

a. the provisions of,

i. any environmental planning instrument, and

• ***State Environmental Planning Policy No. 55 – Remediation of Land***

Clause 7 of this state policy specifies that the consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. Investigations of the development site have been carried out in accordance with guidelines relevant to this state policy, which have found no evidence of any potential contamination of the land. The land is therefore considered suitable for the proposed development.

• ***State Environmental Planning Policy (SEPP) No 71 - Coastal Development***

The proposed development meets the relevant provisions and is consistent with the aims of this policy.

Clause 7 of the SEPP requires Council to take matters as listed in Clause 8 into consideration when determining development applications. Clause 8 matters have been taken into consideration in the assessment of the proposed development.

- The proposed development does not have frontage to a beach, estuary, coastal lake, headland, and cliff or rock platform. The proposed development will therefore have minimal impact on these locations.
- The proposed development does not change, impede or diminish public access to or along the coastal foreshore.
- The development is considered suitable given its type, location and design and its relationship with the surrounding area.
- The proposed development will not result in a detrimental impact on the amenity or scenic qualities of the coastal foreshore, including significant overshadowing of the coastal foreshore and no significant loss of views from a public place to the coastal foreshore. There is no expected impact on existing wildlife corridors, the animal, fish or plants and their inhabitants.
- The proposed development is not affected by coastal processes or coastal hazards. The proposed development will not result in potential for conflict between land-based and water-based coastal activities.
- It is not known whether items of heritage, archaeological, Aboriginal or historic significance exists on the site. A condition will be imposed however requiring building/excavation works to cease should any Aboriginal artifacts be discovered and the Office of Environment and Heritage be contacted immediately.
- The proposed development will be connected to Council's sewer.
- The proposed development will discharge stormwater into Council's stormwater system and consequently not discharge untreated stormwater into the sea, a beach, estuary, coastal lake, coastal creek or other similar body of water, or onto a rock platform.

Attachment 1

- ***State Environmental Planning Policy (SEPP) No 65 – Design Quality of Residential Flat Development***

A design verification statement has been provided by a registered Architect for the development, verifying that the plans for the residential component of the building comply with the design quality principles as set out in Part 2 of the policy.

It is considered that the building will make a positive contribution to the streetscape, by providing active shop fronts at street level, an elevated alfresco area for the licensed premise and contemporary designed residential accommodation, which will overlook and provide surveillance of the street.

The urban design, material finishes and colour scheme will ensure that the building integrates with the streetscape and satisfies the desired future character for new development in the Woolgoolga central business area.

- ***State Environmental Planning Policy (SEPP) No 64 - Advertising and Signage***

This SEPP contains assessment criteria for advertising signage. The proposed business identification signage for the hotel, satisfies the relevant assessment criteria, is appropriately sited and is consistent with other business identification signage in the locality.

- ***Coffs Harbour Local Environmental Plan (LEP) 2013***

Zoning

The subject land is zoned B2 Local Centre under LEP 2013. The proposed development is defined as a hotel, retail premises and multi-unit housing which are permissible with consent.

The proposed development is consistent with the objectives of the B2 Town Centre Zone in accordance with section 2.3 of LEP 2013.

Clause 1.2 Aims of Plan

The development is consistent with the aims of the Coffs Harbour LEP 2013. In particular, the development supports a strong and diverse economy, provides permitted commercial development, is appropriate to its setting and relevant site attributes and incorporates a range of sustainable features.

Clause 4.3 Height of Buildings

The Height of Buildings Map specifies a maximum building height of 15.5 metres for the development site. The proposed development is 3 storeys and has a maximum building height of 10.9m and therefore complies.

Clause 4.4 Floor Space Ratio

The Floor Space Ratio Map specifies a maximum floor space ratio of 1:1 for the site. The site has an area of 1,304sqm. The proposed development has a gross floor area of 1,301sqm and therefore complies.

Clause 5.5 Development within the Coastal Zone

The matters under this clause have been addressed under SEPP 71 – Coastal Development

Attachment 1

Clause 7.1 Acid Sulfate Soils

The subject land is mapped as being class 3 potential acid sulfate soils. A geotechnical report by Coffey Geotechnics indicated the potential for acid sulfate soils greater than 4 metres and groundwater observed at 1.8m below the surface. The current DA will involve minor excavations for the construction of the building slab, which is not considered to present a risk of exposing acid sulfate soils or interfering with groundwater.

Clause 7.3 Flood Planning

The proposed development has been considered in the context of Council's Floodplain Development and Management Policy. The proposed finished floor level is well above the minimum level required.

Clause 7.11 Essential Services

The land is connected to existing water, sewer and electricity and stormwater services. Services can be extended or augmented to accommodate the proposed development as required.

Clause 7.12 Design Excellence

The clause states that development consent must not be granted for development to which this clause applies unless it exhibits design excellence. The clause applies to development in certain zones, including the B2 Local Centre zone. The statement of environmental effects and architectural report have addressed design excellence in relation to:

- the architectural design, materials and detailing to the building type,
- the form, external appearance and the public domain,
- impacts on view corridors,
- the requirements of the Coffs Harbour DCP,
- the suitability of the land for development,
- existing and proposed uses and use mix,
- heritage issues and streetscape constraints,
- the relationship of the development with other development,
- bulk, massing and modulation of buildings,
- street frontage heights,
- environmental impacts such as sustainable design, overshadowing, solar access, wind and reflectivity,
- the principles of ecologically sustainable development,
- pedestrian, cycle, vehicular and service access, circulation and requirements,
- impact on, and improvements to, the public domain.

It is considered that the development will exhibit design excellence having regard to these considerations.

Attachment 1

- ii. **any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has been approved),**

Coastal Hazard Planning Controls

Council resolved at its meeting of 27 November 2014, to seek a Gateway Determination from the Minister for Planning for a Planning Proposal to revise provisions relating to coastal hazards, including the introduction of associated maps in Council's planning controls. The planning proposal was on public exhibition until 6 May 2015.

As the planning proposal has been placed on exhibition, it is a draft environmental planning instrument that requires consideration in the assessment of any development application.

The planning proposal applies to the area of land that is located seaward of the 2100 coastal hazard line. The subject site includes land within this area.

In addition to adding a new map to planning controls described as the "Coastal Hazard Planning Map", it is proposed to include a new provision on Coastal Hazard Planning. Relevant sections of the provision that should be considered for development applications within the "Coastal Hazard Planning Area" are reproduced below.

7.17 Coastal hazard planning

- (3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:*
- (a) *is not likely to cause detrimental increases in coastal hazards to other development or properties, and*
 - (b) *is not likely to alter coastal processes and the impacts of coastal hazards to the detriment of the environment, and*
 - (c) *incorporates appropriate measures to manage risk to life from coastal hazards, and*
 - (d) *is likely to avoid or minimise adverse effects from the impact of coastal processes and the exposure to coastal hazards, and*
 - (e) *provides for the relocation, modification or removal of the development to adapt to the impact of coastal processes and coastal hazards, and*
 - (f) *has regard to the impacts of sea level rise.*

Comment: The development is proposed for part of the land which is landward of the 100 year coastal hazard line. The 2100 hazard zone line takes into consideration a predicted sea level rise of 0.9m. The proposed floor level of the development is above the predicted hazard level for the year 2100.

The proposed development is unlikely to cause increases in coastal hazards to other properties, will not alter coastal processes and allows for evacuation as a measure to manage risk to life from coastal hazards. In summary, the proposed development is considered appropriate with respect to the proposed Coastal Hazard Planning Provisions.

Attachment 1

Draft Coffs Harbour Development Control Plan (DCP) 2015

Draft Coffs Harbour DCP 2015 is currently on public exhibition and if adopted by Council, will replace the current DCP (DCP 2013). The purpose of the plan is to give effect to the aims of the Coffs Harbour Local Environmental Plan (LEP) 2013 to facilitate development that is permissible under LEP 2013 and achieve the objectives of land use zones under LEP 2013.

The proposed development is generally consistent with the objectives and requirements outlined in each applicable component of the Draft DCP.

iii. any Development Control Plan (DCP)

• Coffs Harbour Development Control Plan 2013

The following components of the DCP are relevant to the proposal:

– A2 Notification and Public Participation

The proposed development was publicly exhibited in accordance with the requirements of this component and three (3) submissions were received.

– C1 Design Requirements

The proposed development will provide access to all areas and facilities for persons with a disability in accordance with the Building Code of Australia. A lift will be available for use in the car parking area, as well as a separate lift being provided at the front entrance to the building.

The development has been designed in accordance with safer by design principles for minimising crime risk by providing opportunities for surveillance, access control, territorial reinforcement and space management.

– C2 Access, Parking and Servicing Requirements

The car parking requirement for mixed use development is calculated on the basis of each separate use. However in this instance, one of the uses is a licensed premise and the DCP makes an allowance for licensed premises to prepare a Parking Study to determine an adequate number of car parking spaces. A traffic impact assessment was submitted by the Proponent which concluded that the peak period of demand for car parking was outside of normal business trading hours and on street parking restrictions and therefore 28 onsite car parking spaces was sufficient to cater for the majority of parking demand, which could be supplemented by parking opportunities on the public road network. It was also noted that the use of separate driveways off Beach Street and Younger Lane would assist in alleviating traffic loads and the proposal was contingent on an expanded taxi rank and drop off area and use of a courtesy bus, which would minimise private vehicle usage.

Council's Sustainable Infrastructure Section have considered the Parking Study and assessed the DA based on each separate use and consistent with other similar licensed premises. It has been determined that the development requires a total of 64 car spaces, resulting in a shortfall of 36 car spaces. It is acknowledged that the site benefits from a car parking credit of 36 spaces, as developer contributions were paid under a previous development consent (1314/07DA) on the site.

It is considered that the development has adequately addressed Councils car parking, access and loading requirements for a mixed use development on the land.

Attachment 1

– **C3 Landscaping Requirements**

A concept landscape plan has been submitted with the DA which is generally acceptable subject to a detailed landscape plan being submitted to Council for approval, prior to the issue of a construction certificate.

– **B3 Business Development Requirements**

The proposal generally complies with the development controls under this Plan in relation to building design, density, setbacks, parking and access, flooding, services and landscaping.

– **C4 Signage Requirements**

The development proposes two illuminated business identification signs 2.6 x 0.4m located at the front entrance of the building. The proposed signs will match the colour scheme of the building and will display the words 'Woolgoolga Beach Tavern.' The proposed signage complies with Council's development controls and is considered to be compatible with existing signage in the locality and the desired future character of the area.

The proposed business identification signage satisfies the relevant assessment criteria and is consistent with other business identification signage in the locality.

– **C7 Waste Management**

The development will provide adequate waste management facilities and disposal arrangements in accordance with Council's requirements.

– **C8 Integrated Water Cycle Management**

The development will incorporate water saving measures to reduce water demand and usage and ensure that stormwater runoff is directed to Council's drainage system.

– **D1 Erosion and Sediment Control**

Appropriate erosion and sediment control measures will be applied during the construction phase of the development.

– **D3 Flooding and Coastal Hazards**

The development has been designed in compliance with Council requirements for protection against flooding and coastal hazards.

iiia any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

No Planning Agreement has been offered or entered into for this DA.

Attachment 1

iv. the regulations (to the extent that may prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,

Clause 92 of the Environmental Planning and Assessment Regulations 2000 requires that the NSW Coastal Policy 1997 and certain demolition controls be considered in the determination of development applications. The development is consistent with the goals, objectives and strategic actions outlined in the Coastal Policy. Appropriate conditions will be applied to the consent covering demolition works. Objective 3.2 of this Policy is "*to design and locate development to complement the surrounding environment and to recognise good aesthetic qualities*". The proposal satisfies this objective.

v. any coastal zone management plan (within the meaning of the [Coastal Protection Act 1979](#)), that apply to the land to which the development application relates,

Council at its meeting of the 14 February 2013 adopted the Coffs Harbour Coastal Zone Management Plan. The proposed development is consistent with the plan. The proposed floor level of the development is above the predicted flood level for the year 2100.

b. the likely impacts of that development, including environmental impacts, on both the natural and built environments, and social and economic impacts in the locality,

1. The natural environment

The subject site is located in a highly modified urban environment surrounded by commercial premises and land uses. The establishment of a contemporary mixed use building will make a positive contribution to the built environment, without compromising any natural environmental attributes.

Unlike previous development approvals on the site, the current DA will not involve deep excavation which will negate the potential for any environmental issues associated with disturbance of acid sulfate soils and the water table.

All matters of Section 5A of the Environmental Planning and Assessment Act 1979 have been considered and the proposed development is not considered likely to have a significant effect on threatened species, populations or ecological communities or their habitats.

In summary, it is considered that the impacts of the development on the natural environment are minor and acceptable and can be addressed by standard conditions of consent.

2. The built environment

The proposed building exhibits a contemporary coastal design that will make a positive contribution to the streetscape. Architectural design features such as the stepped façade and cantilevered awnings, will enable the building to integrate with surrounding development and promote the future desired urban character of the town. The open entranceway, al fresco area, shops and landscaping treatment will ensure a vibrant and active street frontage is established.

The development will result in noise generation predominantly from the hotel and the application was accompanied by a noise assessment report. The recommendations of the report have been included as conditions of consent. It is also noted that the liquor license includes additional operating conditions, which will ensure that noise does not have an unreasonable impact.

3. Social impacts

The assessment of a new licensed premise requires consideration of community and social impacts by a Social Impact Assessment (SIA). A SIA was submitted with the development application which also refers to the SIA submitted with the previously approved application (765/13DA). The preparation of the SIA involved the following process:

- Review of proposed development and project background;
- Analysis of current demographics of Woolgoolga residents and the broader Coffs Harbour Local Government Area;
- Engagement with key stakeholders and analysis of findings;
- Identification of key social implications and issues;
- Impact assessment to identify potential impacts and benefits resulting from the development; and
- Recommend mitigation or enhancement strategies.

The SIA identified a number of potential positive and negative social impacts. The potential positive social impacts include:

- Improved facilities within the Woolgoolga Town Centre that will contribute to the rejuvenation of the main street;
- Employment generation;
- Activation of the street during night hours; and
- Additional security to the existing commercial and retail activity on Beach Street.

The potential negative social impacts include:

- The risk of social harm to disadvantaged segments of the community;
- Potential increase in anti-social behaviour; and
- Adverse noise impacts.

The SIA made a number of recommendations to mitigate potential adverse social impacts during construction and operation of the premises and these recommendations are generally consistent with the liquor license conditions and the previous development consent issued for this site. The recommendations include:

- Installation of security cameras and employment of security staff;
- Restrictions placed on musical entertainment and hours of operation;
- Noise attenuation features;
- Outdoor areas to be closed off to the public from 10.00pm;
- Courtesy Bus to be provided for Friday and Saturday evenings or as requested by the Local Area Command;
- No TAB facilities or separate bottleshop;
- Announcements to be made 10 minutes before closing advising patrons to leave the premises;
- Council to extend its Alcohol Free Zone (AFZ) to incorporate Younger Lane.

The development will be required to operate in accordance with a Social Impact Management Plan (SIMP) which will include the terms of the liquor license and the mitigation strategies recommended in the SIA. Overall it is considered that with the appropriate mitigation measures, the development will not have an adverse impact on the Woolgoolga community and will contribute to Councils vision of Woolgoolga becoming a vibrant and progressive coastal town.

4. Economic Impacts

The proposed development has an estimated \$3.8 million construction cost. The proponent has advised that 70-80 construction jobs and approximately 30 part time and full time jobs will be created following construction and during the operational phase of the development.

The development will provide additional housing supply and an additional licensed premise, which will assist in reinforcing the primacy and vitality of the Woolgoolga town centre.

c. the suitability of the site for the development,

The site is centrally located and recognised in Council's Local Environmental Plan as a "Town Centre" zone. The location and zoning of the land is ideally suited to a mixed use development servicing the main retail and business area of Woolgoolga. The site is considered to be suitable for the development.

d. any submissions made in accordance with this Act or the regulations,

The development application was advertised and notified in accordance with Council's Development Control Plan and three (3) submissions were received which raised concerns with the development. Two of the submissions included a detailed objection, prepared by a town planning and traffic consultant. The following is a summary of the issues raised and Council's response:

- *Parking, Loading/Unloading, Traffic Generation:*

Concerns were raised that the DA would result in excessive traffic generation, disruption to local traffic and that loading facilities and onsite car parking were inadequate.

Comment: The proposal will generate additional traffic movements, however the central location of the development and its design features, will provide greater opportunities for people to walk or use alternative forms of transport, with less reliance on private vehicles. The current DA will provide 28 onsite car parking spaces and contribute towards the provision of 36 offsite car parking spaces, which is considered adequate for a mixed use development on the land.

Council's Sustainable Infrastructure Section have reviewed the proposed access and loading/unloading arrangements from Younger Lane and are satisfied that the proposal is acceptable.

- *Social Impact:*

Concerns were raised that the development would result in negative social impacts associated with licensed premises and would be incompatible with the Woolgoolga village environment. The submission by the town planning and traffic consultant also raises concerns about the status of the liquor license approval issued for the previous DA and suggests that Council should limit the use of the licensed premises and regulate the use accordingly.

Attachment 1

Comment: A detailed assessment of community and social impact, has been undertaken by the Proponent and the mitigation strategies recommended in the SIA are included in the conditions of development consent. While acknowledging the concerns associated with licensed premises, it is highlighted that the development is being marketed and will be operated as a family orientated tavern and not a pub or nightclub venue. The potential for anti-social behaviour from excessive drinking will be minimised by the restrictive conditions imposed by Council and the Office of Liquor, Gaming and Racing.

Council has received advice from the Proponent that the liquor license will be applicable to the current development. Notwithstanding, it is considered that the licensing arrangements for the licensed premise, is a regulatory matter for the Office of Liquor, Gaming and Racing.

It is considered that the central location of the development is ideally suited to a contemporary mixed use development servicing residents and tourists, while still maintaining the village ambience of Woolgoolga.

- *Noise Issues:*

Concerns were raised that the development would have an adverse noise impact.

Comment: A detailed noise assessment that has been undertaken by the Proponent and the recommendations from the assessment are included in the conditions of development consent. The noise assessment predicted maximum noise emissions from the car park, loading area and the commercial premises and the impact on the residential receivers, including the accommodation units and care takers lodge at the caravan park.

In summary, the report concludes that the development is acceptable and will comply with relevant guidelines. The report identified that any potential noise exceedance from the operations of the premises, will be minor and can be effectively managed through noise attenuation measures in the design of the building and through the implementation of a noise management plan, which includes procedures for complaint management.

The recommended noise mitigation and operational conditions imposed by Council and the liquor license will ensure that the development does not have an adverse impact on nearby receiver locations or the amenity of the area.

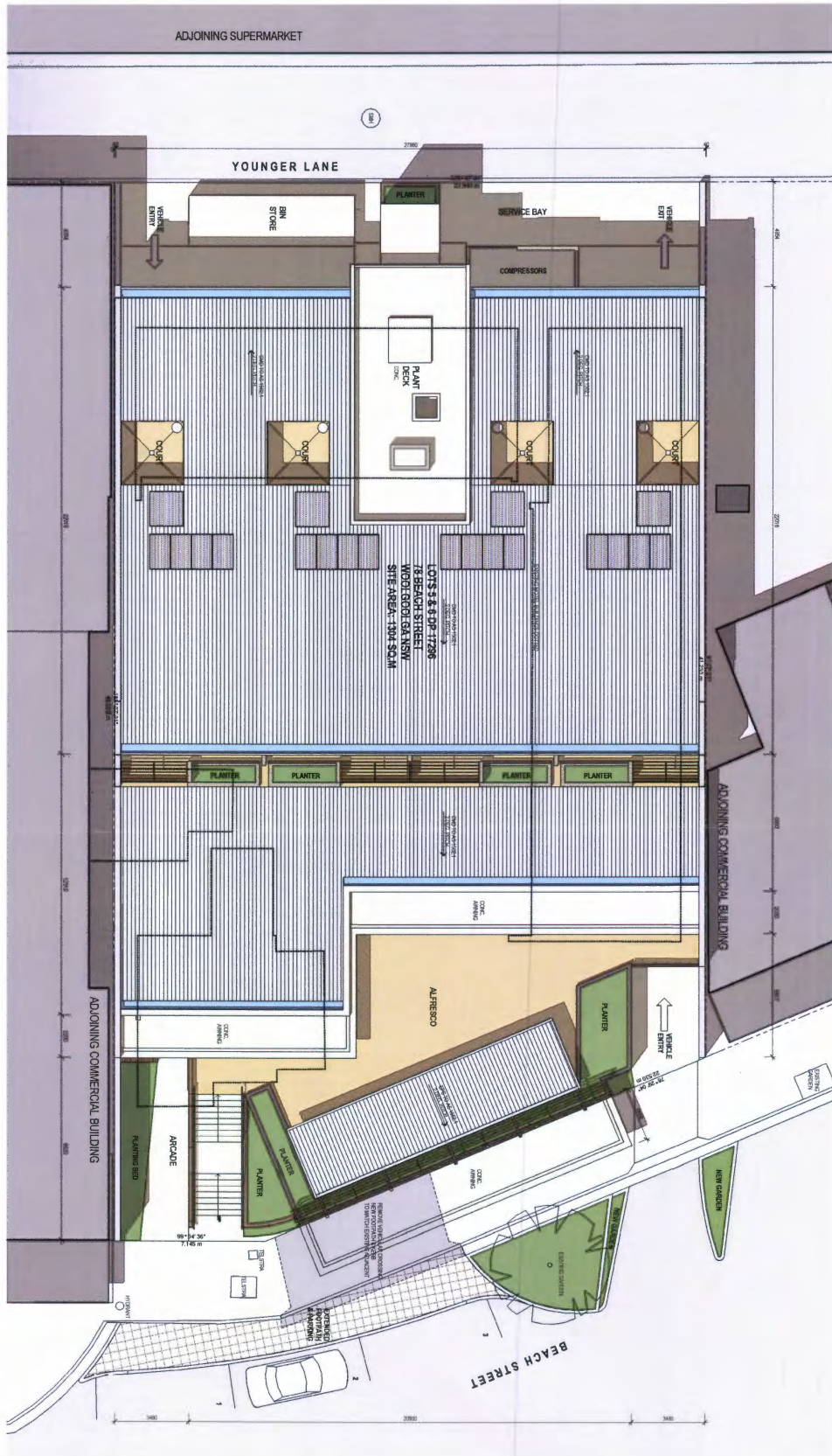
e. the public interest:

The assessment of the application has considered the public interest matters and determined that the proposal is acceptable and any impacts can be effectively managed through conditions of development consent. The proposed development will make a positive contribution to the Woolgoolga town centre and approval of the application is considered to be in the public interest.



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1 Site Plan
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No.	Revision Description	Date
1	PRELIMINARY ISSUE FOR REVIEW	22.10.14
2	REVISED PRELIMINARY PLAN FOR REVIEW	10.12.14



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Beach Street Tavern & Apartments
 78 Beach Street Woollahra
 Interim Holdings P/L
 Beach Street Properties P/L

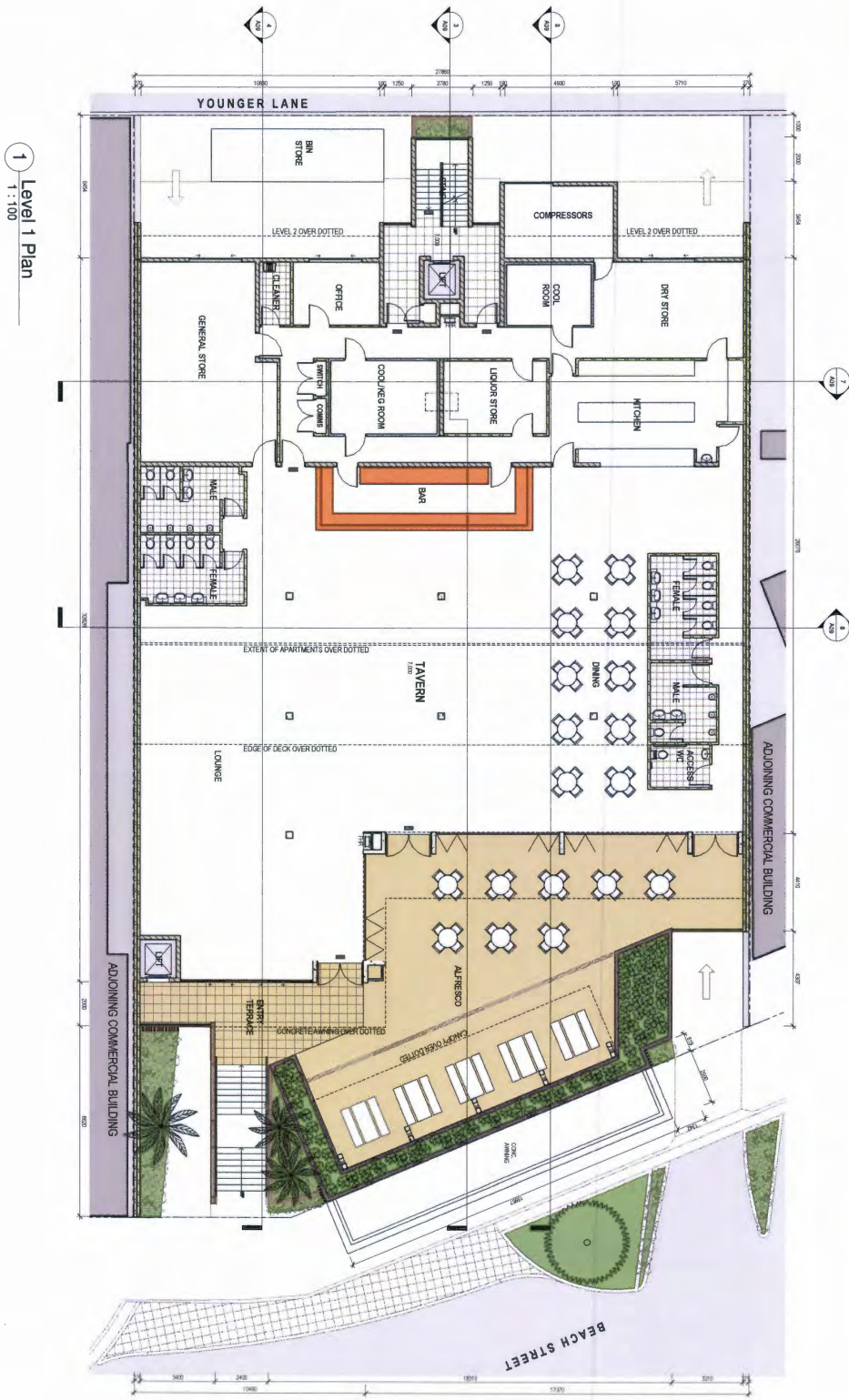
Site Plan

Project No.	Drawing No.	Issue No.
137	A01	3
Date	Scale	
10/1/14	A1	
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YD	YD	

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1 Level 1 Plan
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ABBREVIATIONS

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BASIS SPECIFICATION NOTES

1. THE BASIS SPECIFICATION IS A SUMMARY OF THE BASIS SPECIFICATION FOR THE PROJECT AND IS NOT A CONTRACT DOCUMENT.
 2. THE BASIS SPECIFICATION IS SUBJECT TO THE BASIS SPECIFICATION FOR THE PROJECT AND IS NOT A CONTRACT DOCUMENT.
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No.	Revision/Description	Date
1	PRELIMINARY DESIGN DEVELOPMENT	10/04/14
2	DEVELOPMENT DEVELOPMENT	10/04/14

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Beach Street Tavern & Apartments
 78 Beach Street, Woollogalla
 Interim Holdings P/L
 Beach Street Properties P/L

Level 1 Plan

Project No.	Drawing No.	Issue No.
137	A03	3

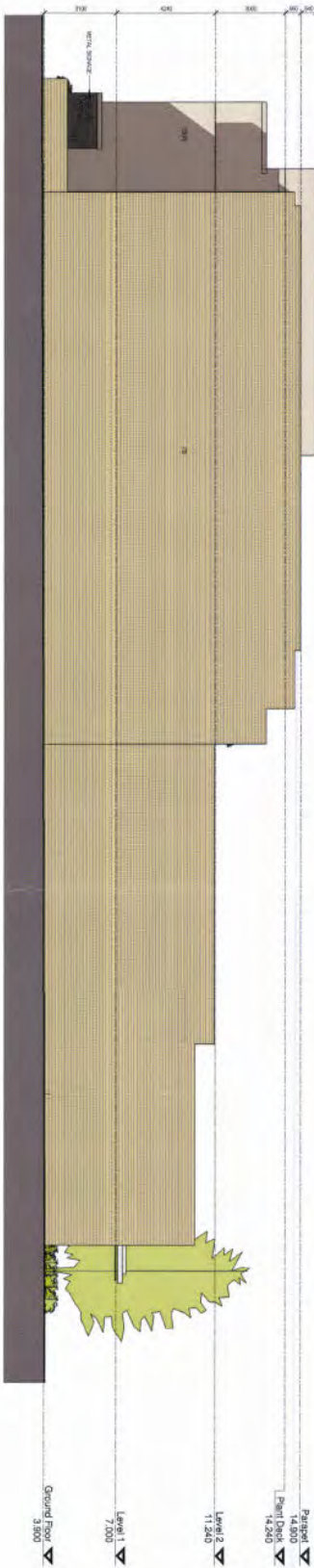
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 Drawn by: YD
 Checked by: YD
 Designer: G. M. Buchanan Pty Ltd



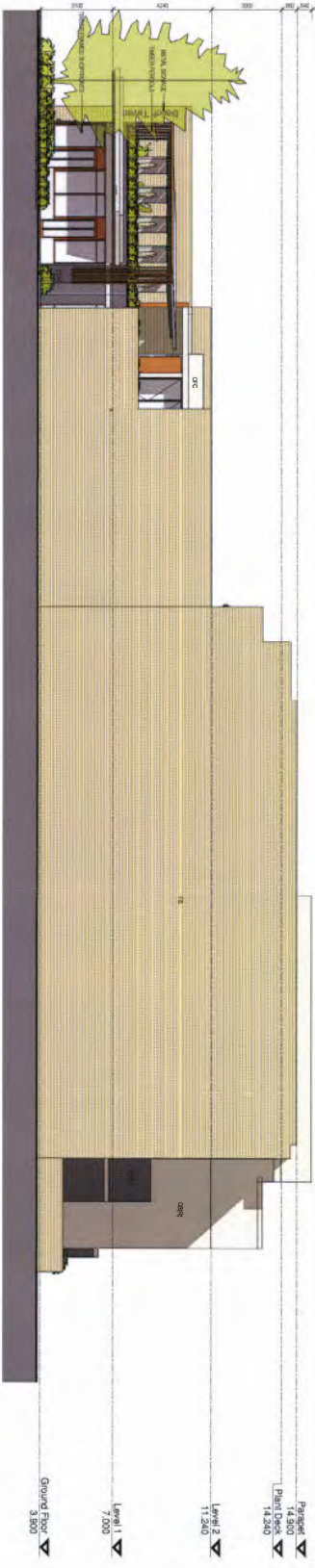
1 North Elevation (Beach Street)
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2 South Elevation (Younger Lane)
1 : 100



3 East Elevation
1 : 100



4 West Elevation
1 : 100

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ABBREVIATIONS

- AC ALUMINIUM CLADDING
- AL ALUMINIUM
- ASBESTOS
- BS BRICKS
- CC CONCRETE
- CG CLADDING
- CH CHIMNEY
- CI CONCRETE
- CL CLADDING
- CM CLADDING
- CO COATING
- CP CONCRETE
- CR CONCRETE
- CS CONCRETE
- CT CONCRETE
- CU CONCRETE
- CV CONCRETE
- DC DOWNPIPE
- DE DOWNPIPE
- DF DOWNPIPE
- DI DOWNPIPE
- DR DOWNPIPE
- DS DOWNPIPE
- DT DOWNPIPE
- DU DOWNPIPE
- EA EXTERIOR ANGLE
- EB EXTERIOR BENCH
- EC EXTERIOR CORNER
- ED EXTERIOR DOWNPIPE
- EE EXTERIOR EDGE
- EF EXTERIOR FINISH
- EG EXTERIOR GROUND
- EH EXTERIOR HORIZONTAL
- EI EXTERIOR INSULATION
- EJ EXTERIOR JOINT
- EK EXTERIOR KICK
- EL EXTERIOR LANTERN
- EM EXTERIOR MOUNTING
- EN EXTERIOR NAIL
- EO EXTERIOR ORNAMENT
- EP EXTERIOR PANEL
- EQ EXTERIOR QUARTZ
- ER EXTERIOR RAILING
- ES EXTERIOR SILL
- ET EXTERIOR TIE
- EU EXTERIOR UPSTAIR
- EV EXTERIOR VALVE
- EW EXTERIOR WINDOW
- EX EXTERIOR
- FZ FINISH ZONE
- GA GROUND ANGLE
- GB GROUND BENCH
- GC GROUND CORNER
- GD GROUND DOWNPIPE
- GE GROUND EDGE
- GF GROUND FINISH
- GG GROUND GROUND
- GH GROUND HORIZONTAL
- GI GROUND INSULATION
- GJ GROUND JOINT
- GK GROUND KICK
- GL GROUND LANTERN
- GM GROUND MOUNTING
- GN GROUND NAIL
- GO GROUND ORNAMENT
- GP GROUND PANEL
- GQ GROUND QUARTZ
- GR GROUND RAILING
- GS GROUND SILL
- GT GROUND TIE
- GU GROUND UPSTAIR
- GV GROUND VALVE
- GW GROUND WINDOW
- GX GROUND

REVISIONS

No.	Revision Description	Date
1	PRELIMINARY ISSUE FOR REVIEW	20/05/14
2	REVISIONS FOR COMMENTS	20/05/14
3	FINAL DESIGN PRESENTATION ISSUE	20/05/14

Project No. 137
Drawing No. A08
Issue No. 4
Scale 3/4 A1
Scale 1:100

Drawn by [Name]
Checked by [Name]

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Beach Street Tavern & Apartments
78 Beach Street Woodgolla
Intermedia Holdings P/L
Beach Street Properties P/L

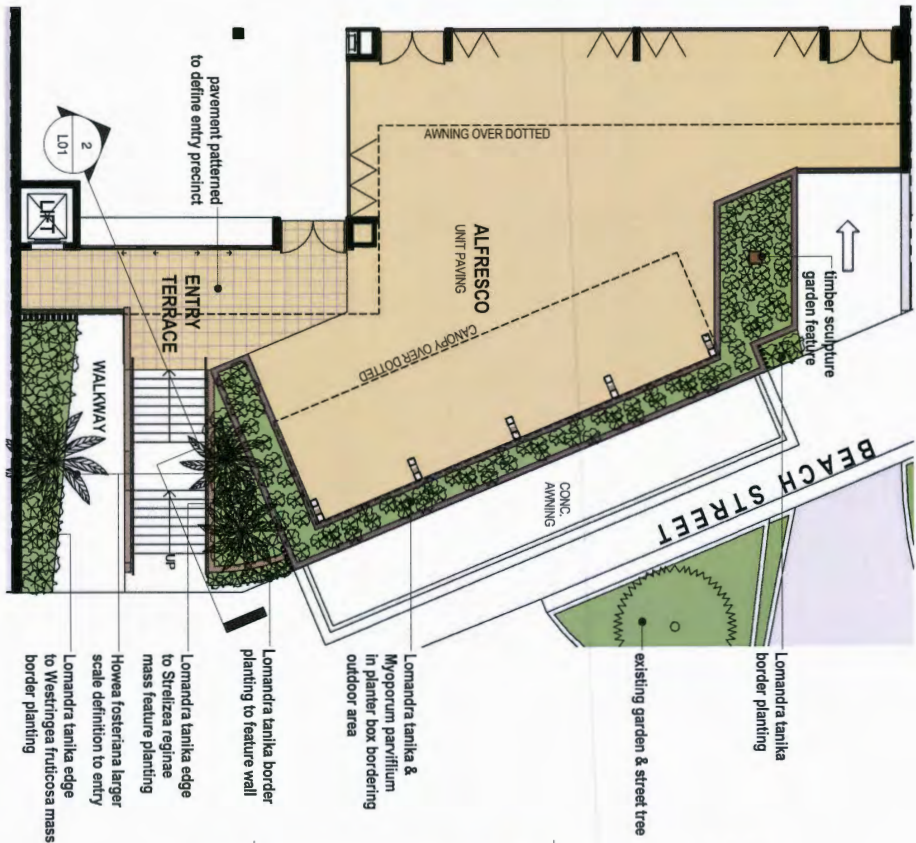
Elevations



15/12/2014 11:06:22 AM

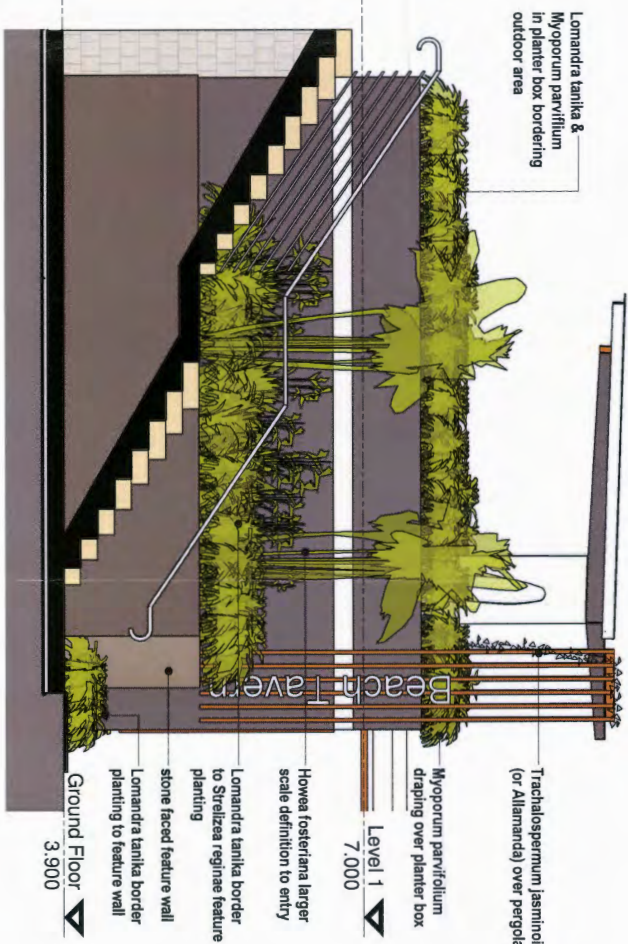
1 Landscape Plan

1 : 150



2 Section Through Entry Stair

1 : 50



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No.	Description	Date
1	DEVELOPMENT APPLICATION ISSUE	12/12/14

Beach Street Tavern & Apartments
78 Beach Street Woolgoolga
Intermount Holdings P/L
Beach Street Properties P/L

Landscape Concept Plan		Issue No.
Project number	137	1
Date	Nov'14	
Drawn by	vb	
Checked by	vb	
Scale	L01	
	As Indicated	



Attachment 2



Legend

- Property Information
- Land Boundaries
- Road Easements



Notes

0.0 0 0.02 0.0 Kilometers

GDA_1994_MGA_Zone_56

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Proposed Conditions – Development Application No. 0504/15DA

Schedule of Conditions

ADMINISTRATIVE CONDITIONS

Development Description:

1. Development consent is granted only to carrying out the development described in detail below:
 - ***Demolition of motel, construction of mixed use development comprising hotel, retail premises and multi dwelling housing***

Prescribed Conditions:

2. The proponent shall comply with the prescribed conditions of development approval under Clauses 97A, 98, 98A - E of Environmental Planning and Assessment Regulation 2000 as are of relevance to this development.

Development is to be in accordance with approved plans:

3. The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent (Development Consent No. 0504/15).

Plan No. / Supporting Document(s)	Dated
Site Plan, project no. 137, drawing no. A01, issue No. 3 prepared by Vil Brickman Architects Pty Ltd	November 2014
Ground Floor Plan, project no.137, drawing no. A02, issue no. 4, prepared by Vil Brickman Architects Pty Ltd	November 2014
Level 1 Plan, project no. 137, drawing no. A03, issue no. 3, prepared by Vil Brickman Architects Pty Ltd	November 2014
Level 2 Plan, project no. 137, drawing no. A04, issue no. 3, prepared by Vil Brickman Architects Pty Ltd	November 2014
Elevations, project no.137, drawing no. A08, issue no. 3 prepared by Vil Brickman Architects Pty Ltd	November 2014
Sections, project no.137, drawing no. A09, issue no. 3 prepared by Vil Brickman Architects Pty Ltd	November 2014
Landscape Plan, project no.137, drawing no. L01, issue no. 1 prepared by Vil Brickman Architects Pty Ltd	November 2014

- 2 -

Development Application No. 0504/15

Schedule of Conditions

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

Development in Accordance with Documents:

4. The development shall be undertaken in accordance with the following documents:
 - (1) Statement Environmental Effects, Prepared by Bennell & Associates, dated 17 December 2014.
 - (2) Social Impact Assessment, prepared by GHD, dated 18 December 2014.
 - (3) Noise Impact Assessment, prepared by AECOM, dated 17 December 2014.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Construction Certificate:

5. No building work is to commence on site until a Construction Certificate has been issued for the work and Council has been notified that a Principal Certifying Authority has been appointed.

Equitable Access:

6. The building is to be provided with access and facilities for people with disabilities.

The applicants' attention is directed to the Disability (Access to Premises - Buildings) Standards 2010 and the Building Code of Australia. Details indicating compliance must be submitted and approved by the certifying authority **prior to the issue of a Construction Certificate.**

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Development Application No. 0504/15

Schedule of Conditions

7. The **Construction Certificate not being released** until a Certificate of Compliance pursuant to Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 evidencing that adequate arrangements have been made for the provision of water and sewerage services to and within the development is produced to Council.

The current contribution rate is:

	Amount/unit \$	Total \$
Works to satisfy increased demand within the area for 4 small units		
Water	6,922.71	27,690.84
Sewer	6,620.07	26,480.28
Subtotal		54,171.12

The current contribution rate is:

	Amount/m² \$	Total \$
Works to satisfy increased demand within the area for 175 square metres of commercial development - shops		
Water	29.67	5,192.25
Sewer	28.37	4,964.75
Subtotal		10,157.00

	Amount/m² \$	Total \$
Works to satisfy increased demand within the area for 895 square metres of commercial development - Tavern		
Water	128.56	115,061.20
Sewer	122.94	110,031.30
Subtotal		225,092.50

Sub Total All Contributions **289,420.62**

Less credit for existing development 87,060.69

TOTAL AMOUNT PAYABLE **202,359.93**

Development Application No. 0504/15**Schedule of Conditions**

Trade Waste:

8. An Application for Approval to Discharge Liquid Trade Waste under Section 68 of the Local Government Act, being submitted and approved by Coffs Harbour Water **prior to release of the Construction Certificate**. All trade waste discharges are to conform with effluent acceptance criteria as stipulated in Coffs Harbour Water's Trade Waste Policy (Schedule A) and or any standards applied by the NSW Department of Environment, Climate Change and Water for the discharge. Please Note: Depending upon your individual circumstances, some trade waste pre-treatment equipment may need to be incorporated into the building work. Coffs Harbour Water (Trade Waste Section) should be contacted for the issue of a Liquid Trade Waste Application Form. Please note once all the relevant information has been supplied, up to 30 days is required for approval.

Road Design and Services (Building):

9. The following works:
- (a) Road/Laneway;
 - (b) Footpath;
 - (c) Driveway access;

Shall be provided to serve the development with the works conforming with the standards and requirements set out in Council's Development Design and Construction Specifications and relevant policies (Water Sensitive Urban Design).

Note: Younger Lane being reconstructed to full-width asphaltic seal with kerb and gutter from the existing reinforced concrete section to the bend where the lane turns to the north. Plans and specifications complying with Council's Development Design and Construction Specifications are to be submitted to Council for approval prior to the commencement of work.

Construct new driveway entry to car park from Beach Street and construct extended footpath and three (3) parking spaces along Beach Street.

Plans and specifications are to be submitted to Council and approved **prior to issue of the Construction Certificate**. Plan submissions are to be accompanied by payment of prescribed fee.

Plans and specifications submitted later than six (6) months from the date of development consent shall comply with Council's current specifications at a date six (6) months prior to submission.

All work is to be at the developer's cost.

10. A separate application is to be made to Council by the licensed plumber and drainer **prior to the commencement of any sanitary plumbing and drainage work on site**.

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Development Application No. 0504/15**Schedule of Conditions**

Waste Management:

11. **Prior to the issue of a Construction Certificate**, a waste management plan prepared in accordance with Council's Development Control Plan Component – C7 Waste Management Requirements is to be submitted to Council and approved. **Note:** Waste management enclosures are to be roofed, have a drain to sewer via a dry basket arrestor and have a tap for washing.

Erosion and Sedimentation Control Plan:

12. An erosion and sediment control plan, together with a management strategy, detailing soil erosion and sediment control measures, shall be prepared by a qualified environmental or engineering consultant in accordance with the document Managing Urban Stormwater – Soils & Construction Volume 1 (2004) by Landcom. Details being submitted and approved by the Certifying Authority **prior to issue of a Construction Certificate**.

Construction Waste Management Plan:

13. **Prior to issue of a Construction Certificate**, the proponent shall submit to the satisfaction of Council a Waste Management Plan prepared by a suitably qualified person in accordance with Council's relevant waste policy. The Plan shall include the following provisions: all waste building materials shall be recycled or disposed of to an approved waste disposal depot; no burning of materials is permitted on site.

Food Safety:

14. Food premises fitout details being submitted to Council for approval **prior to the issue of any Construction Certificate** to ensure compliance with the Food Act 2003 and the national Food Safety Standard 3.3.2 (Food Premises and Equipment) and Australian Standard 4674-2004 (Design, Construction and fitout of Food Premises).

Construction Management Plan:

15. **Prior to the issue of a Construction Certificate**, a Construction Management Plan shall be submitted to and approved by the Certifying Authority. The Plan shall address, but not be limited to, the following matters where relevant:
 - Hours of work;
 - Contact details of site manager;
 - Traffic and pedestrian management;
 - Noise and vibration management;
 - Waste and recycling management;
 - Erosion and sediment control;

The proponent shall submit a copy of the approved Plan to Council.

Development Application No. 0504/15**Schedule of Conditions**

Pre-Construction Dilapidation Reports:

16. A Dilapidation Report detailing the current structural condition of the existing adjoining buildings, infrastructure and roads within 20 metres of the development shall be prepared and endorsed by a qualified structural engineer. The report shall be submitted to the satisfaction of the Certifying Authority **prior to the issue of a Construction Certificate.**

A copy of this report is to be forwarded to Council.

PRIOR TO ISSUE OF COMMENCEMENT OR WORKS**Construction Signage:**

17. A sign indicating the name, address and telephone number of the Principal Certifying Authority, and the name and telephone number of the principal contractor (if any) must be erected in a prominent position on the site and maintained until the building work has been completed. The sign must also state that unauthorised entry to the site is prohibited. The signage must be erected prior to commencement of work.

Site Notice:

18. Prior to commencement of works a site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of the development details including but not limited to:
- (1) Details of the Principal Contractor and Principal Certifying Authority for all stages of the development;
 - (2) The approved hours of work;
 - (3) The name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction noise complaints are to be displayed on the site notice; and
 - (4) To state that unauthorised entry to the site is not permitted.

Demolition Works:

19. All works including (where relevant) the handling and disposal of materials containing asbestos, are to be undertaken in accordance with the relevant requirements of WorkCover NSW, the Occupational Health and Safety Act and Australian Standard AS 2601-2001 "The Demolition of Structures". Prior to demolition all services are to be disconnected and capped off. Disconnection of any sewer drainage lines shall be sealed to prevent ingress of water and debris into the sewerage system. Where water and sewerage services are no longer required the required fee for disconnection being paid to Coffs Harbour Water prior to the commencement of any demolition work.

Development Application No. 0504/15

Schedule of Conditions

Hoardings:

- 20. A properly constructed hoarding is to be erected in all cases where occupation of the footpath/roadway is necessary for building purposes or where public safety is involved, the hoarding is to be approved by Council prior to commencement of construction works.

Building Materials on footpaths and roadways:

- 21. The use of public footpaths and roadways for the storage of building materials is not permitted unless Council's written approval is first obtained.

Water and Sewerage Services:

- 22. Individual water meters are to be provided to all units and common areas. A water reticulation plan is to be submitted to Council for approval prior to water fitting work commencing.

DURING CONSTRUCTION

Approved plans to be on site:

- 23. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, Council or Principal Certifying Authority.

Demolition Works:

- 24. All demolition works shall be undertaken in accordance with the provision of Australian Standard AS 2601-2001 "*The Demolition of Structures*". Prior to demolition, all services are to be disconnected and capped off.

Erosion and Sediment Control:

- 25. All erosion and sediment control measures, as designed in accordance with the approved plans are to be effectively implemented and maintained at or above design capacity for the duration of the construction works for each stage of the project, and until such time as all ground disturbance by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Hours of Construction:

- 26. Construction works are to be limited to the following hours:

Monday to Friday	7.00am - 6.00pm
Saturday	7.00am - 1.00pm if inaudible from adjoining residential properties, otherwise
	8.00am - 1.00pm

No construction work is to take place on Sunday and Public Holidays.

Development Application No. 0504/15**Schedule of Conditions**

Cultural Heritage:

27. In the event that future works during any stage of the development disturb Aboriginal Cultural materials, works at or adjacent to the material must stop immediately.

Temporary fencing must be erected around the area and the material must be identified by an independent and appropriately qualified archaeological consultant.

The Office of Environment and Heritage (OEH), Northern Aboriginal Heritage Unit and the Aboriginal Stakeholder groups must be informed. These groups are to advise on the most appropriate course of action to follow. Works must not resume at the location without the prior written consent of the OEH and Northern Aboriginal Heritage Unit and the Aboriginal Stakeholder groups.

Waste Management:

28. All waste building materials shall be recycled or disposed of to an approved waste disposal depot. No burning of materials is permitted on site. The site shall be graded to an even level with temporary erosion control measures being erected and maintained until the exposed areas of the site have suitably stabilised with grass cover.

Acid Sulphate Soils:

29. No excavation is to occur below 4m in accordance with the Statement of Environmental Effects, prepared by Bennell & Associates, dated 17th December 2014.

Finished Floor Level:

30. The finished floor level of the ground floor of the building is to be a minimum of 3.8 metres Australian Height Datum and a registered surveyor's certificate certifying such level is to be submitted to the Principal Certifying Authority prior to works proceeding beyond ground floor level.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE**Access Works:**

31. Sealed driveways being constructed over the footpath at right angles to the road in accordance with Council's standard drawings. Any existing driveways which are not required for the development are to be removed and the footpath reinstated. All such work is subject to a separate driveway application, fees and approval by Council.

These works are to be completed **prior to the issue of an Occupation Certificate** for the development.

Development Application No. 0504/15**Schedule of Conditions**

Occupation Certificate:

32. A person must not commence occupation or use of the new building prior to obtaining an Occupation Certificate from the Principal Certifying Authority.

Liquid Trade Waste Approval:

33. Certification from the Trade Waste Section that a Liquid Trade Waste Approval has been granted and the pre-treatment equipment has been installed in accordance with the conditions of the approval is to be provided to the Principal Certifying Authority **prior to issue of the Occupation Certificate**.

Road Design and Services (Building):

34. The following works:

- (a) Road/Laneway;
- (b) Footpath;
- (c) Driveway access;

being provided to serve the development with the works conforming with the standards and requirements set out in Council's Development Design and Construction Specifications and relevant policies (Water Sensitive Urban Design).

Note: Younger Lane being reconstructed to full-width asphaltic seal with kerb and gutter from the existing reinforced concrete section to the bend where the lane turns to the north. Plans and specifications complying with Council's Development Design and Construction Specifications are to be submitted to Council for approval prior to the commencement of work.

Construct new driveway entry to car park from Beach Street and construct extended footpath and three (3) parking spaces along Beach Street.

These works are to be completed **prior to the issue of an Occupation Certificate**. All work is to be at the developer's cost.

Individual Water Meters:

35. Individual water meters are to be provided to all units and common areas **prior to issue of an Occupation Certificate**.

BASIX:

36. All of the commitments listed in each relevant BASIX Certificate for the development being fulfilled prior to the issue of an Occupation Certificate. Written certification is to be submitted to the principal certifying authority prior to occupation inspection to confirm that all BASIX commitments have been implemented.

Development Application No. 0504/15

Schedule of Conditions

Registration – Food Premises:

37. The food premises being registered with Council and the NSW Food Authority **prior to the issue of an Occupation Certificate.**

Food Premises - Inspection:

38. The food premises being inspected by Council **prior to the issue of an Occupation Certificate.**

Food Premises - Food Safety Supervisor:

39. A Food Safety Supervisor being appointed and the NSW Food Authority being notified of such appointment **prior to the issue of an Occupation Certificate.**

Landscaping Works:

40. **Prior to the issue of an Occupation Certificate** a works as executed plan is to be submitted to the Principal Certifying Authority certifying that all landscape works have been carried out in accordance with the approved plan.

Car Parking Spaces:

41. Twenty eight (28) car parking spaces as shown on the plan approved in accordance with condition number 3 of this consent being provided on the development site **prior to the issue of an Occupation Certificate.**

All car parking and manoeuvring areas being constructed in accordance with the provisions of Australian Standard AS 2890.1 "Parking Facilities: Off-Street Car Parking" and the provisions of AS/NZS 2890.6:2009 "Parking Facilities: Part 6: Off- Street parking for people with disabilities".

Bicycle Parking:

42. The development shall incorporate adequate bicycle storage racks for use by the public **prior to the issue of an Occupation Certificate.**

Stormwater Drainage:

43. All stormwater is to be conveyed to Council's street gutter by means of an approved drainage pipe system, in accordance with Council's Standard Drawing No. 6566 **prior to the issue of an Occupation Certificate.** Drainage works on the public road are subject to separate application, fees, and approval from Council.

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Development Application No. 0504/15**Schedule of Conditions**

Post Construction Dilapidation Report:

44. The proponent shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.

The report is to be submitted to the Principal Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Principal Certifying Authority must:

- Compare the post-construction dilapidation report with the pre-construction dilapidation report required by Condition No. 16; and
- Have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

A copy of this report is to be forwarded to Council.

Noise Attenuation:

45. Noise attenuation methods specified in the acoustic report prepared by AECOM Australia Pty Ltd, dated 17th December 2014 are to be implemented, constructed or installed in the development **prior to the issue of an Occupation Certificate.**

Certification of the installed noise mitigation measures, including noise intrusion into the proposed residential units is to be obtained from a suitably qualified acoustic engineer and is to be provided to the Principal Certifying Authority **prior to the issue of an Occupation Certificate.**

Six (6) months after the tavern has commenced trading, a follow up report prepared by the acoustic consultant is to be submitted to Council to review noise emissions from the development, the effectiveness of noise attenuation methods and compliance with the noise levels as specified in the report titled "Woolgoolga Shops, Tavern & Apartments Noise Impact Assessment", dated 17th December, 2014, prepared by AECOM Australia Pty Ltd.

Should noise emissions from the operation of the subject premises not comply with the project specific noise levels outlined in the report dated 17th December, 2014, amelioration measures are to be undertaken and completed within one (1) month from the date of the report to achieve compliance.

Noise Management Plan:

46. An operational noise management plan is to be prepared identifying sources of noise generated from the use of the premises and the necessary control measures including a complaint register is to be submitted to the principal certifying authority **prior to the issue of an Occupation Certificate.**

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Development Application No. 0504/15

Schedule of Conditions

OPERATIONAL MATTERS

Noise:

47. Noise emanating from the premises is to comply with the provisions of the Protection of the Environment Operations Act, 1997.

Social Impact Management Plan:

48. A Social Impact Management Plan (SIMP) shall be prepared and implemented for the operational life of the development. The SIMP shall incorporate the terms of the liquor license issued on 8 October 2009 and the mitigation strategies contained within the Social Impact Assessment (including Supplementary Assessment) prepared by GHD Pty Ltd, dated June 2013 and December 2014 respectively.

Smoking Facilities:

49. A cigarette butt receptacle is to be located near the entry of the premises and is to be emptied and cleaned regularly by tavern staff.

Smoke-Free Environment Act, 2000:

50. Use of the premises is to at all times comply with the requirements of the Smoke-Free Environment Act, 2000.

Noise Control – Licensed Premises:

51. a) The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) by more than 5 dB between 7:00am and 12 midnight and 12 midnight to 7:00am at the boundary of any affected residence.
- b) Notwithstanding the requirements of this condition, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 7:00am.

Loading/Unloading:

52. All loading/unloading operations are to occur from Younger Lane.

Hours of operation of Tavern:

53. The Hotel is only to operate between the hours of Monday to Sunday, 7.00am - 12.00 midnight.

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Development Application No. 0504/15

Schedule of Conditions

Maximum number of patrons:

- 54. The maximum number of Hotel patrons is limited to 250 people at any time.

Waste Management:

- 55. Provision being made on the site (*or within the premises*) for the separation of recycling and organic waste, including food waste and other putrescible wastes from the general waste stream in accordance with Council's requirements. The waste management practices of the premises should provide for the continued separation of recycling and organic waste from the general waste stream.



REPORT TO ORDINARY COUNCIL MEETING

COMMENCEMENT OF SECTION 355 TOURISM COMMITTEE

REPORTING OFFICER:	Group Leader City Prosperity
DIRECTOR:	Director, Sustainable Communities
COFFS HARBOUR 2030:	LP 1.1 Promote opportunities around renewable energy, sustainable tourism, sustainable agriculture and fisheries, local produce, creative and clean industries. LP 6.1 Develop strong and effective partnerships between business, the community, educational institutions and Government.
ATTACHMENTS:	ATT1 S355 Tourism Committee Terms of Reference ATT2 CHCC Letter Seeking Endorsement ATT3 Tourism Coffs Coast Letter of Endorsement

Recommendation:

1. That Council adopt the Terms of Reference for the Section 355 Tourism Committee.
 2. That Council approves the appointment of the following six (6) industry members for the inaugural term of the committee:
Coffs Harbour representatives:
 - 2.1. Dene Zahner
 - 2.2. David Laarhoven
 - 2.3. Paige Sinclair
 - 2.4. Michael Hall**Bellingen representatives:**
 - 2.5. Yvonne Wynen
 - 2.6. Jenny Sewell
 3. That Council appoints one (1) Councillor to the committee.
-

EXECUTIVE SUMMARY

At the 13 November 2014 meeting, Council resolved to:

1. *Endorse, in principle, the documents which form the 'Action Plan for Marketing the Coffs Coast as a Tourism Destination'.*
2. *Notes that a further report will be presented to Council outlining the Terms of Reference and membership of Section 355 committee which has a role to recommend the strategic direction for marketing the Coffs Coast.*
3. *Notes the Bellingen Shire Council continue to be engaged in this process by participation in the development of the Terms of Reference and also through an offer of on-going membership of the committee.*
4. *The members of the Tourism Coffs Coast Board be thanked for the participation and commitment to this project.*

This report provides Council with the terms of reference for the committee, and a list of industry representatives as nominated by the Tourism Coffs Coast board.

REPORT

Description of Item:

To adopt the Terms of Reference for the new Section 355 Tourism Committee, and endorse nominations for the industry representatives.

Issues:

The creation of this committee is based on the Action Plan of the *Marketing the Coffs Coast as a Tourism Destination* body of work, adopted by Council on 13 November 2014.

The terms of reference (Attachment 1) clearly outlines the strategic focus of the committee:

Vision:

A true collaboration model for guiding the strategic direction of tourism on the Coffs Coast

Scope/role:

To provide advice on the strategic direction of tourism by:

- Leading the development of a tourism strategic plan
- Reviewing strategic performance
- Participating in external monitoring and evaluation of the strategic plan

To advocate on behalf of the tourism industry by:

- Liaising with tourism stakeholders and represent their views
- Providing information, direction, advice and support to relevant tourism stakeholders

Composition:

8 voting members

- CHCC Councillor
- BSC Councillor
- 4 x Tourism Industry representatives (Coffs Harbour LGA)
- 2 x Tourism Industry representatives (Bellingen LGA)

4 ex-officio members

- CHCC Director Sustainable Communities (Governance advisor)
- CHCC Group Leader City Prosperity
- BSC Tourism Manager
- RTO representative (open invitation)

Tourism Coffs Coast have nominated their six (6) industry members (Attachment 2).

As part of this realignment, Tourism Coffs Coast are disbanding and their investment will be placed in trust.

Options:

The following options are available to Council:

1. Adopt the recommendations provided in this report, allowing the formation of the new Section 355 Tourism committee.
2. Amend or reject the recommendations as Council may wish to propose alternate options.

3. Reject the recommendations provided to Council which would detract from the intent of this report and fail to acknowledge the valuable progress and contributions made to date on this matter.

Sustainability Assessment:

- **Environment**

There are no environmental issues.

- **Social**

The social impacts of ensuring that an effective working model exists for marketing the Coffs Coast appropriately are felt by the community through having increased opportunities and access to employment programs and activities.

- **Civic Leadership**

Civic Leadership is captured in Coffs Harbour 2030 through:

LP 1.1 Promote opportunities around renewable energy, sustainable tourism, sustainable agriculture and fisheries, local produce, creative and clean industries.

LP 6.1 Develop strong and effective partnerships between business, the community, educational institutions and Government.

- **Economic**

Broader Economic Implications

Research shows that the return on investment achieved through tourism and its related activities is significant. It is important that a mechanism is in place which progresses the best model of marketing which will have a positive impact over time on the broader economy of the city.

Delivery Program/Operational Plan Implications

There are no Delivery Program/Operational Plan implications from this report.

Risk Analysis:

The risk in relation to this proposal is largely reputational. From a broader economic perspective, the tourism industry is one of the significant industries within the region and effective partnerships are critical for a buoyant industry.

Consultation:

Significant consultation was undertaken in the preparation of the Action Plan and associated documents which were previously presented to Council.

A number of meetings have occurred with the Tourism Coffs Coast board, and Council staff attended the Tourism Coffs Coast AGM to provide further detail to members.

Ongoing liaison has been undertaken with Bellingen Shire Council, who endorse the formation of this committee. Bellingen Shire Council, Cr Klipin will sit on this committee.

Related Policy, Precedents and / or Statutory Requirements:

The Committee is established under section 355 *Local Government Act* 1993.

Implementation Date / Priority:

If approved, the committee will commence on 1 July 2015. The term of the inaugural committee is 15 months to October 2016.

Conclusion:

The formation of this committee will allow Council and industry members to work together on strategic tourism matters for the Coffs Coast.

Terms of Reference: Coffs Coast Tourism s355 Committee

PREAMBLE

The creation of this committee is based on the Action Plan of the *Marketing the Coffs Coast as a Tourism Destination* body of work, adopted by Council on 13 November 2014.

The Committee is established under section 355 of the Local Government Act 1993 which states:

A function of council may, subject to this Chapter, be exercised:
(b) by a committee of the council.

1. THE VISION

A true collaboration model for guiding the strategic direction of tourism on the Coffs Coast.

2. SCOPE/ROLE

- To provide advice on the strategic direction of tourism by:
 - Leading the development of a tourism strategic plan
 - Reviewing strategic performance
 - Participating in external monitoring and evaluation of the strategic plan
- To advocate on behalf of the tourism industry by:
 - Liaising with tourism stakeholders and represent their views
 - Providing information, direction, advice and support to relevant tourism stakeholders

(The Action Plan of the *Marketing the Coffs Coast as a Tourism Destination* adopted by Council on 13 November 2014 further details the scope and role of this committee – Appendix 1)

3. DELEGATIONS

The Committee has delegation to provide advice on the strategic direction of tourism to Council and advocate on behalf of the tourism industry.

The Committee has no financial delegations from the Council.

4. COMPOSITION OF THE COMMITTEE

- 8 voting members
 - CHCC Councillor
 - BSC Councillor
 - 4 x Tourism Industry representatives (Coffs Harbour LGA)
 - 2 x Tourism Industry representatives (Bellingen LGA)
- 4 ex-officio members
 - CHCC Director Sustainable Communities (Governance advisor)
 - CHCC Group Leader City Prosperity
 - BSC Tourism Manager
 - RTO representative (open invitation)

All members of the Tourism Advisory Committee are to have broad tourism knowledge and/or skills including in the areas of: financial awareness; marketing and promotions; knowledge of the local product; knowledge of broader product; knowledge of tourism market sectors; and work in/or have worked in a tourism or related business.

S355 Committee Guidebook

5. MEETINGS OF THE COMMITTEE

Meetings shall be held monthly on a day and at a time to be determined by the Committee.

A quorum of members is required at all meetings and shall be 50% plus one of all voting members.

As the Chair of the inaugural committee is an ex-officio position, in the instance of a tied vote the status quo will prevail. Thereafter, the Chair will have the casting vote.

6. OFFICE BEARERS

- Chair – CHCC Director Sustainable Communities for the inaugural committee term
- Vice Chair– to be elected at first meeting
- Industry Liaison – to be elected at first meeting

CHCC to provide secretariat for the meeting

7. TERM OF OFFICE

The inaugural Committee will function until the next Council election (September 2016). A structural review of the committee will take place in June 2016, including membership makeup and skills requirements.

To maintain continuity in strategic direction, 50% (2 Coffs Harbour and 1 Bellingen) tourism industry representatives will be returned to the following term. The other 50% (2 Coffs Harbour and 1 Bellingen) of tourism industry representatives will be open to the wider tourism/community for nominations.

Thereafter, the committee will serve a term of two (2) years.

Council reserves the right to dissolve the Committee at any time by a resolution of Council.

8. SUB-COMMITTEE(S)

Any sub-committees will be delegated by the committee to provide advice and/or direction, based on their investigations, on the specific matters they are tasked with, only within the limitations of the terms of reference for the committee. Formation of sub-committees and their specific delegations are to be minuted.

9. EXPENDITURE

Unless expressly resolved by Council the Committee (including any sub committees) has no powers to commit nor expend any Council funds.

10. RECORD KEEPING

Record keeping is the responsibility of the secretariat

Agendas to be circulated 3 days prior to the meeting. Minutes to be circulated within 7 days.

11. ANNUAL REPORT

An annual report will be prepared and submitted to Coffs Harbour City Council and other relevant stakeholders

12. RULES, REGULATIONS AND PROCEDURES

Refer Coffs Harbour City Council guidebook for S355 Community Committees (Appendix 2)

Action Plan

Marketing the Coffs Coast as a Tourist Destination

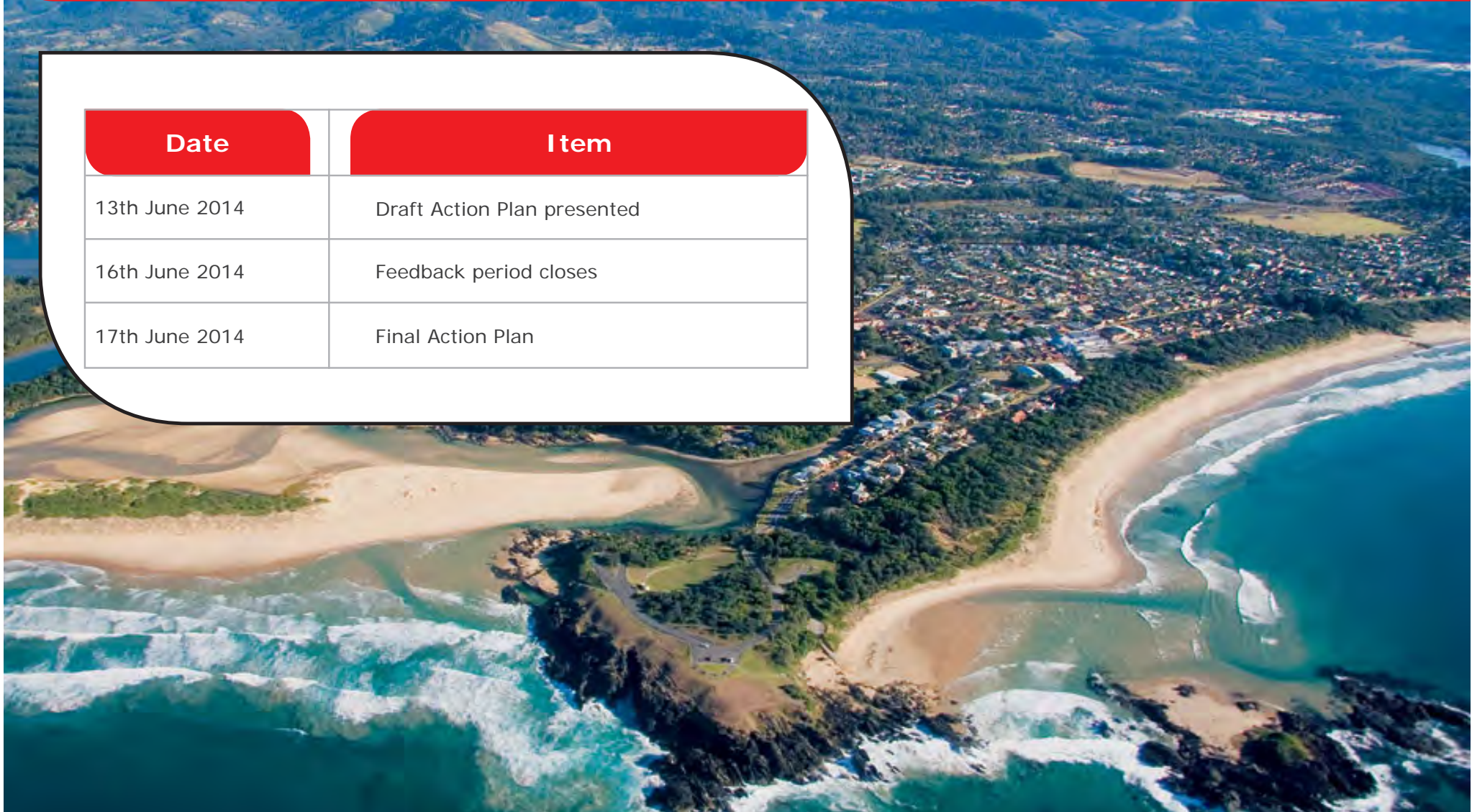
June 2014



Document Control

Attachment 1

Date	Item
13th June 2014	Draft Action Plan presented
16th June 2014	Feedback period closes
17th June 2014	Final Action Plan



Acknowledgments ^{Attachment 1}

We would like to acknowledge the significant input into the development of this action plan from the following people:

-  Dene Zahner – Tourism Association President
-  Jenni Eakins – Director of Community Development
-  Coffs Coast Marketing Team
-  Tourism Coffs Coast Board

And the many, many industry representatives who attended and contributed to the consultation and collaboration processes that led to the development of this final document.

Thank you.

Contents

Attachment 1

-  About this report
-  How the plan was developed
-  Summary of the Key Findings Report
-  Key Success Factors for Moving Forward
-  **Defining a Sustainable Business Model**
-  The Recommended Model
-  Action Plan
-  Additional Notes: Items to be considered

About this report

Coffs Harbour City Council currently commits funds for destination marketing and visitor services for the Coffs Coast through a functional area called Coffs Coast Marketing.




Coffs Coast Marketing includes three elements: leisure tourism, conferencing and the Visitor Information Centre (VIC).

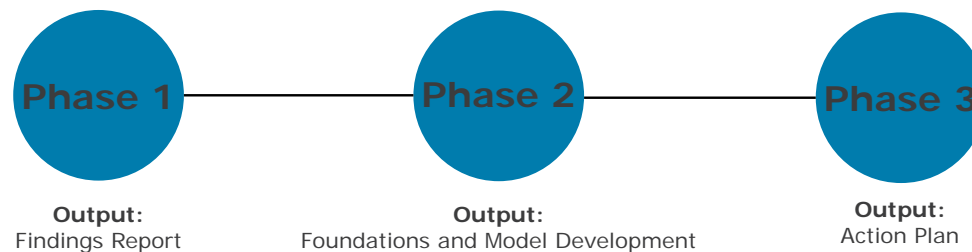
This project, jointly funded by Coffs Harbour City Council and Tourism Coffs Coast Inc required the development of recommendations for the best sustainable business model for destination marketing for the area.

The partners requested the identification of ways to increase funds and opportunities to leverage marketing dollars for the Coffs Coast region.



The Coffs Coast, for the purposes of this project, includes Bellingen Shire Council.

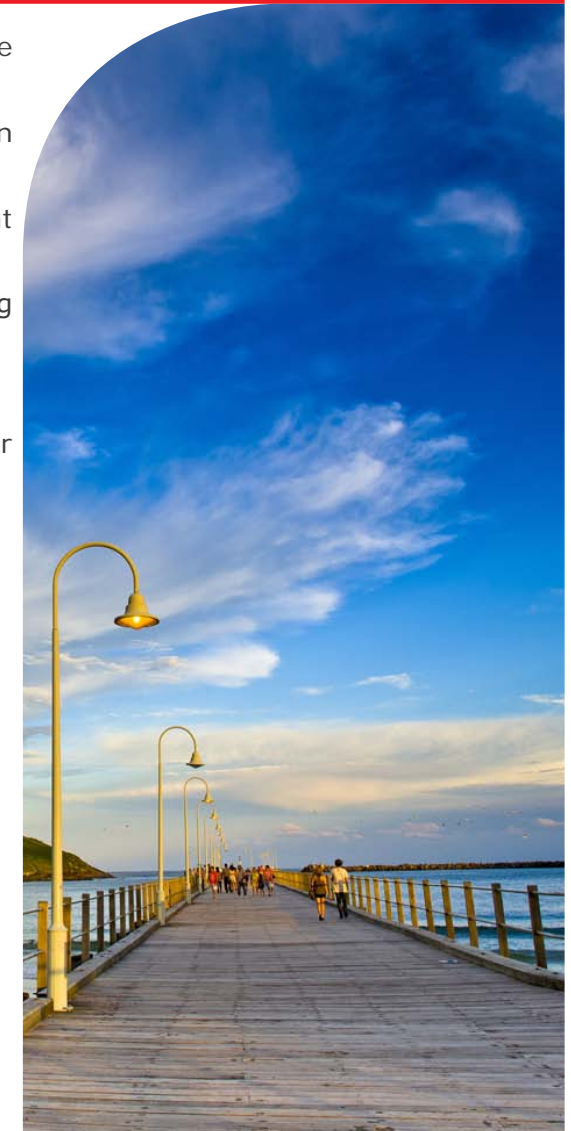
The entire project was completed following a three-phase approach to maximise industry and stakeholder engagement. In order to:

-  Generate honest expression of concern
-  Allow key decisions to be driven by industry and stakeholders
-  Allow for stakeholder feedback to influence document finalisation



This action plan should be read in conjunction with:

-  Findings Report
-  Foundations and Model Development Report



How the plan was developed

- Industry Consultation
- Stakeholder engagement
- Workshops
- Personal interviews
- Desktop research
- Location visits
- Survey results
- Historical documentation review



Summary of the Key Findings Report

Attachment 1

- 1 There is a long history of concern regarding how tourism services and destination marketing is delivered
- 2 There have been a number of management models used for the delivery of tourism services for the Coffs Coast
- 3 There is a need for brand clarity, but the ground work is in place
- 4 The customer experience must be improved and needs to become an area of focus for industry
- 5 Revenue for the promotion and delivery of the suite of tourism services and marketing is coming from:
 - Council: The budget shortfall for operating the CCM Unit - \$1,300,000
 - Collective industry revenue through sales and conferencing \$766,100, (\$420,000 coming from conferencing)
 - Collective industry revenue through membership and marketing, through TCC Inc between \$85,000 - \$280,000/year
 - Industry based organisation (Chambers of Commerce, FLOT) – value unknown
 - Individual operators – value unknown
- 6 The current cost of the visitor information centre represents an investment (net expenditure) by Council of approximately \$279,300 per annum.
- 7 There is mixed industry perspective on the value or return of this investment. There is agreement that these services must be reviewed.
- 8 There is agreement that the current situation of two competing organisations offering the same or similar services is counterproductive to the region.
- 9 The combined findings of the literature review, project survey, stakeholder consultations and industry consultation, clearly identify that the request for additional funds to market the Coffs Coast, is a symptom of a far greater problem.
- 10 The real problem will require great change. This change will require solid foundations for moving forward.

Key Success Factors for Moving Forward

Attachment 1

In addition to a new way of thinking, a number of key success factors have been identified. They are:

- 1 Continuous industry input into the strategic direction
- 2 Transparent allocation and management of the budget
- 3 Greater levels of communication between all parties
- 4 Increased opportunity for industry input which is valued and considered
- 5 Income generation through implementation of a user pays system
- 6 Capped annual Council financial contribution
- 7 Formalisation and rationalisation of processes and systems around governance, management and outcomes; roles and responsibilities
- 8 Independent monitoring and evaluation

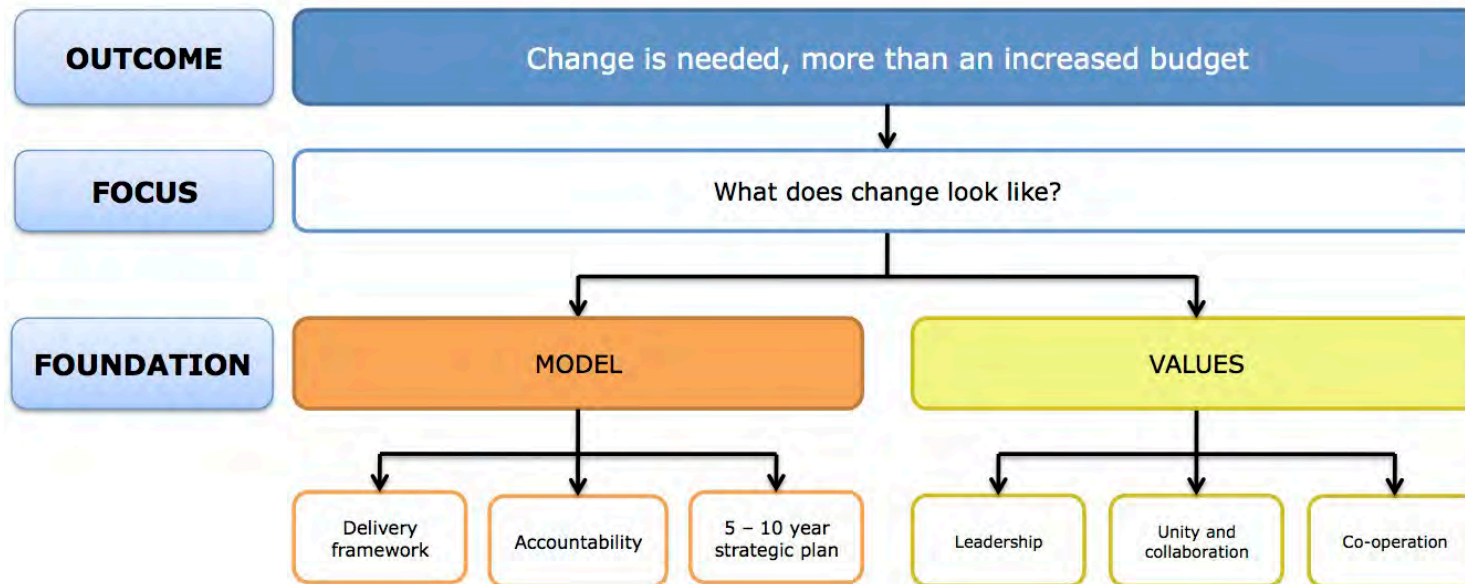


Defining a Sustainable Business Model


Attachment 1

History speaks of complex relationships which have not always been positive. All of this history has contributed to a collective call to develop a new way of working. To break from the past.





Importantly, the business model for truly moving forward recognises there are **values based implementation obstacles** in rolling out new processes. Of these, leadership will be a defining focus in the success of the model moving forward.



For industry, the future model must:

-  Improve industry satisfaction levels
-  Increase visitation statistics
-  Include regular monitoring, evaluation and reporting of outcomes
-  Increase the level and investment of cooperative marketing
-  Increase industry financial contribution and/or membership, a shift towards a user-pays system
-  Invest in innovation
-  Increase the money being leveraged to promote the destination
-  Increase industry confidence to investment in their own product
-  Improve stakeholder engagement and communication
-  Clearly articulated responsibilities linked to the strategic plan

During the consultation phase, ten different models were suggested. The commonality across the models included:

-  One unified organisation
-  A skills based industry board/committee
-  An external or independent body to be part of the accountability and monitoring processes
-  Paid staff for service delivery



The Recommended Model

One Vision, One Future

The recommended model is the amalgamation of Coffs Coast Marketing Unit of CHCC and Tourism Coffs Coast Inc into one entity operating within the CHCC structure.

In order to receive industry support to amalgamate Tourism Coffs Coast Inc and Coffs Coast Marketing Unit of CHCC, there needs to be a framework that supports responsible budget spend and a meaningful industry voice. It is recommended that this is done through the restructure of Coffs Coast Marketing to include an industry-based 355 Committee of Council (CoC). Tourism Coffs Coast would disband, its investment placed into Trust within Council, its Board to nominate the industry members of the Committee of Council.

Coffs Coast Marketing will operate within council (not necessarily its location, but within its structure). This will allow access to Council support through expertise, cross collaboration and continued access to Council funding.

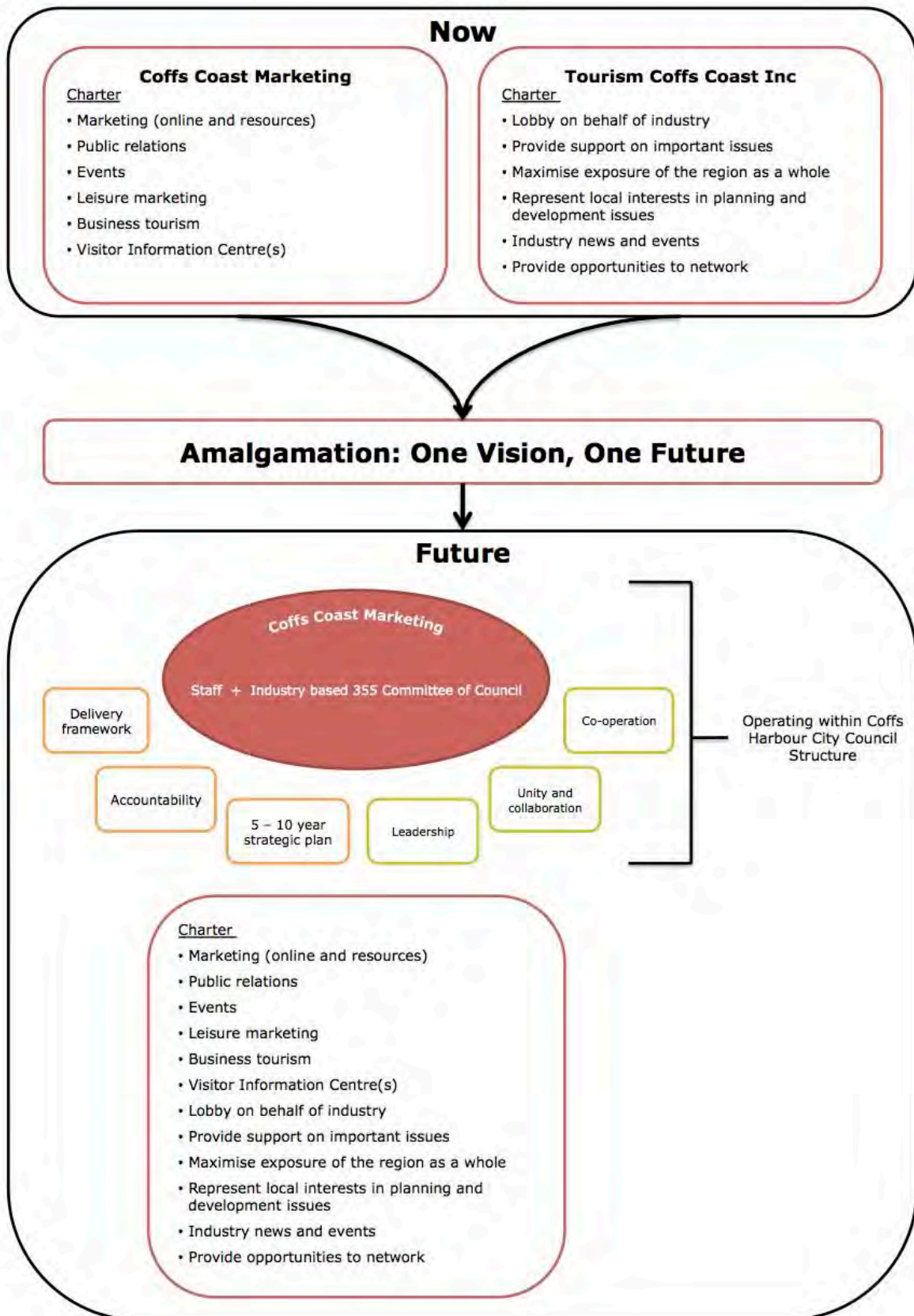
The current Coffs Coast Marketing Unit will need to be reviewed and refined by Council to ensure that its budget and staff align with the strategic intent as defined in the coming months and years through strategic planning processes.

For success, a radical shift in thinking, behaviour and commitment to establishing the Coffs Coast tourism industry as the beneficiary of collaborative effort, is required. Success, is less about an "entity" and more about a definite **shift in the mindset of everyone involved**.

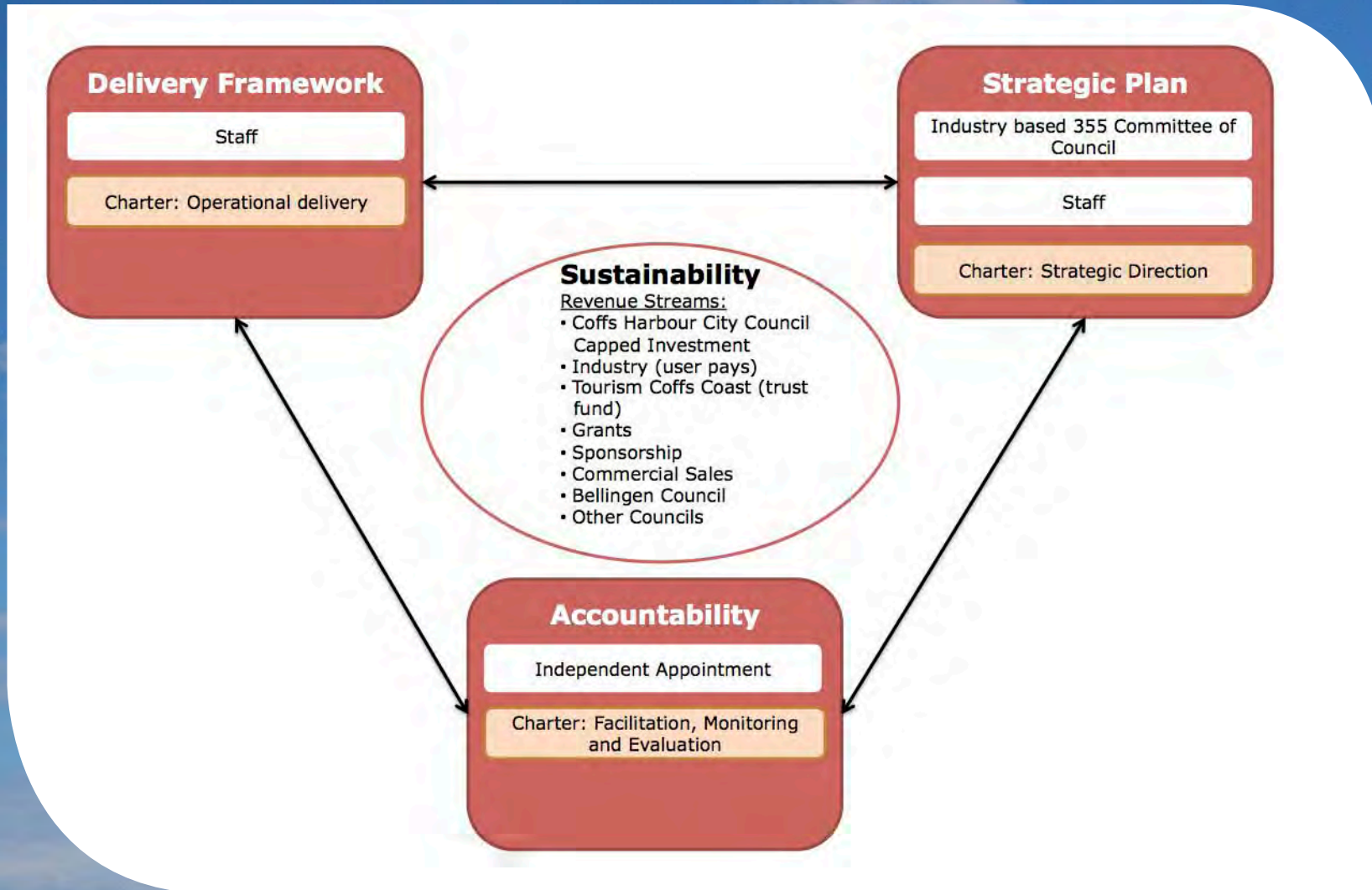
If the future is not approached in the spirit of true collaboration then it holds more of the same: complaints and dissatisfaction, declining industry investment and further decline in industry engagement. This will ultimately impact the Coffs Coast Tourism economy.

The **next two years** therefore should be viewed by industry and Council as a **critical phase for creating positive change**. At the end of this timeframe, if significant measurable change has not occurred then the proposed model should be reviewed and further refined.





How it fits together



Proposed Roles and Responsibilities

1 Management Committee

- Set the strategic direction
- Review strategic performance
- An advocacy body for Industry
- Oversee the Trust fund
- Participate in external monitoring and evaluation

2 Director Community Development

- Member of the Management Committee
- Leadership support to the Coffs Coast Market team
- Monitor budget expenditure against targets
- Monitor staff performance

3 Coffs Coast Marketing Staff

The core responsibilities of Coffs Coast Marketing is implementation of the strategic and business direction.

Current roles and responsibilities within Coffs Coast Marketing are to be re-evaluated over the next 6 – 12 months to ensure alignment with the strategic and business plan requirements.

Services will include:

- | | |
|--|---|
| <input type="checkbox"/> Marketing | <input type="checkbox"/> Public Relations |
| <input type="checkbox"/> Events | <input type="checkbox"/> Industry Development and support |
| <input type="checkbox"/> Networking | <input type="checkbox"/> Visitor Information Services |
| <input type="checkbox"/> Destination development and marketing | |

4 Service Contractor

- Facilitate industry consultation relating to the strategic plan development
- Prepare strategic plan for Coffs Coast Marketing
- Provide quarterly monitoring and evaluation of Coffs Coast Marketing activities and outcomes
- Provide an annual report to Council on the performance of Coffs Coast Marketing




Establishment of the Management Committee

Council can create Management Committees under its delegations bestowed under Section 355 (S355), Section 377 (S377) and Section 378 (S378) of the Local Government Act 1993.

The business model recommends that the community be formally included at a strategic level and therefore CHCC will need to consider the formation and appointment of a Coffs Coast Marketing Management Committee prior to September.

Appointment and reappointment of members would be in accordance with the provision of S355 and S377 of the Local Government Act 1993.

Potential items for inclusion within the Terms of Reference for this Management Committee include:

-  Term: maximum 2 year
-  Meeting – minimum of one per quarter
-  Membership – To consist of 9 members and two ex officio positions;
 - Councillor of Coffs Coast City Council
 - 6 Industry members (appointed in first instance by Tourism Coffs Coast Board. Later appointed as per constitution)
 - Director of Community Development (Coffs Harbour City Council)
 - Representative of the Regional Tourism Organisation
 - Ex Officio roles: Manager of Coffs Coast Marketing and Bellingen Shire Council
-  Office bearers – President, Secretary and Treasurer. These positions form the Executive of the Committee

Action Plan

Attachment 1

For the new, **united** CCM the process of change must be managed carefully. Whilst a brand name change is not recommended – because of the investment and efforts to date – it will be critical ensure that the current modus operandi of the CCM Unit, is not 'status quo'.

Because processes are invisible, many people don't realise the impact they have on an organisation's performance. Instead, when problems arise, people often look for someone to blame. Most organisational difficulties stem from flawed processes. The immediate way forward is to envisage a new future, test ideas and consider their implications, document new processes and refine them along the way.

For the united Coffs Coast Marketing (One Vision, One Future), the goal will be to generate benefits for the region in the form of:

- 1 Cost savings and efficiency gains
- 2 Greater contribution from industry
- 3 Expanded destination marketing efforts
- 4 Refined visitor services
- 5 Improved visitor experiences

"Don't find fault, find remedy"

Henry Ford



Time Line

A two-year timeframe has been suggested as appropriate to bring about positive change, through best practice processes and increased collaboration and co-operation.

The highest priority beyond this project is the development of a long-term strategic plan. The united CCM should drive this project through to its completion.

From this process, will flow:

- Long term vision
- Target market identification and segmentation
- Business plan
- Tactical plan(s)
- Operational plan(s) for projects/initiatives
- Communication plan for stakeholders
- Visitor information service delivery strategies
- Budgetary plans

First 6 months

- Adopt a process mindset
- Establish Committee of Council
- Commence extensive industry engagement
- Prepare strategic plan
- Prepare business plan
- Prepare tactical plans
- Prepare communication plans
- Finalise budget
- Commence implementation
- Monitoring and evaluation commences

6 - 12 months

- Continue extensive industry engagement
- Commence revenue generation activities
- Review and refine plans
- Review and refine process
- Review and refine staff roles and responsibilities
- Monitoring and evaluation continues

12 - 18 months

- Outcomes are measurable, lessons are shared and identified
- Operational and tactical plans are reviewed and refined
- Industry is investing
- KPIs are being met
- Monitoring and evaluation continues

18 - 24 months

- Outcomes are measurable, lessons are shared and solution are identified
- Monitoring and evaluation continues
- Business model is reviewed and refined

Increasing the Destination Marketing Budget

- 1 For the next two years, Council should consider a capped investment of \$1.3 million. However, by year three, the investment could reduce to a more sustainable level, or Council could consider the introduction of a tourism business levy. The latter has been raised by industry during this project as a realistic option.
- 2 Council's annual VIC investment of \$280,000 should be considered a potential area of saving (or redirection), if new and innovative ways are considered in the provision of information services (rather than a centre).
- 3 The creation of a user pays system – where membership fees are collected by CCM for redirection into annual regional marketing campaigns (not one-offs). Industry investment that has previously come through TCC Inc for these types of initiatives is in the range of \$85,000 - \$280,000 annually.
- 4 Events, conferencing and ticketing services are other income generating options that could be explored.
- 5 Finally, TCC Inc will bring to the table, a cash injection of \$125,000 to go into a Trust Fund. How these funds are used will fall to TCC Inc as they consider the endorsement of this report.
- 6 Grants - with one vision, a united industry, strategic and business plans in place, CCM should be in an excellent position to compete and win funding

Recommendations

- 1 TCC Inc Board endorses this report and prepares a letter of support for its implementation to the Director, Community Development.
- 2 CHCC presents this report to Council, together with the full findings report and model development report, for consideration and adoption.
- 3 Conditions of the Trust Fund be established by TCC Inc as a high priority.
- 4 Constitution of the 355 Committee of Council be developed in conjunction with the TCC Inc Board as a matter of priority to alleviate concerns prior to the implementation of this report.
- 5 Constitution of the 355 Committee of Council be presented to Council for review and endorsement.

Additional Notes: Items to be considered

Attachment 1

Item	To be considered
Establishment of the 355 Committee of Council	Terms and conditions that are acceptable to both parties
Deregister Tourism Coffs Coast Inc	<p>Develop agreement with Council surrounding the Trust fund</p> <p>Transfer money to CCM Trust fund.</p> <p>Clear financial delegation approvals to be developed for expenditure decisions with particular consideration to the spending of the Trust monies</p>
Current membership Tourism Coffs Coast Inc	Refund or roll-over of fees to current subscribers?
Strategic Planning Process	<p>Strategic planning will require an independent specialist.</p> <p>Engagement of an independent consultant specialising in Tourism and Destination Management will require a budget allocation</p>
User pays system	<p>What benefits will be offered to members?</p> <p>Can this happen before strategic plan?</p> <p>Could this be tied to current membership of TCC Inc to avoid refund?</p> <p>Redevelop industry investment/membership prospectus including high level breakdown of budget expenditure</p>
Coffs Harbour City Council needs to prepare budgets	<p>Without a strategic plan how is this possible?</p> <p>Can they commit to a capped investment for two years?</p> <p>Will this allow for reallocation after the strategic plans and resultant business plans are completed, if the expenditure doesn't exceed the capped investment?</p>
Review the CCM Budget allocation to reflect tourism provision	<p>Review budget line items and reallocate items that sit outside the scope of tourism marketing functions.</p> <p>Would this include monies spent on sporting events, festivals and conferencing?</p>

Item	To be considered
Ensure Bellingen Shire Council and its tourism industry stay connected with CCM	<p>NOTE: Bellingen Shire Council currently have a MoU in place with Coffs Coast Marketing. What can be offered to Bellingen? What is the cost for those services? Are they value for money? How are they measured and reported? How can BSC connect with CCM working under a 355 Committee of Council Other neighbouring Councils such as Nambucca and Clarence Valley may be willing to pay CCM to undertake tourism related activities on their behalf.</p>
Current roles and position description of CCM staff	<p>How can the roles of Coffs Coast Marketing staff be reassessed to reflect the strategic intent? Who will deliver upon the need for increased industry liaison and industry engagement? Who will act as the sales role to develop membership/user pays products and or services?</p>
Visitor Information Centre	<p>Delivery of Visitor Information Services should be reassessed to consider innovative digitally based solutions to provide exciting and cost effective service delivery Opportunity over the short - medium term to reallocate funding from Visitor Information Centers to Visitor Information Services</p>
Privacy around member information	<p>United CCM will need a contact database containing all key contacts from both Coffs Coast Marketing and Tourism Coffs Coast.</p>
Product development	<p>Training schedule implemented to improve operators skills development. Considerations could include webinars and workshops run by Coffs Coast marketing or through partnering with local registered training organisation's to reduce delivery costs.</p>
External monitoring and evaluation process	<p>Identified as critical to success. Ongoing engagement of Independent consultant for monitoring and evaluation of delivery framework against strategic plan KPI's requires a budget allocation</p>
Increased industry liaison	<p>Development of a communication strategy to relay key messages, industry news and accountability reports to industry stakeholders. Engagement methods to be considered may include regular meetings in each LGA, production of regular newsletters distributed through members database and more effective use of online technology possibly via an industry portal.</p>

**Items added from consultation
on Draft Action Plan**

To be considered

355 Committee of Council Membership

Tourism Coffs Coast to consider the representation of the six designated industry positions

Protection of the trust

Written clarification from Council relating to the guaranteed protection of the CCM Trust fund. This is to include the process should Council be amalgamated or placed under administration

Naming the 355 Committee of Council

A suitable and meaningful name to be developed for the Committee

Clarify Bellingen Shire Council's involvement

Meeting to be organised by Dene Zahner (Tourism Association President) and Jenni Eakins (Director of Community Development) with Liz Jeremy (General Manager of Bellingen Shire Council) to discuss the action plan and recommended model and seek clarification of Bellingen Shire Council's involvement moving forward.

Prepared by:

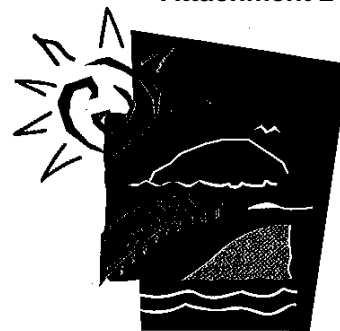
R&S Muller Enterprise Pty Ltd

(02) 6681 4772

www.mullerenterprise.com.au

Attachment 1

COFFS HARBOUR CITY COUNCIL



Our ref: 5534306

18 March 2015

Mr D Zahner
Tourism Coffs Coast
PO Box 2222
COFFS HARBOUR NSW 2450

Dear Dene

(draft) Tourism Advisory S355 Terms of Reference

Please find attached the updated (draft) Tourism Advisory S355 Terms of Reference.

Following this morning's discussion around office bearers, we have suggested the inclusion of a Liaison Officer to be elected by the committee.

Could you please provide consolidated feedback from your Board by Friday 10 April 2015? We will then provide a final (draft) version for you to take to your membership base at your Annual General meeting, with a view of the Terms of Reference going to Council in May for endorsement.

For further information please contact the undersigned on 6648 4957.

Yours faithfully

A handwritten signature in cursive script that reads "Nikki Greenwood".

Nikki Greenwood
Group Leader City Prosperity

Attachment

- Communications to: The General Manager, Locked Bag 155, Coffs Harbour 2450 • Administration Building, 2 Castle Street, Coffs Harbour • Tel: (02) 6648 4000
- Fax: (02) 6648 4199 • ABN 79 126 214 487
- Email: coffs.council@chcc.nsw.gov.au
- Website: www.coffsharbour.nsw.gov.au

COFFS HARBOUR CITY COUNCIL



Our ref: 5534306

16 April 2015

Mr D Zahner
Tourism Coffs Coast
PO Box 2222
COFFS HARBOUR NSW 2450

Dear Dene

Tourism Advisory Committee - S355 Terms of Reference (Draft)

I would like to confirm that Nikki Greenwood and myself look forward to attending the Tourism Coffs Coast AGM as requested, specifically for the session on the S355 committee at 5.30pm.

As we have not received any formal feedback from the Board, we now understand you to be comfortable with the draft Terms of Reference (TOR) as previously advised (attached).

Following the AGM, it would be beneficial if you could confirm Tourism Coffs Coast endorsement of the draft TOR and also nominate your six representatives for the inaugural committee (4 Coffs/2 Bellingen). Once we have received this written notification, it will be included in the report that goes to Council for their consideration of commencing the S355 committee on 1 July 2015.

Once again, we look forward to continuing to work with the tourism industry.

Yours faithfully

A handwritten signature in black ink, appearing to read 'C. Chapman', is written over a light blue background.

Chris Chapman
Director Sustainable Communities

CDC:cts

Attachment

- Communications to: The General Manager, Locked Bag 155, Coffs Harbour 2450 – Administration Building, 2 Castle Street, Coffs Harbour – Tel: (02) 6648 4000
- Fax: (02) 6648 4199 – ABN 79 126 214 487
- Email: coffs.council@chcc.nsw.gov.au
- Website: www.coffsharbour.nsw.gov.au



ABN 81 625 145 358
PO Box 2222, Coffs Harbour, 2450
Ph: (02)66517766 info@tourismcoffscoast.com.au

Director Sustainable Communities
Coffs Harbour City Council

Dear Mr Chapman,

Re: Terms of Reference and 355 Committee members.

This letter is to confirm that the Board of the Tourism Coffs Coast are happy with the drafted Terms of Reference which refer to the 355 committee.

We also have the below Directors that will come over to form the 355 committee:

4 Coffs Harbour Members:

Dene Zahner
David Laarhoven
Paige Sinclair
Michael Hall

2 Bellingen Members:

Yvonne Wynen
Jenny Sewell

We look forward to working with Coffs Harbour City Council to establish a 355 committee, strategic and business plan for the successful marketing of the Coffs Coast region.

Yours sincerely

Dene Zahner
President
Tourism Coffs Coast



REPORT TO ORDINARY COUNCIL MEETING

MONTHLY BUDGET REVIEW FOR MAY 2015

REPORTING OFFICER: Program Support Coordinator
DIRECTOR: Director Business Services
COFFS HARBOUR 2030: LC3.1 – Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour
ATTACHMENTS: Nil

Recommendation:

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

Estimated Budget Position as at 31 May 2015:

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 22 May 2014	(1,557) (S)	3,237,535 (D)	2,536,225 (D)
Approved Variations to 30 April 2015	(84,215) (S)	(219,967) (S)	628,362 (D)
Recommended variations for May 2015	150,000 (D)	Nil	Nil
Estimated result as at 31 May 2015	64,228 (D)	3,017,568 (D)	3,164,587 (D)

EXECUTIVE SUMMARY

This report summarises the proposed budget adjustments for the month and to report on the estimated budget position as at 31 May 2015.

REPORT

Description of Item:

To report on the estimated budget position as at 31 May 2015.

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 22 May 2014	(1,557) (S)	3,237,535 (D)	2,536,225 (D)
Approved Variations to 30 April 2015	(84,215) (S)	(219,967) (S)	628,362 (D)
Recommended variations for May 2015	150,000 (D)	Nil	Nil
Estimated result as at 31 May 2015	64,228 (D)	3,017,568 (D)	3,164,587 (D)

General Account

Deficit/(Surplus)

Increased legal expenses allocation in line with current revised expectations of costs	150,000 (D)
New school zone signage at Woolgoolga primary School	1,860 (D)
RMS grant funding for Woolgoolga primary School signage works	(1,860) (S)
Garlambirla Gagu arts, culture and youth leadership camp	2,500 (D)
Arts mid north coast grant funding for leadership camp	(2,500) (S)
Kerb ramps at Pacific Highway & Bray St intersection	35,500 (D)
RMS grant funding for kerb ramp works	(35,500) (S)
Pram ramps at Pacific Highway & Orlando St intersection	51,000 (D)
RMS grant funding for pram ramp works	(51,000) (S)
Arthur St pedestrian refuge works	27,000 (D)
50% RMS grant funding for refuge works	(13,500) (S)
50% Council funding towards refuge works allocated from RMS pedestrian works matching funds	(13,500) (S)
Total	<u>150,000 (D)</u>

Water Account

Total **Nil**

Sewer Account

Total **Nil**

Issues:

There is no obligation to provide monthly reviews but as part of prudent financial management we have opted to do so.

Options:

Council's options in relation to this report are to:

1. Adopt the recommendation provided to Council.
2. Amend the recommendation provided to Council and then adopt. This may impact upon the projected bottom line budgeted position.
3. Reject the recommendation provided to Council. This would revert the budget back to its original position prior to the recommendation being sought.

Sustainability Assessment:

This report is one of procedure only.

- **Environment**

There are no perceived short or long-term environmental impacts.

- **Social**

There are no perceived short or long term social impacts.

- **Civic Leadership**

Council strives to reach a balanced budget cash position by June 30 each year in conjunction with meeting its short term priorities.

- **Economic**

Broader Economic Implications

This report assesses the current years projected budget position only. Any variations approved by Council are subsequently reflected in Council's Delivery Plan and may affect future economic sustainability.

Delivery Program/Operational Plan Implications

The original budget for the General Account adopted on the 22 May 2014 provided for a deficit of \$1,557.

For substantial budget adjustments the associated council reports have addressed the triple bottom line factors independently in 2014/15.

Risk Analysis:

Not applicable.

Consultation:

Group Leaders and their relevant staff have been provided with electronic budget reports for each program on a monthly basis. Requested variations and variations adopted by Council have been included in the report.

Related Policy, Precedents and / or Statutory Requirements:

As discussed above, under local government regulations the Responsible Accounting Officer is required to submit a quarterly budget review to Council. There is no obligation to provide monthly reviews but as part of prudent financial management we have opted to do so, commencing October each year.

Implementation Date / Priority:

The approved variations will be updated in the affected budgets prior to release for review in the following month.

Conclusion:

This report summarises the proposed budget adjustments for the month and the impact upon the projected budget position for the current financial year.



REPORT TO ORDINARY COUNCIL MEETING

BANK AND INVESTMENT BALANCES FOR MAY 2015

REPORTING OFFICER:	Section Leader Financial Planning
DIRECTOR:	Director Business Services
COFFS HARBOUR 2030:	LC3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour
ATTACHMENTS:	ATT Bank Balances and Investment Balances as at May 2015

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 fifty million, four hundred and ninety five thousand, eight hundred and sixty dollars (\$150,495,860) as at 31 May 2015 be noted.
2. That the general fund unrestricted cash and investments totaling two hundred and seventy three thousand, seven hundred and seventy two dollars (\$273,772) as at 31 May 2015 be noted.

EXECUTIVE SUMMARY

The purpose is to report on Council's Bank Balances and Investments as at 31 May 2015. Council receives independent advice and invests surplus funds in accordance with Councils Investment Policy to maximise investment income and preserve capital to assist with funding requirements for projects listed under the Coffs Harbour 2030 Community Strategic Plan.

REPORT

Description of Item:

A copy of the state of Bank Balances and Investments as at 31 May 2015 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.

Reports written by Laminar Group Pty Ltd (Council's investment portfolio advisors), which examine economic and financial markets data for May 2015 are available in the Councilors' Resource Centre.

Issues:

There are no issues associated with the report.

Options:

As the report is for noting only, an options analysis is not required.

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 May 2015 it is noted that after deducting, from the total bank and investment balances of \$150,495,860 the estimated restricted General, Trust, Water and Sewerage cash and investments (\$150,222,088) the Unrestricted Cash is \$273,772.

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 Laminar Group 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:

Rating	Ratings Explanation
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, ie 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, Laminar Group Pty Ltd have been consulted in the preparation of this report.

Related Policy, Precedents and / or Statutory Requirements:

Council funds have been invested in accordance with Council's *Investment Policy* (POL-049), which was adopted on 27 November 2014.

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).

Implementation Date / Priority:


Nil.

Further details are provided as a note on the attachment

Conclusion:

Council should consider the information provided in the report and the Councilors' Resource Centre and adopt the recommendation provided.

BANK BALANCES AND INVESTMENTS AS AT 31 MAY 2015								
	Credit Rating at 31/5/15	Legal Maturity	Acquisition Price \$	Market Value as at 1/5/15 \$	Market Value as at 31/5/15 \$	Income Earned (net of fees) Financial Yr to Date \$	Annualised Monthly Return/ Current Coupon	Risk of capital not being returned
OVERNIGHT FUNDS:								
Cash - Fair Value movements through profit & loss								
NAB - Bank Accounts	AA-			2,988,704	4,000,000	79,940	1.85	Low
UBS Cash Management Trust	AAA			26,998	26,998	7,763	1.65	Low
ME Bank - Business Account	BBB+			73	73	2	3.25	Low
NAB Professional Funds Account	AA-			11,341	10,668,842	150,338	2.40	Low
Rabo Direct - High Interest Savings Acc	AA			-	-	153	3.00	Low
Suncorp Business Saver	A+			(4)	(4)	(3)	2.75	Low
ANZ Negotiator Saver - <i>Trust A/c</i>	AA-			137,591	137,916	3,876	3.20	Low
Credit Union Australia Prime Access	BBB+			82	82	-	0.01	Low
Total				3,164,785	14,833,907	242,069		
BENCHMARK RATE - 11 AM INDICATIVE CASH RATE							2.24	
BENCHMARK RATE - AUSBOND BANK BILL INDEX							2.48	
Term Deposits - Fair Value movements through profit & loss								
AMP 24/5/16	A+	24/05/2016	5,000,000	5,000,000	5,000,000	337,295	7.35	Low
Arab Bank 7/5/18	BBB-	7/05/2018	1,500,000	1,500,000	1,500,000	64,775	4.70	Low
Arab Bank 10/9/15	BBB-	10/09/2015	2,000,000	2,000,000	2,000,000	78,014	4.25	Low
NAB 11/6/15	AA-	11/06/2015	2,500,000	2,500,000	2,500,000	16,986	3.10	Low
NAB 18/8/15	AA-	18/08/2015	1,000,000	1,000,000	1,000,000	28,835	3.68	Low
NAB 4/3/16	AA-	4/03/2016	2,000,000	2,000,000	2,000,000	74,893	4.08	Low
NAB 13/5/16	AA-	13/05/2016	1,500,000	1,500,000	1,500,000	54,793	3.98	Low
NAB 2/9/15	AA-	2/09/2015	1,000,000	1,000,000	1,000,000	27,323	3.68	Low
NAB 20/2/17	AA-	20/02/2017	4,000,000	4,000,000	4,000,000	35,435	3.17	Low
NAB 12/12/19	AA-	12/12/2019	1,000,000	1,000,000	1,000,000	18,630	4.00	Low
NAB 26/2/16	AA-	26/02/2016	1,000,000	1,000,000	1,000,000	8,164	3.17	Low
NAB 26/11/15	AA-	26/11/2015	1,000,000	1,000,000	1,000,000	8,190	3.18	Low
NAB 27/8/15	AA-	27/08/2015	1,000,000	1,000,000	1,000,000	8,164	3.17	Low
NAB 29/10/15 - <i>Regional Parks Trust</i>	AA-	29/10/2015	1,220,000	1,220,000	1,220,000	3,797	3.55	Low
Delphi Bank 5/8/15*	A-	5/08/2015	2,000,000	2,000,000	2,000,000	122,986	6.70	Low
Bank of Queensland 4/9/17	A-	4/09/2017	2,000,000	2,000,000	2,000,000	103,403	5.65	Low
Bank of Queensland 5/2/18	A-	5/02/2018	3,000,000	3,000,000	3,000,000	141,378	5.15	Low
Bank of Queensland 5/3/18	A-	5/03/2018	2,000,000	2,000,000	2,000,000	93,337	5.10	Low
Bank of Queensland 17/5/17	A-	17/05/2017	1,000,000	1,000,000	1,000,000	42,933	4.65	Low
Bank of Queensland 20/2/18	A-	20/02/2018	1,000,000	1,000,000	1,000,000	42,751	4.70	Low
Bank of Queensland 29/6/16	A-	29/06/2016	1,000,000	1,000,000	1,000,000	68,560	7.47	Low
Bank of Queensland 8/7/15	A-	8/07/2015	1,000,000	1,000,000	1,000,000	66,174	7.21	Low
Bank of Queensland 8/8/16	A-	8/08/2016	2,500,000	2,500,000	2,500,000	153,045	6.69	Low
Bank of Queensland 6/6/17	A-	6/06/2017	2,000,000	2,000,000	2,000,000	99,858	5.44	Low
Bank of Queensland 14/8/15	A-	14/08/2015	1,800,000	1,800,000	1,800,000	106,227	6.43	Low
Bank of Sydney 25/6/15	NR	25/06/2015	2,000,000	-	2,000,000	871	2.65	Low
Bankwest 24/9/15	AA-	24/09/2015	1,000,000	-	1,000,000	329	3.00	Low
Beyond Bank 2/3/16	A	2/03/2016	750,000	750,000	750,000	6,288	3.40	Low
Beyond Bank 2/3/17	A	2/03/2017	750,000	750,000	750,000	6,380	3.45	Low
Beyond Bank 2/3/18	A	2/03/2018	990,000	990,000	990,000	9,032	3.70	Low
Rabo Direct 24/3/16	AA	24/03/2016	5,000,000	5,000,000	5,000,000	327,137	7.15	Low
Rabo Direct 10/8/15	AA	10/08/2015	1,000,000	1,000,000	1,000,000	61,677	6.70	Low
Rabo Direct 17/8/18	AA	17/08/2018	1,500,000	1,500,000	1,500,000	48,189	4.10	Low
Rabo Direct 14/1/20	AA	14/01/2020	1,000,000	1,000,000	1,000,000	15,201	4.05	Low
ING 17/8/17	A-	17/08/2017	2,000,000	2,000,000	2,000,000	110,650	6.01	Low
ING 6/9/17	A-	6/09/2017	2,000,000	2,000,000	2,000,000	102,488	5.60	Low
ING 7/5/18	A-	7/05/2018	1,500,000	1,500,000	1,500,000	64,155	4.66	Low
ING 2/3/18	A-	2/03/2018	2,000,000	2,000,000	2,000,000	83,271	4.55	Low
Wide Bay 29/7/16	BBB	29/07/2016	1,000,000	1,000,000	1,000,000	65,164	7.10	Low
Wide Bay 8/8/16	BBB	8/08/2016	1,000,000	1,000,000	1,000,000	64,970	7.10	Low
Wide Bay 12/12/16	BBB	12/12/2016	2,000,000	2,000,000	2,000,000	35,342	3.75	Low
ME Bank 18/2/19	BBB+	18/02/2019	3,000,000	3,000,000	3,000,000	139,048	5.05	Low
ME Bank 7/5/19	BBB+	7/05/2019	2,000,000	2,000,000	2,000,000	88,293	4.81	Low
ME Bank 3/6/19	BBB+	3/06/2019	2,000,000	2,000,000	2,000,000	85,356	4.65	Low
ME Bank 11/6/19	BBB+	11/06/2019	1,500,000	1,500,000	1,500,000	64,017	4.65	Low
ME Bank 2/6/17	BBB+	2/06/2017	1,500,000	1,500,000	1,500,000	57,134	4.15	Low
ME Bank 2/9/19	BBB+	2/09/2019	2,000,000	2,000,000	2,000,000	63,407	4.27	Low
Police Credit Union 17/5/16	NR	17/05/2016	500,000	500,000	500,000	20,697	4.51	Low
Police Credit Union 1/3/19	NR	1/03/2019	1,000,000	1,000,000	1,000,000	46,349	5.05	Low
Police Credit Union (SA) 30/10/18	NR	30/10/2018	500,000	500,000	500,000	12,019	4.10	Low
Qld Police Credit Union 16/5/16	NR	16/05/2016	2,000,000	2,000,000	2,000,000	76,633	4.15	Low
WAW Credit Union 27/5/16	NR	27/05/2016	1,000,000	1,000,000	1,000,000	38,089	4.15	Low
BCU 2/6/17	NR	2/06/2017	1,000,000	1,000,000	1,000,000	39,007	4.25	Low
CBA 16/5/16	AA-	16/05/2016	1,000,000	1,000,000	1,000,000	41,301	4.50	Low
CBA 17/5/16	AA-	17/05/2016	1,000,000	1,000,000	1,000,000	41,301	4.50	Low
CBA 23/5/16	AA-	23/05/2016	1,000,000	1,000,000	1,000,000	41,760	4.55	Low
CBA 30/5/16	AA-	30/05/2016	1,000,000	1,000,000	1,000,000	41,760	4.55	Low
CBA 6/6/16	AA-	6/06/2016	1,000,000	1,000,000	1,000,000	41,760	4.55	Low
CBA 29/10/17	AA-	29/10/2017	1,650,365	1,650,365	1,650,365	47,869	2.67	Low
Total			95,160,365	92,160,365	95,160,365	3,792,890		

BANK BALANCES AND INVESTMENTS AS AT 31 MAY 2015								
	Credit Rating at 31/5/15	Legal Maturity	Acquisition Price \$	Market Value as at 1/5/15 \$	Market Value as at 31/5/15 \$	Income Earned (net of fees) Financial Yr to Date \$	Annualised Monthly Return/ Current Coupon	Risk of capital not being returned
Floating Rate Notes:								
<i>Fair Value through Profit & Loss Accounting - movements through profits & loss.</i>								
CBA	AA-	24/12/2015	2,275,362	2,317,231	2,286,739	114,474	3.79	Low
Macquarie Bank	A	9/03/2017	5,000,000	5,242,150	5,261,200	185,069	5.62	Low
Bendigo Bank	A-	14/11/2018	1,000,000	1,021,890	1,016,980	41,179	3.42	Low
Bendigo Bank	A-	17/09/2019	3,007,000	3,025,162	3,034,634	45,308	3.56	Low
Credit Union Australia	BBB+	20/03/2017	1,500,000	1,509,390	1,513,950	53,440	3.58	Low
Credit Union Australia	BBB+	22/12/2017	1,000,000	1,003,890	1,006,930	20,366	3.47	Low
Police Bank Limited	BBB+	21/08/2017	1,000,000	1,006,220	1,001,080	28,489	3.23	Low
Suncorp Metway Limited	A+	20/08/2019	3,000,000	3,025,860	3,009,870	88,524	3.08	Low
Bank of Queensland	A-	6/11/2019	4,000,000	4,049,960	4,030,400	91,571	3.22	Low
Credit Suisse	A	16/07/2019	3,500,000	3,516,800	3,527,055	69,416	3.29	Low
UBS	A-	27/08/2019	2,000,000	2,016,060	2,010,200	62,845	3.10	Low
ME Bank	BBB+	17/11/2017	3,000,000	3,022,680	3,006,210	62,674	3.14	Low
Total			30,282,362	30,757,293	30,705,248	863,356		
Capital Protected Notes								
<i>Fair Value through Profit & Loss Accounting - movements through profits & loss.</i>								
Lehman #	D	15/06/2009	300,000	-	-	47,636	0.00	High
Lehman #^	D	15/06/2009	500,000	-	-	-	0.00	High
Total			800,000	-	-	47,636		
Floating Rate Term Deposits:								
Bank of Queensland	A-	26/02/2016	1,500,000	1,500,000	1,500,000	55,970	3.65	Low
NAB Flexi	AA-	23/01/2020	2,000,000	2,000,000	2,000,000	25,600	3.65	Low
Total			3,500,000	3,500,000	3,500,000	81,570		
Covered Bonds								
Suncorp Metway Limited	AAA	5/11/2019	2,001,890	2,016,224	2,005,353	31,987	2.88	Low
			2,001,890	2,016,224	2,005,353	31,987		
Floating Rate Transferrable Certificate of Deposit								
Greater Building Society	BBB	15/04/2016	2,000,000	2,018,420	2,024,200	74,966	3.76	Low
ANZ	AA-	11/11/2019	2,250,000	3,295,825	2,266,785	72,076	2.99	Low
Total			4,250,000	5,314,245	4,290,985	147,042		
Other:								
Southern Phone Company Shares	N/A	N/A	2	2	2	-	N/A	Low
Securities No Longer Held			-	4,010,920	-	982,085		
Total			2	4,010,922	2	982,085		
GRAND TOTAL (before fees)				140,923,834	150,495,860	6,188,635		
Less Portfolio Fees (Advice & Salary)						(110,532)		
GRAND TOTAL				140,923,834	150,495,860	6,078,103		
# Capital Guaranteed at maturity, ^ Ex Infrastructure IMP, * Fitch Rated						\$ 6,078,103		
The dates quoted alongside the name of the product for FRN's and Fixed Bonds are first call dates.						\$ 150,495,860		
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						\$ 6,078,103		
TOTAL CASH & INVESTMENTS AS AT 31 MAY 2015						\$ 150,495,860		
LESS ESTIMATED RESTRICTED EQUITY FOR WATER & SEWER FUNDS								
			Water Fund	\$ 30,255,729				
			Sewer Fund	\$ 47,551,107		\$ 77,806,836		
GENERAL FUND CASH & INVESTMENTS						\$ 72,689,024		
LESS TRUST FUND BALANCES AS AT 31 MAY 2015						\$ 1,472,657		
LESS ESTIMATED RESTRICTED EQUITY FOR GENERAL FUND (S94 contributions, grants, reserves).						\$ 70,942,595		
ESTIMATED GENERAL FUND UNRESTRICTED CASH & INVESTMENTS AS AT 31 MAY 2015								
			Unrestricted Cash & Investments as at 30 June 2014	\$ 188,000				
			Deduct 2014/15 Budget Surplus as at 30/4/15 (adopted 28/5/15)	\$ 85,772				
ESTIMATED GENERAL FUND UNRESTRICTED CASH & INVESTMENTS AS AT AS AT 31 MAY 2015						\$ 273,772		
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.								



REPORT TO ORDINARY COUNCIL MEETING

REMOVAL OF DEVELOPER CONTRIBUTIONS FOR SECONDARY DWELLINGS

REPORTING OFFICER:	Group Leader Financial Management
DIRECTOR:	Director Business Services
COFFS HARBOUR 2030:	PL1.4 Create affordable housing options LC3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour MA1.1 Plan for new transport infrastructure PL1.1 Promote higher densities in our urban centres PL1.2 Provide infrastructure that supports sustainable living and is resilient to climatic events
ATTACHMENTS:	Nil

Recommendation:

That:

1. Council waives Section 64 developer contributions on Secondary Dwellings as defined under the State Environmental Planning Policy for Affordable Rental Housing for a trial period of two years commencing 1 July 2015;
2. Council commences the review of the current Development Servicing Plans to enact the waiver of contributions for Secondary Dwellings as defined under the State Environmental Planning Policy for Affordable Rental Housing;
3. The Waiver for Section 64 developer contributions on Secondary Dwellings as defined under the State Environmental Planning Policy for Affordable Rental Housing is not retrospective and is only for consents granted between 1 July 2015 and 30 June 2017; and
4. A further report be provided to Council before the 30 June 2017 on the results of the trial.

EXECUTIVE SUMMARY

The purpose is to provide Council with a report on the reduction of developer contributions for secondary dwelling developments of 60 square metres or less. Secondary Dwellings ('granny flats') are covered by the NSW Department of Planning and Environments State Environmental Planning Policy (SEPP) for Affordable Rental Housing which aims to support local centres by providing housing for workers close to places of work, and facilitate development of housing for the homeless and other disadvantaged people. Council currently imposes a 40% contribution (pro rata for a single person residence) which can vary anywhere from approximately \$7,000 to \$10,000.

REPORT

Description of Item:

At its meeting held on 14 May 2015 a Notice of Motion (NOM15/9) submitted by Cr Sultana proposed the removal of developer contributions on secondary dwellings. The notice of motion stated:

That Council reduce its contribution for secondary dwellings to 0% for buildings 60 square metres or less.

Council resolved:

That the matter be deferred subject to a report to be brought back to Council at the earliest opportunity, before the end of the financial year.

The purpose of this report is to address the issues, explore the options and provide a recommended way forward to advance this matter.

Issues:

The State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009 makes provision for the erection of a secondary dwelling on any residentially zoned parcel of land. The policy presents a number of potentially positive outcomes, including the following:

- Increasing the range of residential development types available to accommodate the changing (and aging) demographics of the City - currently a high proportion of the City's dwelling stock comprises detached houses comprising three or more bedrooms;
- Increasing the availability of 'affordable housing' suitable for single persons or couples without children;
- providing additional income to households where the secondary dwelling is rented;
- providing financial support for elderly residents to 'age in place' by renting out either the secondary dwelling or the primary residence;
- Potential for releasing 'under-occupied' dwellings by providing opportunities for residents to move into the secondary dwelling and rent out the primary dwelling to a larger household; and
- providing opportunities for inter-generational care, in instances where family members are able to move into the primary dwelling and provide residential care to elderly relatives.

However, traditionally the role of providing affordable housing for the community has not been the responsibility of Local Government. The introduction of the SEPP (Affordable Rental Housing) 2009, and many councils' response to the reduction or waiver of developer contribution to promote such development, could be considered as a form of cost shifting from both the Federal and State Governments to Local Government.

Secondary dwellings are permissible with consent on all residentially zoned land in the local Government area. The dwelling is limited to a maximum floor area of 60m² net of balconies, decks and garages.

It is anticipated that the waiving or significantly reducing development contributions for secondary dwellings, will result in an increase in development applications and construction activity for secondary dwellings. While there are numerous design options for secondary

dwellings, the primary development standards in the SEPP, that control the density, bulk and scale of development, is that the development of a secondary dwelling can only result in there being one principal dwelling and one secondary dwelling on the site and a secondary dwelling is to have a maximum floor area of 60m². In addition, Schedule 1 of the SEPP contains a list of assessable development standards including height, setbacks, site coverage, building articulation, privacy and open space, which are similar to Councils residential design controls in its Development Control Plan. It is reasonable to conclude that the assessment criteria is sufficiently rigorous and robust, to ensure that secondary dwellings will result in an alternative and affordable form of housing, that is compatible with existing residential development and will not have any adverse impacts on residential amenity.

Council currently levies developer contributions on these developments. The contribution is based on the theory that the dwelling will house one person, although this may be conservative. Based on the average occupancy rate of a dwelling being 2.6 people (per Australian Bureau of Statistics census data) Council charges 40% of the rate applicable to an average dwelling.

The fundamental basis for Section 94 developer contributions is that new population generates a demand for public facilities. The cost of those facilities is apportioned between the existing rate base and the new population. The new population's share of the total cost of works shared out on a per person basis over the entire new population and then allocated. If population growth occurs and contributions are forgone, then Council either may choose not to provide the required facilities or Council must find an alternative source of funding to build the infrastructure.

Options:

1. Council continues to charge developer contributions for secondary dwellings at the current rate. This option reinforces the economic rationale underpinning the imposition of contributions, being that new housing increases demand for facilities and services. The consequences arising from this option are that it will most likely maintain the low number of secondary dwellings being approved and will not enhance housing affordability.
2. Council waives developer contributions for secondary dwellings which may result in an increase in applications for new secondary dwellings and also for conversion of existing buildings. However, this will result in reduced developer contributions income.
3. Council waives developer contributions for secondary dwellings for a specific time to determine the actual effects on the number of developments and the financial implications. This option will most likely result in an increase in applications for new secondary dwellings and also for conversion of existing buildings. It is anticipated that a pool of more affordable housing units may be created which does not currently exist. In addition, by maintaining site occupancy rates, it may make better use of infrastructure within established areas. It is considered to be a low risk that such a policy change will result in any material unfunded demand for facilities and services. However, this risk is mitigated to an extent by nominating a limited period after which the policy would be reviewed. Two years is considered as an appropriate trial period to gauge the effectiveness and impacts of the policy change.
4. Council reduces developer contributions for secondary dwellings by changing the methodology used for their calculation. This approach involves setting reduced Section 94 and/or Section 64 contribution rates rather than implementing a full waiver. This option has the advantage of still preserving the existing rationale behind the imposition of current developer contributions. It also enables specific contribution components to be reduced or removed while preserving other contributions. For

example the roads component may be removed and the community facilities contribution maintained.

Alternatively, a percentage reduction in all or some developer contributions may be nominated. This option may also be applied for a limited time period similar to Option 3. There is; however, considerable uncertainty as to what level of further contribution discounting would be necessary to trigger a reasonable policy response in the provision of secondary dwellings.

5. Council waives Section 64 developer contribution charges. Section 64 contributions are particular high in Coffs Harbour City compared to other council areas due to the requirement to recoup the very significant investments in water and sewerage infrastructure over previous years. On average Section 64 contributions make up a total of 52.3% of all developer contributions for secondary dwellings, however depending on the specific development area can range from 46.6% to 66.1%.

As only two Development Service Plans would need to be amended, this option is the most administratively efficient option and provides an approximate reduction in costs of \$7,753 per secondary dwelling.

Again, in relation this option it is suggested that a trial period of two years be applied to gauge the effectiveness and impacts of the policy change.

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 time of assessment of development applications.

- **Social**

Secondary dwellings are covered by the NSW Department of Planning and Environments SEPP for affordable rental housing. The social impacts of removing the developer contributions on secondary dwellings include community support and leadership and by forgoing the developer contribution revenue on secondary dwellings an ethical investment in the community in relation to affordable housing.

- **Civic Leadership**

Coffs Harbour 2030 includes the specific strategy PL1.4 Create affordable housing options. The recommendation assists in advancing this strategy.

Developer contributions more generally support other strategies, such as:

- LC3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour
- MA1.1 Plan for new transport infrastructure
- PL1.1 Promote higher densities in our urban centres
- PL1.2 Provide infrastructure that supports sustainable living and is resilient to climatic events

- **Economic**

Broader Economic Implications

Developer Contribution charges fund infrastructure projects that would not otherwise be undertaken with revenue funding. The waiving of contributions in their entirety may have an adverse impact upon Council's finances and the ability to provide infrastructure to a growing population. From a financial sustainability perspective to completely waive the contributions is not prudent and another methodology may be required to cover the income shortfall.

Release Area Specific Section 94 Plans

For contributions applicable under released area specific plans (e.g. Moonee or West Coffs), secondary dwellings provide a windfall for Council as these plans are based on the number of future lots created. Therefore, secondary dwellings provide additional income as they are not factored into the future number of lots on which the contributions are based. Total contributions for these items for a secondary dwelling are \$4,016.

LGA-wide Section 94 Plans

LGA wide plans include Open Space, Administration Levy, Road Network, and Surf Rescue facilities. Total contributions for these items for a secondary dwelling are \$2,078.

These plans are based on future population projections and therefore exempting secondary dwellings would result in a shortfall of income under these plans. This shortfall would most likely need to be funded from other sources

Section 64 Development Servicing Plans

The Section 64 plans for both the Water and Sewer Networks are not based on locality and are based on a whole of network approach and Equivalent tenements likely to be added to the network over the life of the Development Service Plan. Therefore any reduction in charges for these plans will likely to have a detrimental impact on revenue flows for these services. Total contributions for these items for a secondary dwelling are \$7,753.

Delivery Program/Operational Plan Implications

Developer contributions are funded through charges on development and any reduction in the collection of these contributions is likely to reduce the infrastructure delivered through Council's Delivery Program.

The General Fund would have to contribute to the deficit in the Section 94 plan caused by secondary dwellings if Council wishes to complete all of the works in the works schedules of the Section 94 plan. Alternatively, Council may reduce the scope of the works schedules. Assuming

Similarly, each of the Water and Sewerage Funds would need to contribute to the deficit in the Section 64 Development Servicing Plans. The scope of these plans is unlikely to be able to be modified as the works have largely occurred. The contributions are therefore recovering costs already incurred.

Council has approved nine secondary dwellings this financial year. If all developer contributions are waived based on the average contributions (\$13,847) and approval levels (9) the budget impact would be approximately \$125,000 per annum. However, if only Section 64 developer contributions are waived as recommended, the equivalent budget impact based on the standard contributions (\$7,753) and approval levels (9) would be reduced to \$70,000 per annum.

Risk Analysis:

Introducing a waiver or reduction of developer contributions on secondary dwellings, as defined under the SEPP for Affordable Rental Housing, may cause an increase in approvals for these dwellings. It is possible that this could also cause an increase in the use of infrastructure provided in some locations for which it is unable to meet demand. However, this is not seen as a significant risk.

There is also a risk that other developers throughout the Coffs Harbour City Council LGA may see a waiver as a form of special treatment and could seek a more general waiver or reduction on developer contributions more broadly. A more general waiver or reduction in developer contributions could have very negative impacts on the financial sustainability of the Council and underdetermine the principle of sharing infrastructure costs between existing and new users.

Consultation:

Council staff and other local councils have contributed information which has been used to prepare this report.

Consultation with the community could take place to obtain feedback on the available options prior to Council making a decision in respect to this proposal. However, a trial will permit an evidenced based review to occur near the end of the trial period.

Related Policy, Precedents and / or Statutory Requirements:

New draft Developer Contributions Plans would require exhibition and adoption in accordance with the Environmental Planning and Assessment Act 1979. This report does not seek to initiate the exhibition process.

Section 94 Environmental Planning and Assessment Act 1979.

Section 64 Local Government Act 1993

Comparisons with surrounding LGAs

A recent survey of other Councils has provided the following information in relation to the application of contributions to secondary dwellings.

Council	Contribution status
Tweed Heads	Exempt
Byron Bay	Exempt
Ballina	Recently exempt subject to the number of bedrooms on the lot not exceeding 5
Clarence Valley	Exempt - However all contributions are capped ie subsidised
Lismore	Exempt - all dwellings under 115m ² - discount policy to promote development
Nambucca Heads	0.4 ET's for 1 bed & 0.6 ET's for 2 bed
Bellingen	No water & Sewer \$604 for S94
Port Macquarie	Exempt
Great Lakes	Exempt
Gosford	0.5 ET's
Lake Macquarie	Levies on the basis of dual occupancies
Tamworth	0.45 ET's for 1 bed
Richmond valley	S94A plan only - Water & Sewer plan silent
Camden	Exempt fore 1 bed, 0.75 for 2+ bed
Blacktown	Levied same as dual occupancy
Hornsby	0.4 ET's

In relation to the quantum of approvals the following information has been provided from some North Coast councils.

Port Macquarie – Hastings Council has provided 28 approvals in the last 12 months. The Council also advised that they are not aware of the number that have been approved by private certifiers, so the actual number may be far greater.

Ballina Council has provided 6 approvals where contributions were not applied in the period April to December 2014. Note that contributions may be applied to some secondary dwellings in accordance with the information in the table above.

Byron Bay has had 278 approvals for secondary dwellings since 2010. They are currently investigating the re-instatement of contributions. A report was recently put before Council recommending that contributions be applied to secondary dwellings. This seems to be principally due to lost revenue which is stated to be \$2.3M in Section 94 contributions and \$2.5M in Section 64 contributions since contributions were initially waived. Council Officers recommended contributions be applied but resolution was to have a workshop with Councillors.

Lismore Council advised they have approved approximately 12 secondary dwellings in the last 12 months. Water and sewer contributions are not exempt as the authority is Rous Water who would not agree to an exemption.

Tweed Council have advised that they approved 18 secondary dwellings in 2014.

Implementation Date / Priority:

Should Council opt to exempt or partially exempt secondary dwellings from S94 and/or S64 contributions this should not be retrospective. Consideration also needs to be given as to whether existing consents not yet acted upon can be amended to remove contributions or whether contributions are to remain.

Should Council resolve to waive contributions for secondary dwellings, this will necessitate the review of all contribution plans to remove the secondary dwellings fee from the schedules in all plans. This also involves a 28 day exhibition period.

The recommendation is for the Section 64 developer contributions exemption to commence from 1 July 2015 and this would need to be applied retrospectively to this date once the newly reviewed and adopted plans are in place. Given the 28 day exhibition periods required to undertake these reviews, it is likely this will be in place by the end of September 2015. This approach limits the number of plans required to be reviewed.

Conclusion:

This report addresses the notice of motion that Council reduce its contribution for secondary dwellings to 0% for buildings 60 square metres or less. A number of options have been explored and the waiving Section 64 developer contributions for secondary dwellings, the main source of contributions, for a trial period of two years is recommended.



REPORT TO ORDINARY COUNCIL MEETING

TRAFFIC COMMITTEE NO. 3/2015

REPORTING OFFICER: Traffic Committee
DIRECTOR: Director Sustainable Infrastructure
COFFS HARBOUR 2030: MA 2.2 Facilitate safe traffic, bicycle and pedestrian movement
ATTACHMENTS: ATT1 Minutes of Traffic Committee Meeting held on 4 June 2015
ATT2 Traffic Instruments - Traffic Committee No. 3/2015

Recommendation:

T.17 - Pacific Highway North Korora - Bus Zone & Bus Stop R.511410, 5612527

That approval be given for:

- a. Council to install in Korora interchange, east, Pacific Highway, Korora, one bus length for a permanent bus zone on the northern section and the remainder of the bus bay to be timed bus zone: 7.45am – 9.30am; 2.30pm – 4.00pm school days as per plan T.17 – 2015.
- b. Council to install in Korora interchange west, Pacific Highway, Korora, one bus length for a permanent bus zone on the northern section and the remainder of the bus bay to be timed bus zone: 8.00am – 9.30am; 2.30pm – 4.00pm school days as per plan T.17 – 2015.

T.18 - Mildura and Edgar Street Coffs Harbour - Additional Parking R.505300, R.504390, 5578946

That approval be given for

- a. Council to install two hour restricted parking in Mildura Street, from Edgar Street to Orlando Street, Coffs Harbour from 8.30am - 6.00pm Mon – Fri; 8.30am - 12.30pm Sat and Sun excepting two accessible parking bays adjacent the North Coast Specialist Outreach Clinic and Health Mobility shop and two 15 minute parking bays at the east end of Mildura Street, on both sides of the road, adjacent the Real Estate Agents, as per plan T.18 - 2015.
- b. Council to install one accessible parking bay adjacent Design Studio 22, Edgar Street, Coffs Harbour as per plan T.18 – 2015.



REPORT TO ORDINARY COUNCIL MEETING

T.19 – Beryl Street Coffs Harbour - Coffs Justice Precinct - Loading & Parking Zone 5564169

That approval be given for

- a. Council to install one hour parking 8.30am – 6.00pm; Mon - Fri; 8.30am – 12.30pm Sat and Sun in Beryl Street, Coffs Harbour from the mandatory no stopping zone at the intersection of the Pacific Highway to the intersection of Marjorie Street (no stopping) as per plan T.19 – 2015.
- b. All indented parking to be signposted No Stopping, Police Vehicles Excepted apart from the existing accessible parking bay as per plan T.19 – 2015.
- c. One parking space to be marked Loading zone 8.30am – 6.00pm; Mon - Fri; 8.30am – 12.30pm on the northern side of Beryl Street, Coffs Harbour as per plan T.19 – 2015.
- d. One parking space to be marked No Parking 8.30am – 6.00pm; Mon - Fri; 8.30am – 12.30pm on the southern side of Beryl Street, Coffs Harbour as per plan T.19 – 2015.

T.20 - Scarborough Street Woolgoolga – Woolgoolga Public School – No Stopping Zone R.508610, 5556073

That approval be given for Council install a no stopping line (C3) 50m from the children's crossing (kerb ramp) at Woolgoolga Public School Scarborough Street, Woolgoolga, and replace other no stopping signs adjacent the children's crossing with a similar line marking as per plan T.20 - 2015.

T.21 - First Ave Sawtell - Loading Zone R.501520, 5564169

That no further action be taken.

T.22 - Wingara / Fraser Drive Coffs Harbour – No Stopping Zones R.500870, R.500880, 5524940.

That approval be given for the installation of:

- a. 30m No Stopping zone in Wingara Drive, Coffs Harbour opposite the entrance to the Austpost site as per plan T.22 – 2015.
- b. 70m No Stopping zone in Fraser Drive, Coffs Harbour opposite the exit to the Austpost site, as per plan T.22 – 2015.
- c. 70m No Stopping zone in Wingara Drive, Coffs Harbour adjacent the Austpost and Bunnings Trade site as per plan T.22 – 2015.



REPORT TO ORDINARY COUNCIL MEETING

T.23 - Beach Way Sapphire Beach – Parking Issues 5566892.

That approval be given for Council to extend the existing no stopping zone from Beach Way at the intersection of the North Sapphire Community Association Driveway leading to the boundary of their gated development, a distance of approximately 25m - as per plan T.23 – 2015.

T.24 - Mackays Road Coffs Harbour – No Stopping Zone R.502870, 5579448

That approval be given for the installation of a 20m timed no parking zone from 8.30am - 6.00pm Mon- Fri; 8.30am – 12.30pm Sat – Sun, south of the Masonic Village central driveway in Mackays Road Coffs Harbour, as per plan T.24 – 2015.

T.25 - Ocean Parade, Coffs Harbour – Timed Parking R.505540, 5445488

That Council approve that no further action be taken for the following reasons:

- Two of the three apartment buildings that responded strongly objected to any parking restrictions.
- Pacific Towers requested consideration be given to a two hour parking in the one car space between Platinum and Pacific Towers. A previous request for “No parking” in this space had been declined. Council would not install timed parking in a location as a result of an isolated incident, particularly for a small section of road where there is unrestricted parking.

T. 26 – Moonee Street, Coffs Harbour – Loading Zone R505330,5544582

That approval be given for Council to install a Loading Zone adjacent the Jax Tyres Workshop in Moonee Street, Coffs Harbour. That the No Stopping zone is reduced from the existing southern No Stopping sign to the intersection. That Council install a Loading Zone north of this point to replace the existing No Stopping zone as per plan T.26 – 2015.

T. 27 - Extension of School Bus Zone times at Narranga Public School 5627816

That approval be given for the timed School Bus Zone at Narranga Public School on the western side of Robin Street, Coffs Harbour be changed to include 8.00am -8.30am as per plan T.27 – 2015.

T.28 - Changes to Bus Zones, Boambee Public School, Lindsays Road, Boambee. 5570474

That approval be given for the removal of the morning school bus zone in Lindsays Road at Boambee Public School and this bus zone in this location to operate from 2.30pm – 3.00pm as per plan T.28 – 2015.



REPORT TO ORDINARY COUNCIL MEETING

T.29 - Line Marking design for rail overbridge, East Bank Road, Nana Glen

That approval be given for the proposed line marking plan for the replacement rail overbridge design, East Bank Road, Nana Glen as per plan T.29 - 2015.

T.30 - Sawtell Chilli Festival Temporary Road Closure- Saturday 4 July 2015, 5556828 R.501520

That approval be 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, 4 July 2015 to conduct the Sawtell Chilli Festival.

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 residents
- 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) A current insurance Certificate of Currency of the applicants Public Liability Insurance for a minimum insured amount of \$10 million and noting the Coffs Harbour City Council as an interested party for the event be submitted by 24 June 2015.
- e) Traffic Management Plan to be submitted for approval by 24 June 2015.
- f) Copy of police approval be submitted before 24 June 2015.
- g) That organisers and officials liaise with the local bus company to obtain approval on routes used.

T.31 - 100 Years of Women in Policing Relay - 14 June 2015, 5587038

That approval be given for the 100 Years of Women in Policing baton relay to take place on Sunday 14 June 2015 from 10.00am -11.00am subject to the following conditions:

- The organisers and officials complying with conditions imposed by the Roads and Maritime Services and Police, and take all reasonable measures to reduce obstruction to traffic during the course of the event.
- The provisions of the Australian Road Rules and relevant legislation being observed.
- Sufficient qualified marshals are made available to properly control the event
- That all affected businesses and residents be notified of the event.
- A Traffic Management Plan (TMP) be submitted.
- A copy of current Public Liability Insurance/Certificate of Currency be submitted.



REPORT TO ORDINARY COUNCIL MEETING

T.32 - Woolgoolga Athletics Club - North Coast Road Running Championships, 21 June 2015, 5607623

That approval be given for the use of Council roads to conduct the Woolgoolga Athletics Club - North Coast Road Running Championships on Sunday 21 June 2015 from 8.00 – 11.00am. The approval is subject to the following conditions:

1. The organisers and officials comply with conditions imposed by the Police, and take all reasonable measures to reduce obstruction to traffic during the course of the event.
2. The provisions of the Australian Road Rules and relevant legislation being observed.
3. Sufficient qualified marshals are made available to properly control the event.
4. That all affected residents and businesses be notified of the event.
5. That organisers submit and traffic management plan and risk assessment by 15 June 2015.

T.33 - Coffs Harbour Gold Cup 6 August 2015 - Howard Street, Coffs Harbour Temporary Road Closure, R. 503110, 5619231

That approval be given for the temporary road closure of Howard Street, Coffs Harbour, on Thursday, 6 August 2015, between 9.00am and 6.30pm for Coffs Harbour Gold Cup 2015.

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 and residents.
- (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 have been notified of the road closure.
- (h) Confirmation that the organisers will communicate with surrounding residents.



REPORT TO ORDINARY COUNCIL MEETING

T.34 - Bendigo Bank Running Festival Coffs Harbour - Sunday, 6 September 2015, 5556296

That approval be given for the 2015 Coffs Harbour Running Festival on the 6 September 2015 subject to the following conditions:-

- (a) The organisers and officials notify the Roads and Maritime Services and the Police and comply with any of their conditions, particularly with regard to entry and exit of traffic onto the Pacific Highway.
- (b) The provisions of the Australian Road Rules and relevant legislation being observed.
- (c) Sufficient qualified marshals be made available to properly control the event.
- (d) Organisers submit a current certificate of currency for Public Liability Insurance.
- (e) That all residents and affected businesses be notified of the event.

T.35 - Adventurethon Coffs Harbour - 10 and 11 October 2015, 5582127

That approval be given for Coffs Harbour Adventurethon event on the 10 & 11 October 2015 subject to the following conditions:

1. A Traffic Management Plan (TMP) be submitted.
2. That traffic accredited controllers be employed to stop traffic on Marina Drive.
3. 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.
4. That all participants must comply with the Australian Road Rules and relevant legislation.

T.36 - Traffic Issue Solitary Islands Way Moonee Beach 5557239

RMS request council approval to repaint lines and to add signage at the Moonee Beach roundabout (West) on Solitary Islands Way, Moonee Beach directing traffic to stay in the left lane, as per plan T.36 – 2015.

MINUTES

Local Traffic Committee Meeting

Thursday
4 June 2015

VENUE: Rigby House Computer Training Room

TIME: 10.30am

PRESENT:

Cr Nan Cowling, Coffs Harbour City Council
Sebastian Livolsi, Coffs District Taxi Cab Network
Anthony Saunders, Coffs Harbour Police
Gregory Aitken, Roads & Maritime Services
Alana Brooks, Coffs Harbour City Council
Anne Shearer, Coffs Harbour City Council

APOLOGIES:

David Brooks, Coffs Harbour City Council
Andrew Fraser, Member for Coffs Harbour
Malcolm Britt, Busways

Minute Taker: Sally Miles

APOLOGIES:

CONFIRMATION OF MINUTES OF PREVIOUS MEETING – 19 February 2015

BUSINESS ARISING

A. FORMAL ITEMS SECTION (Items for approval by Council under the delegation)

T.17 - Pacific Highway North Korora - Bus Zone & Bus Stop R.511410, 5612527

Background:

Ryans Bus service request change of bus zone times in Korora bus interchange, Pacific Highway as b-double vehicles are resting in their breaks there after 8.00am. Signs can't be seen and currently show bus zone time from 8.30am.

Summary of report:

Korora bus interchange on the Pacific Highway is the main bus interchange for school students north of the city. Eight buses stop on the east side to pick up and drop off students and the same on the west side in the evening. Ryans Bus Service also provide a passenger service at other times. As far as Council can ascertain, the current timed bus zone signs were installed when the interchange was constructed. The times on the eastern side are 8.30am – 9.30am school days and on the western side 3.00pm – 4.00pm school days. However buses are now arriving at approximately 8.00am on the east side and before 3.00pm on the west side. This was drawn to Council's attention as b-doubles have started to use the interchange outside the posted bus zone times for resting. This has resulted in the situation where school buses are not able to pull off the Highway to pick up students. Council is recommending the installation of one permanent bus stop on both sides and timed bus zone times for the remainder of the bus bay which will allow for heavy vehicles to rest in the interchange outside school bus hours.

Recommendation to Committee:

- a. That Council install in Korora interchange, east, Pacific Highway, Korora, one bus length for a permanent bus zone on the northern section and the remainder of the bus bay to be timed bus zone: 7.45am – 9.30am; 2.30pm – 4.00pm school days as per plan.
- b. That Council install in Korora interchange west, Pacific Highway, Korora, one bus length for a permanent bus zone on the northern section and the remainder of the bus bay to be timed bus zone: 8.00am – 9.30am; 2.30pm – 4.00pm school days as per plan.

RECOMMENDATION TO COUNCIL:

That approval be given for:

- a. Council to install in Korora interchange, east, Pacific Highway, Korora, one bus length for a permanent bus zone on the northern section and the remainder of the bus bay to be timed bus zone: 7.45am – 9.30am; 2.30pm – 4.00pm school days as per plan T.17 – 2015.
 - b. Council to install in Korora interchange west, Pacific Highway, Korora, one bus length for a permanent bus zone on the northern section and the remainder of the bus bay to be timed bus zone: 8.00am – 9.30am; 2.30pm – 4.00pm school days as per plan T.17 – 2015.
-

Attachment 1

T.18 - Mildura and Edgar Street Coffs Harbour - Additional Parking R.505300, R.504390, 5578946

Background:

Request that the new parking being installed at Mildura and Edgar Street Coffs Harbour be time limited to allow patrons of all the local businesses in the area to gain access to parking spaces throughout the day.

Summary of report:

Edgar Street and Mildura Street east, Coffs Harbour have recently been redeveloped and are now mainly small ground floor businesses including medical centres, a design studio, two real estate agents etc. The new parking arrangements are mostly indented and angled, although the north eastern section of Mildura Street is still parallel parking. After consultation with the businesses in this precinct, the tenants requested parking restrictions to deter all day parking in high demand areas, accessible parks adjacent the medical centre and mobility aids shop, and some short term parking to allow tradesmen to access the real estate agents for keys etc. The businesses adjacent the new parking bays installed in Edgar Street preferred no restrictions. This was challenged by some of the other small businesses in the area. It is suggested that Council trials the changes in Mildura Street and review Edgar Street if required at a later date.

Recommendation to Committee:

- a. That Council install two hour restricted parking in Mildura Street, Coffs Harbour from 8.30am - 6.00pm Mon – Fri; 8.30am -12.30pm Sat and Sun excepting two accessible parking bays adjacent the North Coast Specialist Outreach Clinic and Health Mobility shop and two 15 minute parking bays at the east end of Mildura Street, on both sides of the road, adjacent the Real Estate Agents, as per plan
- b. That Council install one accessible parking bay adjacent Design Studio 22, Edgar Street, Coffs Harbour as per plan

RECOMMENDATION TO COUNCIL:

That approval be given for

- a. Council to install two hour restricted parking in Mildura Street, from Edgar Street to Orlando Street, Coffs Harbour from 8.30am - 6.00pm Mon – Fri; 8.30am -12.30pm Sat and Sun excepting two accessible parking bays adjacent the North Coast Specialist Outreach Clinic and Health Mobility shop and two 15 minute parking bays at the east end of Mildura Street, on both sides of the road, adjacent the Real Estate Agents, as per plan T.18 - 2015.
 - b. Council to install one accessible parking bay adjacent Design Studio 22, Edgar Street, Coffs Harbour as per plan T.18 – 2015.
-

Attachment 1

T.19 – Beryl Street Coffs Harbour - Coffs Justice Precinct - Loading & Parking Zone 5564169

Background:

Request from the Coffs Harbour Police for a loading zone, two hour parking zone and a no stopping emergency vehicle only to be installed at the Coffs Justice Precinct, Beryl Street, Coffs Harbour.

An elderly, vision impaired resident of 9 Beryl Street is also requesting a No Parking zone adjacent her driveway as the high demand for parking makes it difficult for Meals on Wheels, Community Transport and other service providers to access the house

Summary of report:

The Police have reviewed the parking uses in Beryl Street, Coffs Harbour following the last Traffic Committee which recommended no action for a loading zone in Beryl Street. They are requesting that all the indented parking bays except for the accessible parking bay be signposted for police vehicles only and the remainder of the on-street parking be restricted to two hours. They have also reconsidered their consent to a loading zone on the north side of Beryl Street. An elderly, frail and vision impaired resident has experienced difficulty with agencies accessing her property since the installation of the Beryl Street roundabout and the increased parking demand. Even though it's unconventional to consider a no parking zone for a private resident, this is an exceptional case.

Recommendation to Committee:

- a. That Council install two hour parking 8.30am – 6.00pm; Mon - Fri; 8.30am – 12.30pm Sat and Sun in Beryl Street, Coffs Harbour from the mandatory no stopping zone at the intersection of the Pacific Highway to the intersection of Marjorie Street (no stopping) as per plan.
- b. All indented parking to be signposted No Stopping, Police Vehicles Excepted apart from the existing accessible parking bay as per plan.
- c. One parking space to be marked Loading zone 8.30am – 6.00pm; Mon - Fri; 8.30am – 12.30pm on the northern side of Beryl Street, Coffs Harbour as per plan.
- d. One parking space to be marked No Parking 8.30am – 6.00pm; Mon - Fri; 8.30am – 12.30pm on the southern side of Beryl Street, Coffs Harbour as per plan.

RECOMMENDATION TO COUNCIL:

That approval be given for

- a. Council to install one hour parking 8.30am – 6.00pm; Mon - Fri; 8.30am – 12.30pm Sat and Sun in Beryl Street, Coffs Harbour from the mandatory no stopping zone at the intersection of the Pacific Highway to the intersection of Marjorie Street (no stopping) as per plan T.19 – 2015.
- b. All indented parking to be signposted No Stopping, Police Vehicles Excepted apart from the existing accessible parking bay as per plan T.19 – 2015.
- c. One parking space to be marked Loading zone 8.30am – 6.00pm; Mon - Fri; 8.30am – 12.30pm on the northern side of Beryl Street, Coffs Harbour as per plan T.19 – 2015.
- d. One parking space to be marked No Parking 8.30am – 6.00pm; Mon - Fri; 8.30am – 12.30pm on the southern side of Beryl Street, Coffs Harbour as per plan T.19 – 2015.

Attachment 1

T.20 - Scarborough Street Woolgoolga – Woolgoolga Public School – No Stopping Zone R.508610, 5556073

Background:

Request for Woolgoolga Public School to extend the existing No Stopping zone north east of Scarborough Street Woolgoolga for 50 metres from children's crossing.

Summary of Report:

Woolgoolga Public School raised a concern about the sight distance from the children's crossing in Scarborough Street, Woolgoolga when vehicles are parked on both sides of the road. Parked cars also reduce the width of the road to one lane which causes congestion at pick up time, particularly with buses travelling south to access the bus stop. The proposed extended no stopping zone abuts a steep embankment, so preventing parking will also reduce the likelihood of students walking on the road or walking up the embankment. As the No stopping line seems to be working well, Council recommends installing the yellow C3 lines adjacent this childrens crossing and removing all no stopping signs.

Recommendation to Committee:

That Council install a no stopping line (C3) 50m from the children's crossing (kerb ramp) at Woolgoolga Public School Scarborough Street, Woolgoolga, and replace other no stopping signs adjacent the children's crossing with a similar line marking as per plan

RECOMMENDATION TO COUNCIL:

That approval be given for Council install a no stopping line (C3) 50m from the children's crossing (kerb ramp) at Woolgoolga Public School Scarborough Street, Woolgoolga, and replace other no stopping signs adjacent the children's crossing with a similar line marking as per plan T.20 - 2015.

T.21 - First Ave Sawtell - Loading Zone R.501520, 5564169

Background

Request for a loading zone for deliveries for businesses on First Avenue in Sawtell.

Summary of report

From the RSL Club through to the natural end of the business section of this road there are no loading zones on either side of the road. The Courier's argument is that when there are multiple deliveries at different times in the day to businesses such as the restaurants, cafes, the florist, pharmacies etc, couriers he needs to park a considerable distance from these businesses which is time consuming.

The feedback from two business owners (one from the Hotel/pizza shop and the other owns five properties and two businesses in First Avenue) who said that all businesses have rear lane access and they were opposed to removing customer parking to install a loading zone.

Recommendation to Committee:

No further action.

RECOMMENDATION TO COUNCIL:

That no further action be taken.

Attachment 1

T.22 - Wingara / Fraser Drive Coffs Harbour – No Stopping Zones R.500870, R.500880, 5524940.

Background

Australia Post/Startrack are renovating the industrial site at 14 Wingara Drive with entrance for b-double vehicles via Wingara Drive and exit via Fraser Drive. They request No Stopping zones adjacent the driveways to ensure enough room for heavy vehicles to swing around.

Summary of Report:

Council staff have plotted the swept path for b-doubles entering the site via Wingara Drive and exiting via Fraser Drive. There is a need to ensure the width of the road is clear to allow safe access to the driveway. “After further consultation with the surrounding businesses an additional No Stopping Zone has been proposed on the western side of Wingara Drive. This will benefit the businesses on the eastern side who also have larger trucks accessing their driveways. All surrounding businesses have agreed to the No Stopping Zones in Wingara/Fraser Drive. Council proposes the installation of no stopping lines as per plan.

Recommendation to Committee:

That Council install a 30m No Stopping zone in Wingara Drive opposite the entrance to the Austpost site; a 70m No Stopping zone in Wingara Drive adjacent the Auspost and Bunnings Trade site; and a 70m No Stopping zone in Fraser Drive opposite the exit to the Austpost site, as per plan
Council to install No Stopping Yellow lines for all zones.

RECOMMENDATION TO COUNCIL:

That approval be given for the installation of:

- a. 30m No Stopping zone in Wingara Drive, Coffs Harbour opposite the entrance to the Austpost site as per plan T.22 – 2015.
- b. 70m No Stopping zone in Fraser Drive, Coffs Harbour opposite the exit to the Austpost site, as per plan T.22 – 2015.
- c. 70m No Stopping zone in Wingara Drive, Coffs Harbour adjacent the Austpost and Bunnings Trade site as per plan T.22 – 2015.

T.23 - Beach Way Sapphire Beach – Parking Issues 5566892.

Background:

The North Sapphire Community Association and some Café patrons have expressed concern about the safety issues caused by cars parking on the driveway between Beach Way, North Sapphire and the Association’s private road leading to their development adjacent a footpath leading to the playground which is often used by families, particularly children.

Summary of Report:

Beach Way, North Sapphire is a collector road in the Sapphire development which incorporated a beachside café and playground. The reserve and playground are now owned by Council. As part of the response to patrons’ concerns for pedestrian safety in the vicinity, Council has installed parking restrictions on Beach Way and North Sapphire Road and the Association have relocated the locked gate leading to their private road to the boundary of the Council road reserve. This has alleviated some congestion. However, visitors are now parking on the grass verge adjacent the driveway which obscures sight distance for pedestrians using the footpath crossing the road to the café and playground. It is proposed to extend the no stopping zone to the boundary to ensure sufficient sight distance.

Attachment 1

Recommendation to Committee:

That Council extend the existing no stopping zone from Beach Way at the intersection of the North Sapphire Community Association Driveway leading to the boundary of their gated development, a distance of approximately 25m - as per plan

RECOMMENDATION TO COUNCIL:

That approval be given for Council to extend the existing no stopping zone from Beach Way at the intersection of the North Sapphire Community Association Driveway leading to the boundary of their gated development, a distance of approximately 25m - as per plan T.23 – 2015.

T.24 - Mackays Road Coffs Harbour – No Stopping Zone R.502870, 5579448

Background:

Council has received a request from the residents of Masonic Village Mackays Road Coffs Harbour for a no stopping zone at the northern exit of the Masonic Village, so they can safely drive on to Mackays Road Coffs Harbour.

Summary of Report:

The Masonic Village Aged Care Facility comprises 50 self care units with approximately 37 vehicles housed on-site. There are 78 hostel beds and 84 staff. Residents, staff and visitors can access limited parking on-site or park on Mackays Road. The village is next door to Baringa Hospital. There is a high demand for on-street parking for the hospital, particularly on Wednesdays. Residents have experienced difficulty exiting the Masonic Retirement Village for some years. The western exit was improved with the installation of a bus zone. The sight distance for the southern exit was also improved in 2014 by installing motorcycle parking adjacent the driveway which allowed an addition 17 metres. There have been no crashes in Mackays Road (2008 – 2012) between Bray Street and the railway line.

The residents are now requesting improved sight distance adjacent the central driveway for right turn movements as the drivers are hesitant to choose a gap, and sight is restricted, particularly if a large vehicle is parked there. Council suggest a similar length as the southern driveway. Due to the high demand for parking in this street, Council would suggest a parking zone during business hours would be appropriate.

Baringa Hospital report that most of their traffic parks close to the hospital or in the car park. They are not aware of a conflict with this part of the road.

Recommendation to Committee:

Install a 20m timed no parking zone from 8.30am - 6.00pm Mon- Fri; 8.30am – 12.30pm Sat – Sun, south of the Masonic Village central driveway in Mackays Road Coffs Harbour, as per plan.

RECOMMENDATION TO COUNCIL:

That approval be given for the installation of a 20m timed no parking zone from 8.30am - 6.00pm Mon- Fri; 8.30am – 12.30pm Sat – Sun, south of the Masonic Village central driveway in Mackays Road Coffs Harbour, as per plan T.24 – 2015.

Attachment 1

T.25 - Ocean Parade, Coffs Harbour – Timed Parking R.505540, 5445488

Background:

Request to consider timed parking on the western side of Ocean Parade between 121 Ocean Parade (Pacific Towers) and Park Beach Road, Coffs Harbour.

Summary of Report:

Concerns were initially raised when a motorhome parked in this space for up to six weeks. It was reported that the motorhome significantly restricted visibility and safe exit from Pacific Towers. Rangers could not issue an infringement as the motorhome was legally parked. The Executive Committee of Pacific Towers requested a 'No Parking' area between Pacific Towers and the Platinum Building. It was recommended at the Traffic Committee Meeting on the 19 February 2015 and resolved at the Council meeting on the 12 March 2015 that no action be taken for the following reasons:

- Sight distance meets Australian Standards for exiting a driveway in this speed zone.
- There are many similar driveways on this road.
- Traffic speeds and volumes are relatively low.
- Neighbouring property with similar driveway configuration strongly oppose parking restrictions on this section of road.
- No reported crashes from 1997-2013.

It was requested at this meeting to consider timed parking on the western side of Ocean Parade.

Feedback was sought from management of the unit blocks adjacent to the proposed timed parking zone. Council received a response from representatives of three buildings. Platinum Executive Committee strongly objected to any parking restrictions whatsoever on Ocean Parade. The Beachpark Apartments Manager objected to any parking restrictions, stating they were unnecessary and would have a negative impact on the area. The Pacific Towers Executive Committee requested consideration of two hour parking in the area between the Platinum building and Pacific Towers which is one large car space.

Recommendation to Committee:

No further action be taken for the following reasons:

- Two of the three apartment buildings that responded strongly objected to any parking restrictions.
- Pacific Towers requested consideration be given to a two hour parking in the one car space between Platinum and Pacific Towers. A previous request for "No parking" in this space had been declined. Council would not install timed parking in a location as a result of an isolated incident, particularly for a small section of road where there is unrestricted parking.

RECOMMENDATION TO COUNCIL:

That Council approve that no further action be taken for the following reasons:

- **Two of the three apartment buildings that responded strongly objected to any parking restrictions.**
- **Pacific Towers requested consideration be given to a two hour parking in the one car space between Platinum and Pacific Towers. A previous request for "No parking" in this space had been declined. Council would not install timed parking in a location as a result of an isolated incident, particularly for a small section of road where there is unrestricted parking.**

T. 26 – Moonee Street, Coffs Harbour – Loading Zone R505330,5544582

Background

Jax Tyres request a Loading Zone to be installed adjacent their workshop access in Moonee Street, Coffs Harbour.

Summary of Report

Ranger warned Jax Tyres at 58 Grafton Street, Coffs Harbour, that delivery trucks could get an infringement for using the No Stopping zone for deliveries. Jax Tyres has been receiving 8-10 deliveries per week in the No Stopping zone at the rear of their business in Moonee Street for many years. The Loading Zone opposite their business in Moonee Street would not be suitable for Jax Tyres to use, given that they would have to transport tyres across the traffic.

The existing No Stopping zone is thought to have been installed when the signalised crossing was installed and Jax Tyres was a service station. Council proposes a reduction in the length of the zone to be replaced by a loading zone adjacent the Jax Tyres driveway to assist with deliveries. On inspection, the proposed Loading Zone will not negatively impact sight distance for vehicles and pedestrians.

Recommendation to Committee:

That Council install a Loading Zone adjacent the Jax Tyres Workshop in Moonee Street, Coffs Harbour. That the No Stopping zone is reduced from the existing southern “No Stopping” sign to the intersection. That Council install a Loading Zone north of this point to replace the existing No Stopping zone. See plan for details.

RECOMMENDATION TO COUNCIL:

That approval be given for Council to install a Loading Zone adjacent the Jax Tyres Workshop in Moonee Street, Coffs Harbour. That the No Stopping zone is reduced from the existing southern No Stopping sign to the intersection. That Council install a Loading Zone north of this point to replace the existing No Stopping zone as per plan T.26 – 2015.

T. 27 - Extension of School Bus Zone times at Narranga Public School 5627816

Background

Sawtell Coaches request the School Bus Zone at Narranga Public School - Robin Street, Coffs Harbour be extended and consistent with standard School Zone times (8.00am-9.30am and 2.30pm-4.00pm)

Summary of Report

The School Bus Zone times on the western side of Robin Street does not include the morning times. Sawtell Coaches has a bus services that sets down on this side in the morning and afternoon. Both Bus Zones should be consistent and include morning and afternoon school zone times.

Recommendation to Committee:

That the School Bus Zone at Narranga Public School on the western side of Robin Street, Coffs Harbour be changed to standard School Zone times (8.00am-9.30am and 2.30pm-4.00pm).

RECOMMENDATION TO COUNCIL:

That approval be given for the timed School Bus Zone at Narranga Public School on the western side of Robin Street, Coffs Harbour be changed to include 8.00am - 8.30am as per plan T.27 – 2015.

Attachment 1

T.28 - Changes to Bus Zones, Boambee Public School, Lindsays Road, Boambee. 5570474

Background

Request to review the Bus Zones opposite Boambee Public School and give consideration to increased parking opportunities.

Summary of Report

Council has received many complaints from parents about the lack of parking in Lindsays Road to access Boambee Public School. Many parents use the No Parking drop off zone outside the school entrance, but often encroach into the adjacent No Stopping zone despite frequent warnings and Rangers issuing infringements. Council is working with the school to provide as many parking opportunities for the parents as possible. There are currently two School Bus Zones opposite Boambee Public School. Sawtell Coaches requires one permanent bus zone for their passenger services in the morning, but otherwise all bus services stop on the northern side of the road. Council is therefore suggesting that the southern bus zone, apart from one permanent bus length, be made available for parent parking in the morning. Both Busways and Sawtell Coaches require the full extent of the current School Bus Zone between 2.30pm and 3.00pm.

Recommendation to Committee:

That Council install one permanent Passenger Bus Zone and retain the remainder of the School Bus Zone between 2.30pm – 3.00pm on the southern side of Lindsays Road at Boambee Public School. The permanent bus zone will replace the existing western School Bus Zone as per plan

RECOMMENDATION TO COUNCIL:

That approval be given for the removal of the morning school bus zone in Lindsays Road at Boambee Public School and this bus zone in this location to operate from 2.30pm – 3.00pm as per plan T.28 – 2015.

T.29 - Line Marking design for rail overbridge, East Bank Road, Nana Glen

Background:

Request for approval of line marking design: rail overbridge design, East Bank Road, Nana Glen.

Summary of Report:

John Holland Rail engaged a contractor to investigate and design a replacement rail overbridge for East Bank Road Nana Glen. They have submitted the 50% design with proposed line marking for traffic committee approval. East Bank Road has a 100km/h speed limit. The design for the road profile is 70km/h. The road width is 8.4m comprising 2 x 3.2m lanes with no footpath.

Recommendation to Committee:

That Council approve the proposed line marking plan for the replacement rail overbridge design, East Bank Road, Nana Glen as per plan.

RECOMMENDATION TO COUNCIL:

That approval be given for the proposed line marking plan for the replacement rail overbridge design, East Bank Road, Nana Glen as per plan T.29 - 2015.

Attachment 1

T.30 - Sawtell Chilli Festival Temporary Road Closure- Saturday 4 July 2015, 5556828 R.501520

Background:

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, 4 July 2015.

Recommendation to Committee:

That Council approve 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, 4 July 2015.

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 residents
- 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) A current insurance Certificate of Currency of the applicants Public Liability Insurance for a minimum insured amount of \$10 million and noting the Coffs Harbour City Council as an interested party for the event be submitted by 24 June 2015.
- e) Traffic Management Plan to be submitted for approval by 24 June 2015.
- f) Copy of police approval be submitted before 24 June 2015.
- g) That organisers and officials liaise with the local bus company to obtain approval on routes used.

RECOMMENDATION TO COUNCIL:

That approval be 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, 4 July 2015 to conduct the Sawtell Chilli Festival.

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 residents
 - 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) A current insurance Certificate of Currency of the applicants Public Liability Insurance for a minimum insured amount of \$10 million and noting the Coffs Harbour City Council as an interested party for the event be submitted by 24 June 2015.
 - e) Traffic Management Plan to be submitted for approval by 24 June 2015.
 - f) Copy of police approval be submitted before 24 June 2015.
 - g) That organisers and officials liaise with the local bus company to obtain approval on routes used.
-

Attachment 1

T.31 - 100 Years of Women in Policing Relay - 14 June 2015, 5587038

Background:

2015 marks 100 years of Women in Policing. To celebrate the NSW Police Service is conducting a baton relay throughout NSW to showcase and celebrate the role of women in policing.

Summary of Report:

Coffs/Clarence Command are proposing to hold a 100 years in Women Policing baton relay in Coffs Harbour on Sunday 14 June 2015 at 10am. A group of about 10 – 15 runners will proceed together with the baton from the Coffs Harbour Police Station, corner of Beryl Street and the Pacific Highway to the Coffs Harbour Water Police building on Marina Drive, via Harbour Drive. The relay is expected to take 30 minutes. There will be a community based event in the parklands at the end of the relay which will conclude about 2pm.

The relay crosses one major intersection at the Harbour Drive / Hogbin Drive roundabout. There will be marked Police vehicles and two uniformed police officers to direct traffic at other intersections on the route. The relay will be conducted on the road, mostly on dual lanes, apart from the CBD part of Harbour Drive, and will be escorted by Police vehicles.

Recommendation to Committee:

That Council approve the 100 Years of Women in Policing baton relay to take place on Sunday 14 June 2015 from 10.00am -11.00am subject to the following conditions:

- The organisers and officials complying with conditions imposed by the Roads and Maritime Services and Police, and take all reasonable measures to reduce obstruction to traffic during the course of the event.
- The provisions of the Australian Road Rules and relevant legislation being observed.
- Sufficient qualified marshals are made available to properly control the even
- That all affected businesses and residents be notified of the event.
- A Traffic Management Plan (TMP) be submitted.
- A copy of current Public Liability Insurance/Certificate of Currency be submitted.

RECOMMENDATION TO COUNCIL:

That approval be given for the 100 Years of Women in Policing baton relay to take place on Sunday 14 June 2015 from 10.00am -11.00am subject to the following conditions:

- **The organisers and officials complying with conditions imposed by the Roads and Maritime Services and Police, and take all reasonable measures to reduce obstruction to traffic during the course of the event.**
 - **The provisions of the Australian Road Rules and relevant legislation being observed.**
 - **Sufficient qualified marshals are made available to properly control the even**
 - **That all affected businesses and residents be notified of the event.**
 - **A Traffic Management Plan (TMP) be submitted.**
 - **A copy of current Public Liability Insurance/Certificate of Currency be submitted.**
-

Attachment 1

T.32 - Woolgoolga Athletics Club - North Coast Road Running Championships, 21 June 2015, 5607623

Background:

Woolgoolga Athletics Club request approval to hold the North Coast Road Running Championships event on Sunday 21 June from 8.00am – 11.00am at Corindi.

Summary of Report:

Woolgoolga Athletics Club request to have the North Coast Road Running Championships, on Sunday 21 June 2015 from 8.00am – 11.00am. This event has been held annually since 1988. The runners use footpaths where possible. The event consists of 3 runs:

- 15 kms run will commence at 8.00am from the Corindi Public School car park at Coral Drive, Corindi along Red Rock Road to Red Rock and return.
- 5kms run will commence at 9.40am from Corindi Public School along Corindi Park Drive and back via the access road.
- 2kms run will commence at 10.20am and goes from Corindi Public School, down Corindi Park Road and back.

Recommendation to Committee:

That Council approve the use of Council roads to conduct the Woolgoolga Athletics Club - North Coast Road Running Championships on Sunday 21 June 2015 from 8.00 – 11.00am. The approval is subject to the following conditions:

1. The organisers and officials comply with conditions imposed by the Police, and take all reasonable measures to reduce obstruction to traffic during the course of the event.
2. The provisions of the Australian Road Rules and relevant legislation being observed.
3. Sufficient qualified marshals are made available to properly control the event.
4. That all affected residents and businesses be notified of the event.
5. That organisers submit and traffic management plan and risk assessment by 15 June 2015.

RECOMMENDATION TO COUNCIL:

That approval be given for the use of Council roads to conduct the Woolgoolga Athletics Club - North Coast Road Running Championships on Sunday 21 June 2015 from 8.00 – 11.00am. The approval is subject to the following conditions:

1. **The organisers and officials comply with conditions imposed by the Police, and take all reasonable measures to reduce obstruction to traffic during the course of the event.**
2. **The provisions of the Australian Road Rules and relevant legislation being observed.**
3. **Sufficient qualified marshals are made available to properly control the event.**
4. **That all affected residents and businesses be notified of the event.**
5. **That organisers submit and traffic management plan and risk assessment by 15 June 2015.**

Attachment 1

**T.33 - Coffs Harbour Gold Cup 6 August 2015 - Howard Street, Coffs Harbour
Temporary Road Closure, R. 503110, 5619231**

Background:

Coffs Harbour Racing Club have submitted a traffic management plan for the Coffs Harbour Gold Cup to be held on Thursday 6 August 2015 at Howard Street Racing Club, Coffs Harbour.

Summary of Report:

The annual Coffs Harbour Gold Cup racing event is to be held on Thursday 6 August 2015 at the Coffs Harbour Racing Club, Howard Street, Coffs Harbour. The Club has submitted traffic control plans for Howard Street and Hogbin Drive (morning and afternoon). The club and Police were satisfied with the traffic management in 2014 and have submitted similar plans. No complaints were received last year from the stakeholders or the community.

Recommendation to Committee:

Approval has been given for the temporary road closure of Howard Street, Coffs Harbour, on Thursday, 6 August 2015, between 9.00am and 6.30pm for Coffs Harbour Gold Cup 2015.

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 and residents.
- (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 have been notified of the road closure.
- (h) Confirmation that the organisers will communicate with surrounding residents.

Attachment 1

RECOMMENDATION TO COUNCIL:

That approval be given for the temporary road closure of Howard Street, Coffs Harbour, on Thursday, 6 August 2015, between 9.00am and 6.30pm for Coffs Harbour Gold Cup 2015.

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 and residents.
- (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 have been notified of the road closure.
- (h) Confirmation that the organisers will communicate with surrounding residents.

T.34 - Bendigo Bank Running Festival Coffs Harbour - Sunday, 6 September 2015, 5556296

Background:

Request from Village Sports in conjunction with The Rotary Club of Coffs Harbour to conduct the 5th Annual 'Coffs Harbour Running Festival' on Sunday 6th September 2015.

Summary of Report:

Village Sports in conjunction with The Rotary Club of Coffs Harbour will be conducting the 5th Annual 'Coffs Harbour Running Festival' on Sunday 6th September 2015. The event will be based in Coffs Harbour Showground and runs will be conducted on the Coffs Creek Walkway incorporating the Regional Botanic Gardens. In the past there have been approximately 1000 competitors. The event is mainly of interest to Traffic Committee due to the Showground exit on to the Pacific Highway. However, as events are staggered and they start early on a Sunday morning, congestion is not anticipated.

Attachment 1

Recommendation to Committee:

That Council approve the 2015 Coffs Harbour Running Festival on the 6 September 2015 subject to the following conditions:-

- (a) The organisers and officials notify the Roads and Maritime Services and the Police and comply with any of their conditions, particularly with regard to entry and exit of traffic onto the Pacific Highway.
- (b) The provisions of the Australian Road Rules and relevant legislation being observed.
- (c) Sufficient qualified marshals be made available to properly control the event.
- (d) Organisers submit a current certificate of currency for Public Liability Insurance.
- (e) That all residents and affected businesses be notified of the event.

RECOMMENDATION TO COUNCIL:

That approval be given for the 2015 Coffs Harbour Running Festival on the 6 September 2015 subject to the following conditions:-

- (a) The organisers and officials notify the Roads and Maritime Services and the Police and comply with any of their conditions, particularly with regard to entry and exit of traffic onto the Pacific Highway.**
- (b) The provisions of the Australian Road Rules and relevant legislation being observed.**
- (c) Sufficient qualified marshals be made available to properly control the event.**
- (d) Organisers submit a current certificate of currency for Public Liability Insurance.**
- (e) That all residents and affected businesses be notified of the event.**

T.35 - Adventurethon Coffs Harbour - 10 and 11 October 2015, 5582127

Background:

Adventurethon is a multisport outdoor activity incorporating paddling, mountain biking and trail running. Courses are off road, frequenting areas like national parklands, beaches and hiking trails to enjoy the spectacular sceneries. Adventurethon is seeking approval for the event to be held on the 10 & 11 October 2015.

Summary of report:

Adventurethon is proposing their annual event in Coffs Harbour on the 10 and 11 October, 2015. The plan is almost identical to 2014. Council did not receive any complaints. Adventurethon will start at the parkland area adjacent the North Wall, Marina Drive at the Park Beach and proceed North as per the route maps. The events will be from 7.00am – 6.00pm on Saturday and 8.00am to 1.00pm on Sunday. The bike riders will be using the road networks between 7.00am and 5.00pm on both days.

Attachment 1

After the paddle, the route from the North Wall (HQ) on 10 October will be as follows:

- From HQ run back onto beach and to the South Coffs Island, then back again to continue up park beach and over Macauleys and Diggers Headlands and into the Pacific Bay Resort area where after following some footpaths a bike transition will be set up on a grassed area near the Underpass and Bikes can be picked up there
- Bike ride starts near under pass and heads across a field to the bottom of Bruxner Park Road
- Climbing Bruxner Park Road for a few km then turning left onto "swans road" where the National parks and logging tracks keep entrants away from the regular driving public. Upon exiting the Dirt tracks entrants reform up on Old Bucca Road and follow the left side using road rules all the way down Bruxner Park Road and into the Pacific Bay Resort again to drop off their bikes
- Entrants will then run along the beaches and over the headlands to make their way back to the finish line at the North Wall

And on 11 October the route will be:

- Bike ride starts along footpath towards the Dolphin marine magic crossing where stop go operators will assist dismounted riders to cross the road safely and continue anti clockwise around the Coffs creek walk. At the crossing point (DMM) riders follow path back to HQ at the Northwall
- From HQ the entrants start jogging towards the Jetty beach at the harbour and then head to the south Coffs island track performing an out and back loop and then head back along the beach to the Finish which is at the HQ area

Bike riders will be asked to dismount to cross a road and marshals will be positioned at these points.

Accredited traffic controllers will stop traffic on Marina Drive at the pedestrian crossing between 7.30 and 8.45am on Saturday and 8.45 and 9.00am on Sunday.

Recommendation to Committee:

That Council approval the Coffs Harbour Adventurethon event on the 10 & 11 October 2015 subject to the following conditions:

1. A Traffic Management Plan (TMP) be submitted.
2. That traffic accredited controllers be employed to stop traffic on Marina Drive.
3. 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.
4. That all participants must comply with the Australian Road Rules and relevant legislation.

Attachment 1

RECOMMENDATION TO COUNCIL:

That approval be given for Coffs Harbour Adventurethon event on the 10 & 11 October 2015 subject to the following conditions:

1. A Traffic Management Plan (TMP) be submitted.
2. That traffic accredited controllers be employed to stop traffic on Marina Drive.
3. 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.
4. That all participants must comply with the Australian Road Rules and relevant legislation.

T.36 - Traffic Issue Solitary Islands Way Moonee Beach 5557239

Background:

Councillor Sultana requested a sign at the Moonee Beach roundabout (West) on Solitary Islands Way directing traffic to stay in the left lane.

Summary of Report:

Councillor Sultana witnessed some near misses at the Nana Glen leg of the Solitary Islands Way (West) roundabout at Moonee Beach. Despite being a two lane roundabout, there is one lane exiting to the north. Traffic on the inside lane are not always aware that traffic may be moving across their traffic lane to exit the roundabout. The matter was referred to the Roads and Maritime Services who repainted the pavement arrows and proposed to install a sign on the approach to the roundabout warning traffic to stay in the left lane when heading towards Nana Glen.

Recommendation to Committee:

RMS request Council approval to repaint lines and to add signage at the Moonee Beach roundabout (West) on Solitary Islands Way directing traffic to stay in the left lane, as per plan.

RECOMMENDATION TO COUNCIL:

RMS request council approval to repaint lines and to add signage at the Moonee Beach roundabout (West) on Solitary Islands Way, Moonee Beach directing traffic to stay in the left lane, as per plan T.36 – 2015.

B. INFORMAL ITEMS SECTION (Traffic Engineering Advice)**B.4 - Pacific Highway / Cook Drive Coffs Harbour 5586288****Background:**

Request to have both lanes turning onto the Pacific Highway from Cook Drive as turning north lanes with a combined turning/straight ahead lane in the left lane. At the moment the lanes are blocking back past the roundabout and stopping cars exiting the Bunnings store. The majority of traffic are wishing to turn north so two turning lanes would alleviate this situation while not affecting the traffic that want to travel straight through into North Boambee Road.

The State Member, Mr Andrew Fraser, also commented on the congestion at this intersection, and suggested that a right turn arrow be included in the West bound lane exiting Cook Drive to allow north bound traffic to choose two lanes as the majority of the traffic is heading in this direction.

Summary of Report:

Council contacted the Roads and Maritime Services Traffic Operations as they have CCTV cameras which monitor the intersection. They reported there was a Telstra fault at this intersection prior to the Easter long weekend, and the site went to isolated operation (not linked to the SCATS program which coordinates all the signals in Coffs). This explained the congestion experienced by many drivers at this time.

The site is now back to normal operation after a 3G modem was installed around Easter Thursday. The RMS Traffic Operations Coordinator has been watching the CCTV camera at this location and is satisfied that the intersection is working as it should. RMS staff will continue to monitor this location, but will not be taking any further action at this time.

Recommendation to Committee

Council will continue to monitor the intersection, but no further action at this time

B.6 - Request to ban right turns: West High Street intersection with Pacific Highway**Background**

Councillor Cowling asked Council to investigate the traffic movements at the West High Street / Pacific Highway intersection. Traffic heading east and south currently occupy the same lane when exiting West High Street. Currently the signals allow West High Street and Harbour Drive to exit at the same time, but eastbound and southbound movements can be prevented by the queuing vehicles waiting for a gap. If the right turn was banned, diverting southbound traffic to Moonee Street, the congestion at this intersection would be reduced.

Summary of Report

Council consulted the Roads and Maritime Services and requested traffic data and modelling to demonstrate the implications of banning the right turn. RMS are currently conducting traffic signals study which will be forwarded to Council.

Recommendation to Committee:

Deferred to next Traffic Committee meeting with proposed linemarking plan. Council to liaise with Coffs Hotel proprietor and the CBD Masterplan Committee.

Attachment 1

B.7 - Increase speed limit from 60kph to 80kph in Solitary Islands Way at the Sapphire Access Road and the Emerald Beach to Sandy Beach overpass.

Background

Community members have contacted the Roads and Maritime Services to request a review of the speed limits on Solitary Islands Way at the Sapphire Access Road and the Emerald Beach to Sandy Beach overpass.

Summary of Report

At its meeting of 23 August 2012 Council resolved in relation to the Pacific Highway Sapphire to Woolgoolga project that Council:

1. *Seek commitment from Roads and Maritime Services to provide a continuous separated shared pedestrian/cycle path for the Sapphire to Arrawarra Service Road.*
2. *Seek commitment from Roads and Maritime Services to reconfigure the lane and shoulder widths of the Service Road to match Manning River Drive (Old Pacific Highway) Taree as provided by the RTA in 2001 (similar to Council's construction on Hogbin Drive north of Harbour Drive).*
3. *Recommends a posted 60kph speed for the Sapphire to Arrawarra Service Road.*
4. *Seek commitment from Roads and Maritime Services to refer the proposed speed zones for the Pacific Highway Sapphire to Arrawarra Service Road to the Local Traffic Committee for assessment by Council, Police and public transport operators.*

Roads and Maritime speed zone review recommends an 80kph speed limit on the Sapphire access road. Speed Zone Authorisation 4 states that a 60km/h speed limit be installed on the access road from 200m south of Emerald interchange south to 150m south of the Graham Drive (north) roundabout at the south Woolgoolga interchange. This is a total distance of 5km.

The Sapphire access road is a two lane two way collector road that has a design speed of 80km/h. Its total length is 1.9km. Some members of the community argue that the current speed limit should be retained as it is now considered a low speed local road, accessible for pedestrians and cyclists.

The 1.1km Emerald to Sandy overpass section was scheduled as a 60km/h section to create a safe environment for pedestrians and cyclists, particularly students from Sandy Beach School. However, the cycleway is separated by a guard rail along this section. The road has a design speed of 80km/h.

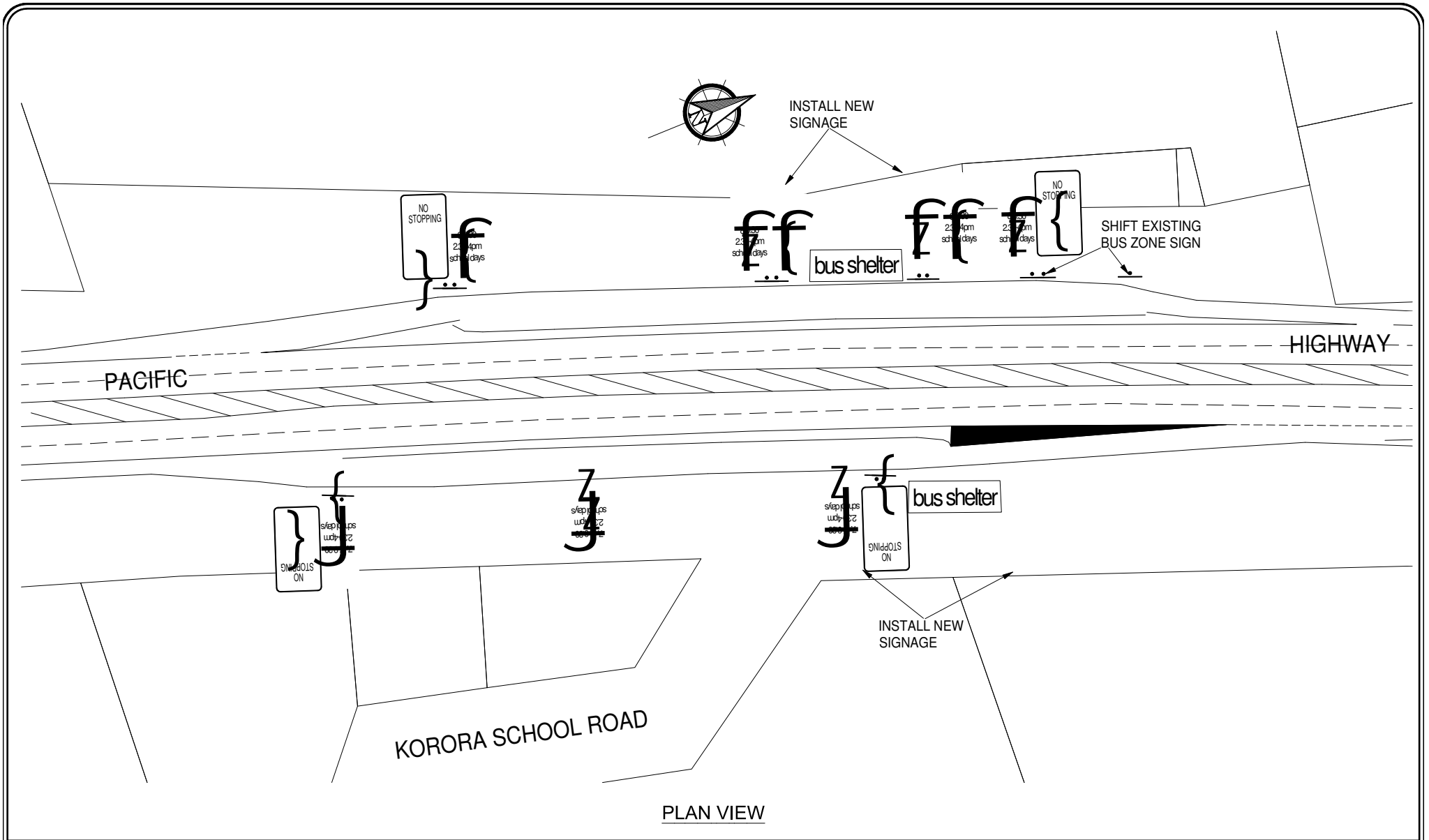
Recommendation to Committee:

To discuss review of the 2012 Council resolution, point 3 which recommends a 60km/h speed for the Sapphire to Arrawarra Service Road.

Meeting finished at 12.35pm

Next Meeting:

Date to be confirmed TBA



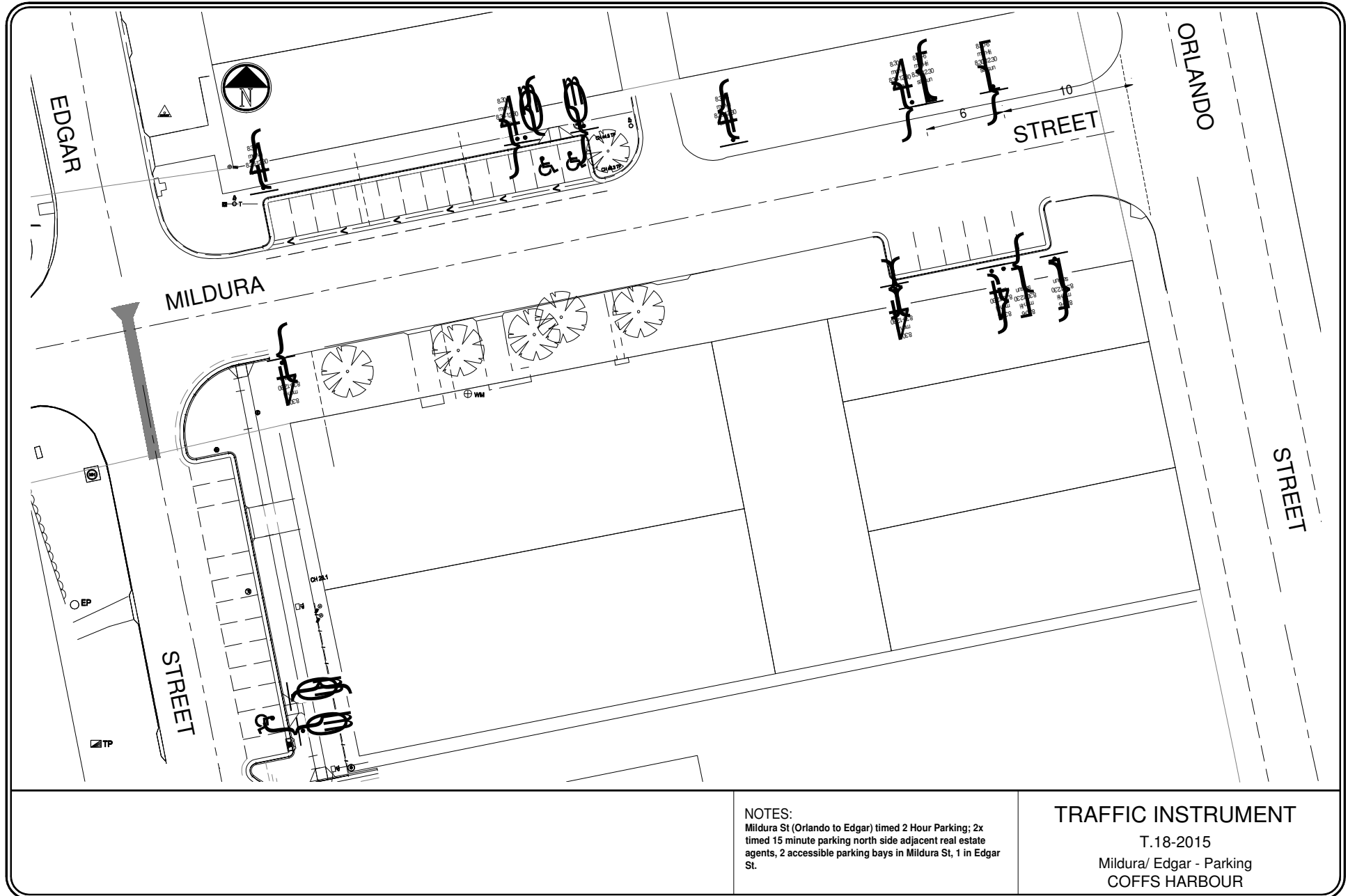
PLAN VIEW

NOTES:

Install 1 Permanent bus zone in Korora Interchange (both sides) Remainder timed school bus zones.

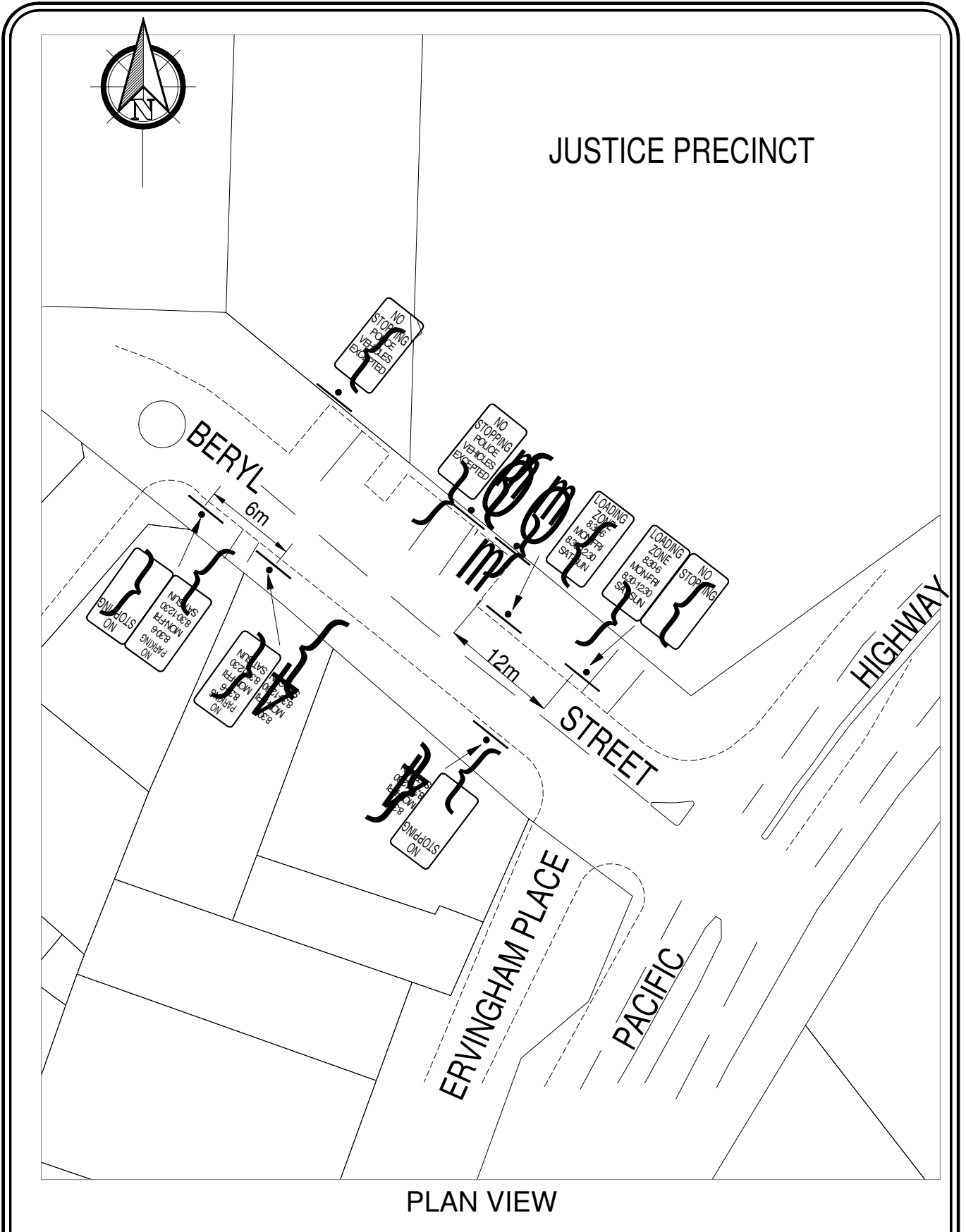
TRAFFIC INSTRUMENT

T.17-2015
PACIFIC HIGHWAY
KORORA



NOTES:
 Mildura St (Orlando to Edgar) timed 2 Hour Parking; 2x
 timed 15 minute parking north side adjacent real estate
 agents, 2 accessible parking bays in Mildura St, 1 in Edgar
 St.

TRAFFIC INSTRUMENT
 T.18-2015
 Mildura/ Edgar - Parking
 COFFS HARBOUR



PLAN VIEW

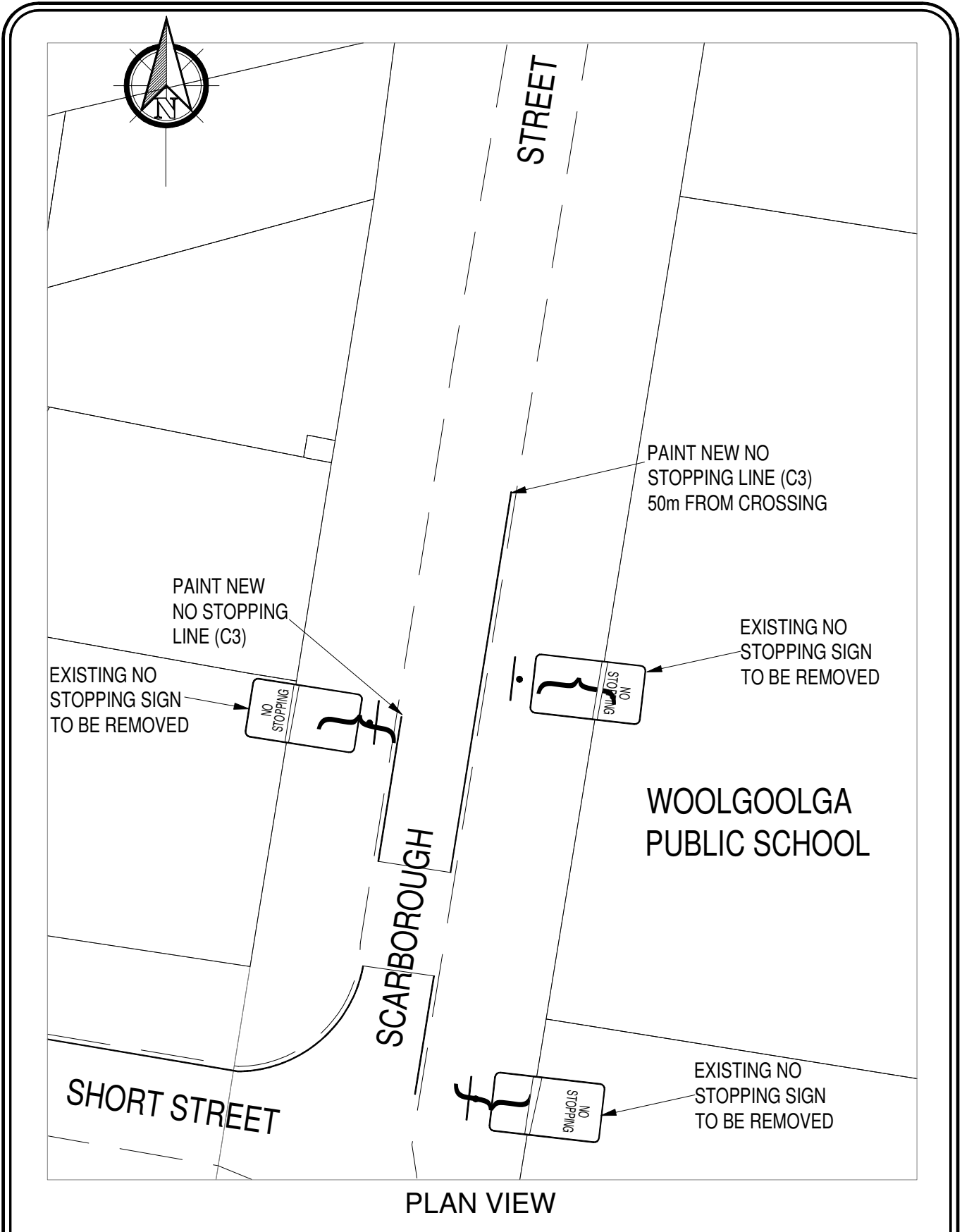
NOTES:

Parking plan for Justice Centre Precinct, Beryl Street including timed 2 hour parking, No stopping Police Vehicles excepted in indented bays, timed Loading zone & timed No Parking Zone.

TRAFFIC INSTRUMENT

T.19-2015

Beryle Street-Loading & Parking Zones
Coffs Harbour



PLAN VIEW

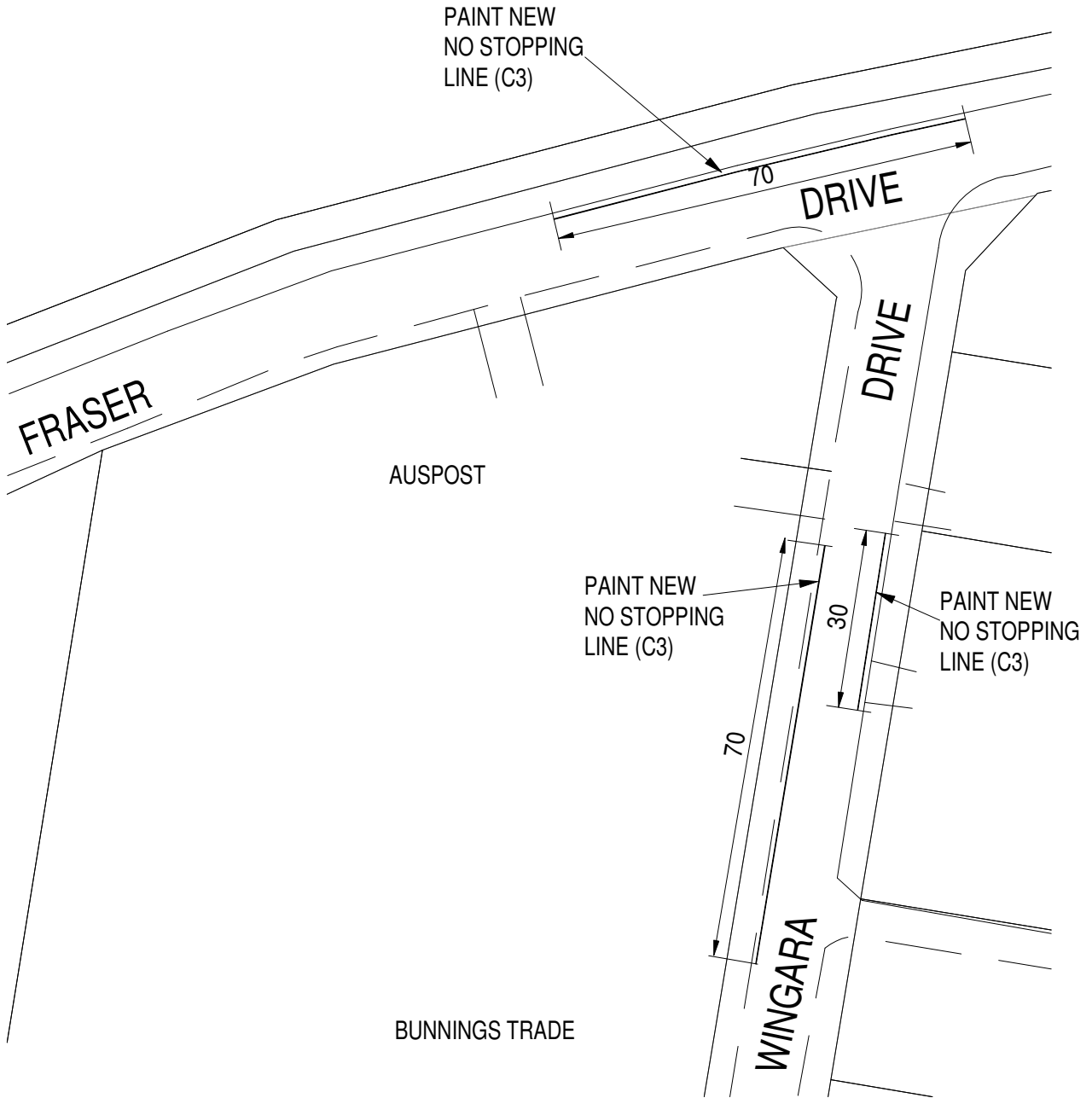
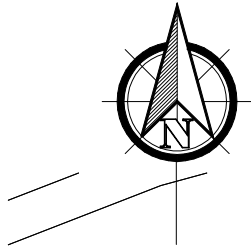
NOTES:

Install No stopping (C3) line 50m from the childrens crossing at Woolgoolga Public School, Scarborough St & Replace other no stopping signs adjacent crossing with no stopping lines.

TRAFFIC INSTRUMENT

T.20-2015

SHORT/ SCARBOROUGH ST - NO STOPPING
WOOLGOOLGA



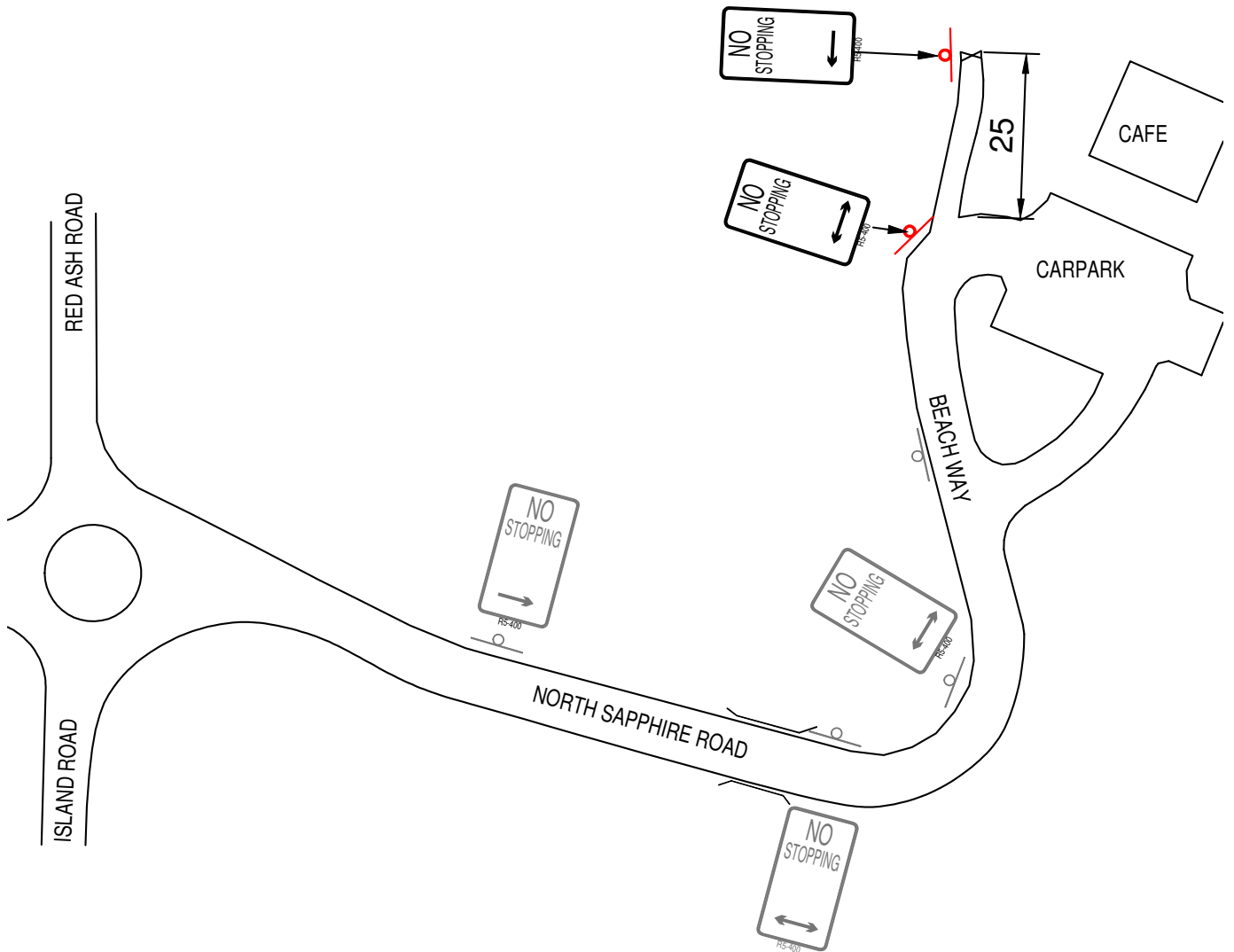
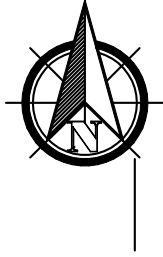
PLAN VIEW

NOTES:
Install 30m No Stopping in Wingara Drive and 70m No Stopping in Fraser Drive.

TRAFFIC INSTRUMENT

T.22-2015

Fraser/ Wingara Dr - NO STOPPING
BOAMBEE EAST



PLAN VIEW

NOTES:
Extend existing no stopping zone from Beach Way driveway intersection to boundary of gated development.

TRAFFIC INSTRUMENT
T23-2015
NORTH SAPPHIRE ROAD - NO STOPPING
SAPPHIRE BEACH



PLAN VIEW

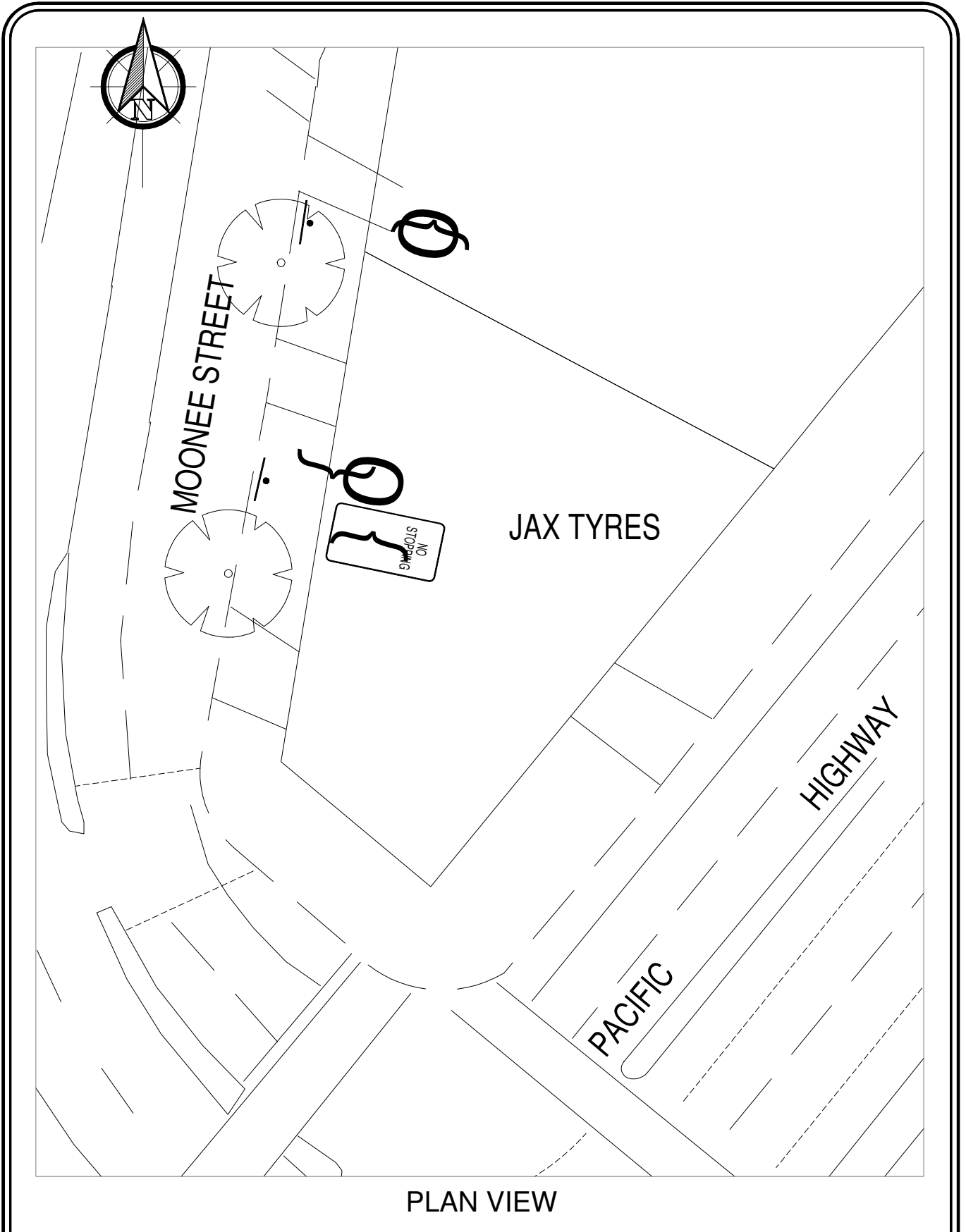
NOTES:

20m timed no parking zone between southern and northern exists to Masonic Village, Mackays Road.

TRAFFIC INSTRUMENT

T.24-2015

Mackays Road - No Stopping
Coffs Harbour

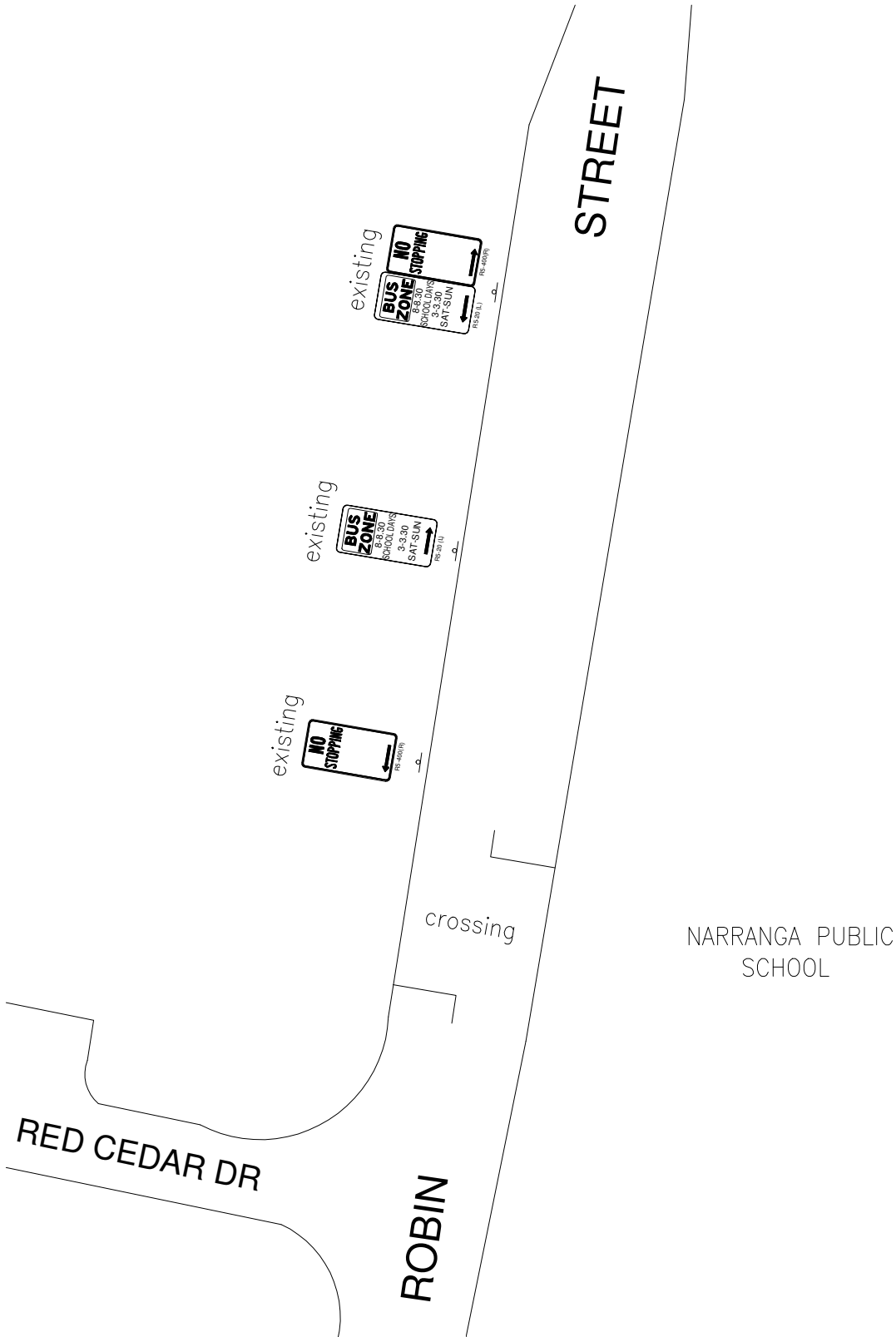
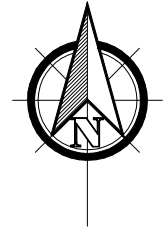


PLAN VIEW

NOTES:
Loading zone adjacent Jax Tyres Workshop.

TRAFFIC INSTRUMENT

T.26-2015
Moonee Street- No Stopping
Coffs Harbour

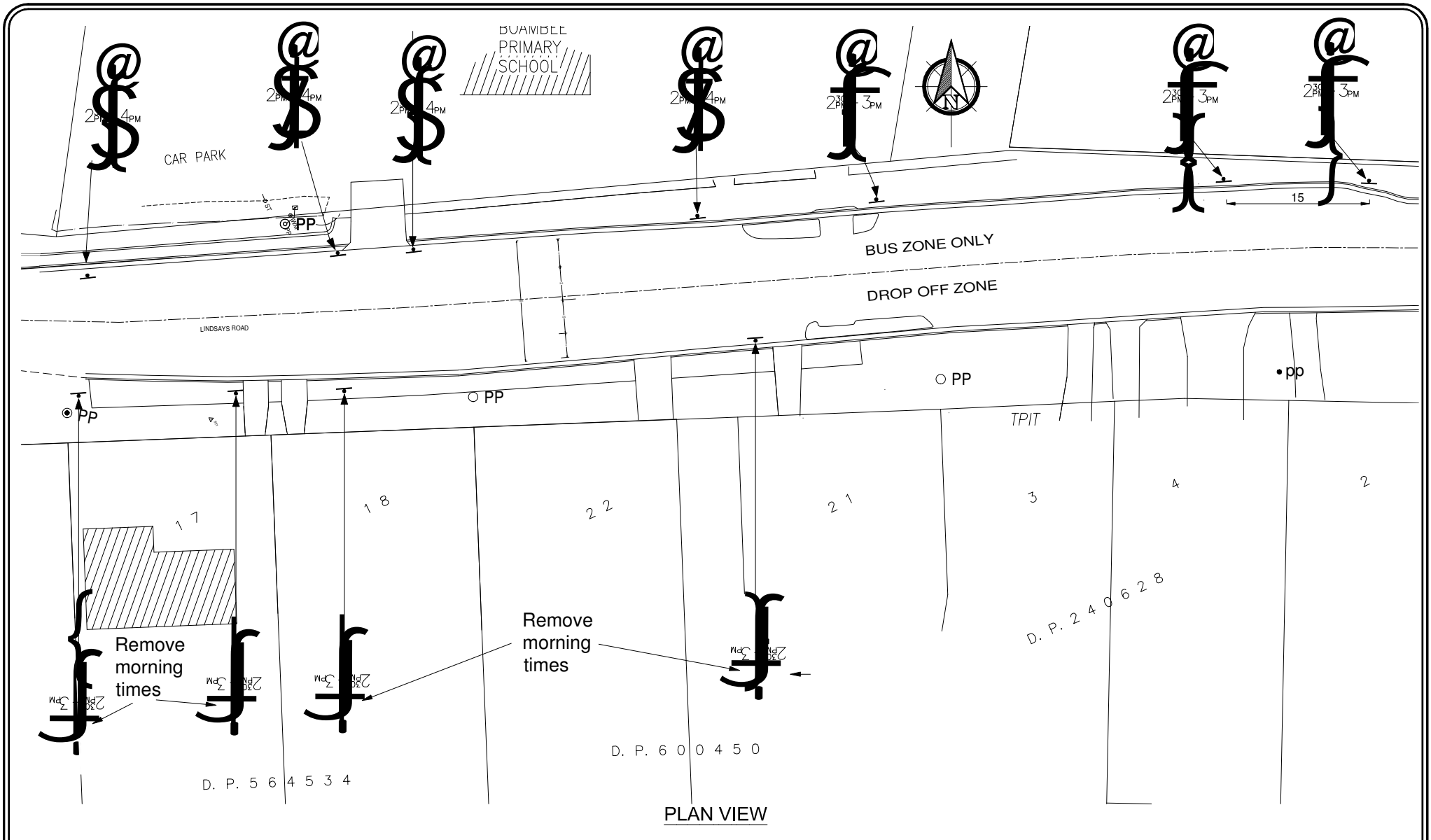


PLAN VIEW

NOTES:
CHANGE EXISTING BUS ZONE TIMES AS SHOWN ON PLAN.

TRAFFIC INSTRUMENT

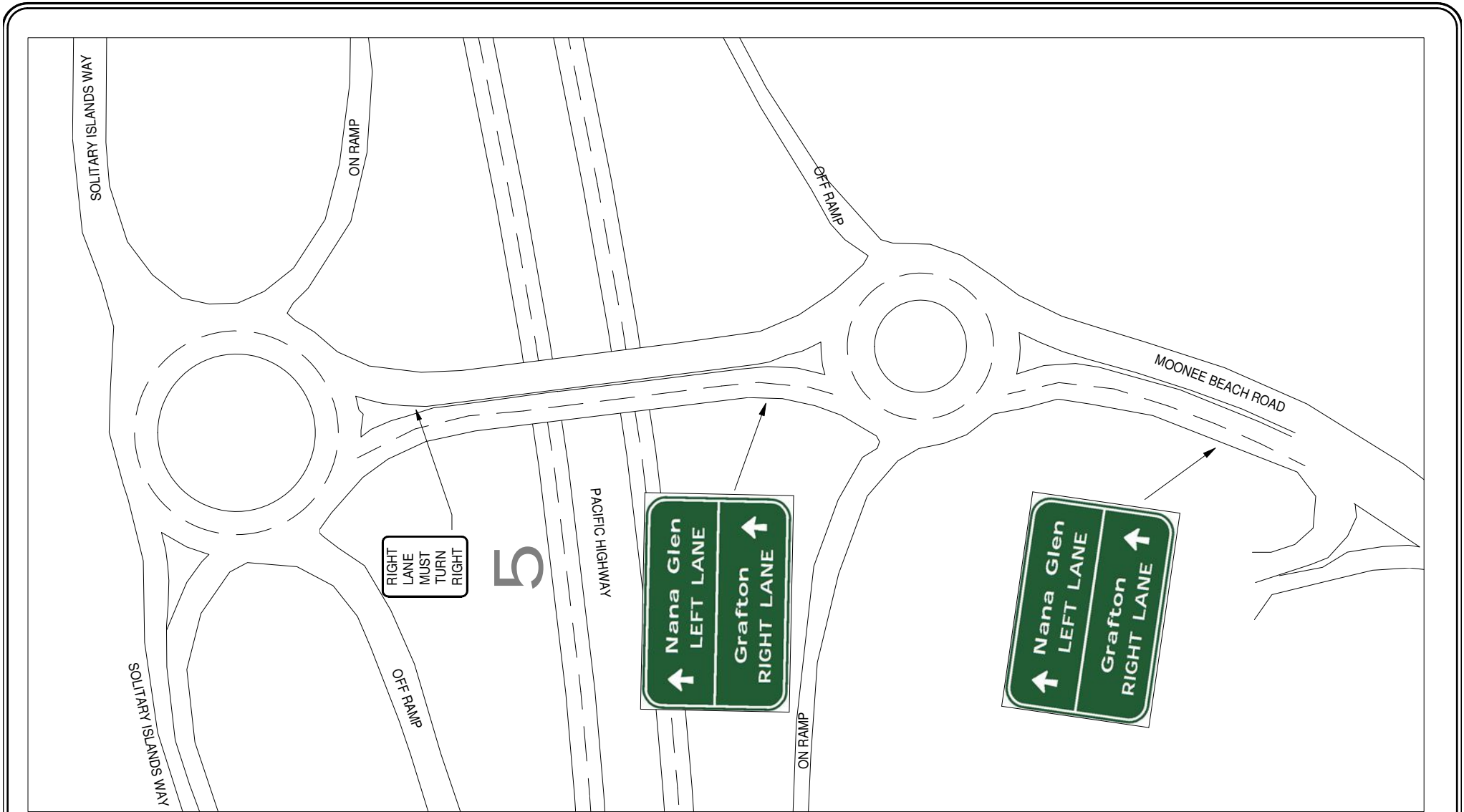
T.27-2015
ROBIN ST
COFFS HARBOUR



PLAN VIEW

NOTES:
Changes to school bus zone times.

TRAFFIC INSTRUMENT
T.28-2015
Lindsays Road Bus Zone and No Stopping
Boambee



PLAN VIEW

NOTES:

Repaint lines and to add signage at the Moonee Beach roundabout (West) on Solitary Islands Way, Moonee Beach directing traffic to stay in the left lane, as per plan

TRAFFIC INSTRUMENT

T.36-2015
SOLITARY ISLANDS WAY
MOONEE BEACH



REPORT TO ORDINARY COUNCIL MEETING

CITY CENTRE MASTERPLAN TERMS OF REFERENCE

REPORTING OFFICER:	Group Leader Strategic Asset Management
DIRECTOR:	Sustainable Infrastructure
COFFS HARBOUR 2030:	LP 3.2 Develop the city centre as a social and cultural focus for Coffs Harbour
ATTACHMENTS:	ATT1 Terms of Reference ATT2 City Centre MasterPlan Committee Project Control Procedure ATT3 Letter to CBD Committee asking for comment on ToR ATT4 Letter from CBD Committee commenting on ToR

Recommendation that:

- 1. Council adopt the City Centre Masterplan revised Terms of Reference.**
 - 2. In accordance with the request from the City Centre MasterPlan Committee, Council appoint the Mayor to the City Centre Masterplan Committee.**
 - 3. Council note the process set out at point 3 of the Issues section of this report for the reappointment of CBD Masterplan Committee members.**
-

EXECUTIVE SUMMARY

At its meeting of 12 June 2014, Council considered a City Centre Masterplan Committee progress report which detailed the status of a number of City Centre Masterplan projects.

As the tenure of the Committee effectively expired in August 2014, Council also resolved at that meeting to;

“Note that a workshop be held with the current CBD Masterplan Committee and a report brought back to Council on the Committee Terms of Reference and membership of the CBD Masterplan Committee.”

A Workshop was subsequently held 4 September 2014 with the City Centre Masterplan Committee on a revision of the Terms of Reference (ToR). As the City Centre Masterplan Committee is a 355 Committee, the formal review was held over pending the adoption of the Guidebook for Section 355 Community Committees which was approved by Council at the meeting on 26 February 2015.

The CBD Committee was requested to comment on the draft terms of reference, specifically regarding the inclusion of an elected representative on the committee and the term of office provision in the draft ToR, refer Attachment 3. Subsequently a response has been received from the CBD Committee, refer Attachment 4.

This report provides comment on the draft ToR and discusses the general operation of the CBD Masterplan Committee.

REPORT

Description of Item:

The Committee's Terms of Reference have been revised to comply with the Guidebook for Section 355 Community Committees and to better reflect the reporting requirements and financial delegations of the Committee.

The revised draft ToR have been amended from the original ToR in the follow areas:

- Composition of the CBD Masterplan Committee
- Presenting Committee consensus
- The Terms of Office of the Committee, and
- The inclusion of a project management protocol

A project management protocol has been included to set out the key processes, responsibilities and decision points in delivering City Centre Masterplan projects.

Issues:

The current CBD Masterplan Committee is to be commended for its extensive work in a number of key areas. Since the inception of the Committee, it has developed relationships with retailers, businesses and property owners for marketing, event coordination and stakeholder awareness. Retailers and property owners are invited to Coffs City Centre Retailer / Ratepayer Enterprise Group (RREG) meetings, hosted by the Committee to promote collaboration and cross promotion marketing opportunities and to provide a forum for consultation, discussion and action to improve trading and the environs of the City Centre. The hard work of the CBD Committee has laid a solid foundation for the continued implementation of the CBD Masterplan and its revitalization.

In reference to the changes in the revised ToR from the original, they are:

1. Composition of the Committee

That the CBD Masterplan Committee membership include an elected representative.

The Committee's response was;

Given the high-level, strategic importance to the Local Government area of the CBD, we believe Councillors should be represented at their highest level. Hence we're recommending that the Mayor be the elected representative on the Committee.' Refer Attachment 4.

The draft ToR has been changed to include the Mayor or delegate.

2. Elected representative's role

The Committee requested that;

'In reference to that appointment, the Terms of Reference should subsequently note that the elected representative on the Committee will be obliged to represent the Committee consensus position during any internal Council discussions.'

Rather than the elected representative being obliged in *representing the Committee consensus* it is suggested that the elected member *present the Committee consensus*. This change has been included in the draft ToR.

3. Term of Office

In regards to Term of Office the original ToR stated:

- a. Membership will be for a two-year term. At the end of the two year term the positions will be advertised in the local media. Members may be reappointed to extend their tenure. Members will be recruited on a merit based process. This process will occur every two years or when a position on the Committee becomes vacant.
- b. Membership will be a decision of Council.
- c. At the end of any term, not more than 50% of membership will resign..

The Committee has requested the following,

Regarding Clause 7, Term of Office: To ensure all Committee Members are appointed under the new Terms of Reference, the Committee resolved to all step down. Once the new Terms of Reference are adopted by Council, Council can then seek expressions of interest from the former Committee members only, to decide those Committee members who will carry over under the new terms.

After the carry-over appointments, If there are any unfilled positions, we recommend expressions of interest be called for those membership categories, as was done in 2012.

In addition, we also recommend that an interview process be introduced, should the need arise, to avoid the criticism Council received in 2012, for drawing a name from a hat when multiple nominations were received for one particular membership category.

The Interview Panel should include some of the re-appointed carry-over Committee Members to ensure appropriate skills are represented.

The Committee is justifiably concerned that there needs to be some continuity in the membership to deliver the CBD Masterplan program of works and to build upon the relationships that have been developed with the retailers, businesses and property owners. The original ToR meet this criteria in that at the end of any term, not more than 50% of membership will resign.

In regards to the membership selection process, the committee suggests that an interview process be introduced where there are multiple nominations received for one particular membership category. This process has merit and will be implemented if required subject to an internal Governance review for compliance with the Guidebook for Section 355 Community Committees.

The draft ToR has been changed to include.

- a. Membership will be for a two-year term. At the end of the two year term 50% of the membership shall resign and the positions will be advertised in the local media.
- b. Members may be reappointed for a further two years. Members will be recruited on a merit based process. This process will occur every two years or when a position on the Committee becomes vacant.
- c. Membership will be a decision of Council.

4. Project Management Protocol

A project management protocol is proposed by the Committee for inclusion in the draft ToR. The project management protocol aims to clarify the roles of Council staff and the committee members in the delivery of the CBD Masterplan program of works.

The Committee has proposed two versions of the project management protocol, the first in April, the second received by Council on 29 May 2015. It is proposed to include the April version of the project management protocol in the draft ToR for the following reasons:

- The project management protocol should be a document that defines Council's and the Committees roles within the legislative framework. Section 355 committees do not have delegated authority to engage external services and direct Council expenditure.
- The April project management protocol defines the responsibilities of the Council Officers and the Committee and will accomplish a streamlined delivery of the CBD Masterplan works.

Options:

The Terms of Reference have been amended to reflect this report.

Council could:

1. Adopt the City Centre Masterplan amended Terms of Reference and Project Management Protocol.

This would achieve the objective of establishing a Committee structure in line with Council's Guidebook for Section 355 Community Committees.

2. Amend the ToR proposed in this report to facilitate the requests from the existing CBD Committee members as defined in Attachment 4.

This may impact on the objective of establishing a Committee structure in line with Council's Guidebook for Section 355 Community Committees.

Sustainability Assessment:

• **Environment**

Environmental factors have been considered in the development of the CBD Master Plan, and continue to be addressed during the implementation of each project.

• **Social**

The development of a viable and vibrant Coffs Harbour CBD will assist in the development of a stronger social fabric.

• **Civic Leadership**

The City Centre Masterplan maps the future for our City Centre. The Plan contains a number of strategies and projects that support key priorities previously identified through the Masterplan community consultation process. These key priorities include a focus on revitalising the City Centre to stimulate economic activity.

• **Economic**

Broader Economic Implications

In June 2013, Coffs Harbour City Council secured Ministerial approval - via the Independent Pricing and Regulatory Tribunal (IPART) – to increase its general income for 2013/2014 by 5.43% to allow for the continuation of the CBD special rate for a further 10-year period. This additional rate revenue (above rate pegging increases) funds the 10-year City Centre works program which has been developed through the City Centre Masterplan Committee.

Delivery Program/Operational Plan Implications

The 2014-2018 delivery program details the funding and implementation program for the Business City Centre Special Rate Extension.

Risk Analysis:

Risk mitigation strategies will continue to be developed through the implementation and design process with particular emphasis on economic risk through detail design and cost estimates and direct liaison with effected businesses and property owners on mitigation of construction impacts.

Consultation:

The existing CBD Committee have had opportunity to comment on the draft terms of reference and provided a response, refer Attachment 4.

Related Policy, Precedents and / or Statutory Requirements:

The adopted City Centre Masterplan and the Terms of Reference establish the strategic objectives of the Committee and the responsibilities and delegations of the Committee.

Implementation Date / Priority:

If Council approves the City Centre Masterplan Committee Terms of Reference they will take effect immediately.

Conclusion:

The recommendations of this report allow Council to proceed with implementation of the City Centre Masterplan which will meet the 2030 objectives of developing a social and cultural focus for Coffs Harbour, mitigate risk and minimise disruption to the community.

City Centre Masterplan Committee Terms of Reference:

This committee is established under s355 of the *Local Government Act 1993* which states:
A function of a council may, subject to this chapter, be exercised:

a) by the council by means of the councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities or by any other means, or

b) by a committee of the council

1. THE VISION

To create a place where economic, social and cultural pursuits fuse to enrich and enliven all who live, work and visit the City Centre

2. SCOPE/ROLE

- a. To implement the objectives and strategies of the Coffs Harbour City Centre Master Plan as adopted by Council.
- b. To recommend an annual works program and budget priorities to Council for the implementation of the Coffs Harbour City Centre Master Plan and associated projects.
- c. To recommend expenditure of funds raised through the Special Rate Variation and externally in accordance with the annual works program and in accordance section 11. Expenditure, below.
- d. To act as a communication conduit between Council and the City Centre stakeholders in respect to the Coffs Harbour City Centre Master Plan.
- e. To advocate the Coffs Harbour City Centre Master Plan to the community.
- f. Report annually to Coffs Harbour City Council and the City Centre ratepayers on the progress of works.
- g. Consult with the Coffs Harbour Chamber of Commerce, Tourism Association and other relevant bodies as needed.
- h. Liaise and negotiate an agreement with Council in relation to Council's Asset Management Plans and annual operational works program for the City Centre.

3. DELEGATIONS

- a. To expend funds allocated to the City Centre Masterplan Committee by Council within the approved 'activation' budget for day to day expenses in accordance with Council's adopted procurement policy.
- b. To recommend to Council the expenditure of funds in accordance with the works and projects in the adopted Coffs Harbour City Centre Master Plan.
- c. To establish sub-committees as deemed appropriate.
- d. To promote the advantages of the City Centre inside and outside the area, including making press releases and promoting the City Centre Masterplan Project.
- e. To raise funds other than rates and loans to fund the objectives of the Committee.
- f. To expend funds raised outside of Council as the Committee deems appropriate, eg promotions, entertainment etc.

Attachment 1

4. COMPOSITION OF THE COMMITTEE

- a. Committee members will comprise of:
 - The Mayor or delegate.
 - One community member (non retailer or landowner),
 - Four City Centre landowners (three landowners of property valued at greater than \$1,000,000, one property owner of land values less than \$1,000,000,
 - One City Centre retailer (not property owner).
 - In addition non-voting ex-officio members will be required to attend Committee Meetings. These ex-officio members will include Coffs Harbour City Council Sustainable Infrastructure Representative and Sustainable Communities Representative and other officers as required.
- b. Councillors will be provided with copies of minutes and agendas for all Committee meetings and be invited to attend all meetings as observers.

5. MEETINGS OF THE COMMITTEE

- a. Meetings will be held at least quarterly depending on demand.
- b. A quorum will consist of half Committee members plus one.
- c. Topics for the agenda should be forwarded to the chairperson no later than 7 days prior to the meeting.
- d. Agenda and minutes from the previous meeting will be circulated to members at least 3 days prior to the meeting.
- e. Members must declare in writing any interest in any report tabled at the meeting.
- f. Voting on recommendations are made by consensus and all decisions regarding the allocation of funding for works must be stated precisely for the inclusion of the minutes.
- g. Where a consensus cannot be reached at two consecutive meetings, then a majority of 60% of those voting can adopt a recommendation. The alternate views are to be minuted.
- h. Council to supply administration support to a reasonable level.

6. OFFICE BEARERS

The committee will appoint the position of chairperson annually.

The role of the chairperson shall be:

- Chairperson of meetings of the City Centre Master Plan Committee
- Representative on sub-committees as appropriate
- Liaison with Council in oversight of activities of a co-ordinator(if applicable)

Attachment 1

7. TERM OF OFFICE

- a. Membership will be for a two-year term. At the end of the two year term 50% of the membership shall resign and the positions will be advertised in the local media.
- b. Members may be reappointed for a further two years. Members will be recruited on a merit based process. This process will occur every two years or when a position on the Committee becomes vacant.
- c. Membership will be a decision of Council.

8. SUB-COMMITTEE(S)

- a. The Committee will form a Marketing Sub-Committee which will manage the marketing and activation objectives, strategies and projects of the Coffs Harbour City Centre Master Plan.
- b. The Marketing Sub-Committee will report as required to the City Centre Master Plan Committee and act in accordance with these terms of reference.
- c. Project specific Working Groups will be formed as required reporting back to the City Centre Master Plan Committee
- d. Project Management for City Centre Masterplan works will be undertaken generally in accordance with the document headed City Centre Masterplan Committee (CCMC) Project Control Procedure

9. MEDIA AND COMMUNICATION

- a. Members of the Sub-committee are not permitted to speak to the media as representatives of the Sub-committee unless approved by the chairperson.
- b. Where approval has been given by the chairperson, views and opinions expressed are those of the Coffs Harbour City Centre Master Plan Committee and not of Coffs Harbour City Council.
- c. Issues relating to Council policy or strategy require endorsement from Coffs Harbour City Council and approval must be sought through the formal processes

10. CONDUCT

- a. All members of the Committee are to abide by Council's Code of Conduct
- b. Where a member has a project or issue to present, and where that member has a direct interest in the project/issue, the member can make a presentation and engage in discussion, and then be excluded from voting on a decision on the project/issue.
- c. In any dispute, Council's "Code of Meeting Practice" will prevail.

11. EXPENDITURE

- a. Procurement of goods and services will be undertaken by Council in accordance with its relevant purchasing policies.
- b. Activation account – Council will establish an 'Activation account' for use by the Committee in accordance with Coffs Harbour City Council S355 Guidebook for Community Committees.

Attachment 1

- c. Council will undertake procurement of goods and services on recommendation from the Committee (in approved minutes) and following reporting to Council as required.
- d. Council will provide monthly budget and expenditure reports on the Special Rate Variation to the Committee for review.

12. RECORD KEEPING

- a. Agenda and minutes from the previous meeting will be circulated to members at least 3 days prior to the meeting.
- b. Members must declare in writing any interest in any report tabled at the meeting
- c. A copy of the minutes are to be provided to council within 7 days of each meeting

13. ANNUAL REPORT

- a. An annual report will be prepared and submitted to Coffs Harbour City Council and other relevant stakeholders

14. AMENDMENTS TO RULES, REGULATIONS AND PROCEDURES

Attachment 2

City Centre Masterplan Committee (CCMC) Project Control Procedure

(To be read in conjunction with City Centre Masterplan Committee Terms of Reference)

City Centre Masterplan Capital Works projects

Council through its Sustainable Infrastructure Representative and Sustainable Communities Representative on the CCMC will nominate a project manager for each of the approved City Centre Masterplan projects.

The role of the Council Project Manager will be to;

Confirm priorities and project timelines with CCMC

Confirm preliminary budget allocations using a Quantity Surveyor where appropriate.

In consultation with CCMC issue a project brief outlining all design parameters, constraints, project outcomes, stakeholders and budget.

Commission preliminary design documents for review by CCMC

Confirm design, project scope and budget with CCMC

Commission detailed design documentation including where applicable;

- Electrical
- Structural
- Hydraulic
- Architectural
- Civil
- Landscaping
- Sound, IT & Multi media,
- Security

Confirm final design, construction program and budget allocation with CCMC.

Procure works in accordance with Councils procurement policy.

Ensure all project works and expenditure is in accordance with agreed CCMC budget and provide bi-weekly reports to CCMC.

The role of the Committee will be to;

Assist Council to implement City Centre Masterplan projects in accordance with approved budgets and prioritisation using member's commercial diligence and resources where applicable.

Oversee expenditure in relation to all City Centre Masterplan projects.

Assist with project management of each of the Masterplan projects from design through to completion (through sub-committees as required) drawing on skills and resources of the committee members where appropriate.

Maximise the strategic and financial outcomes of each project.

Actively communicate with all stakeholders the City Centre Masterplan projects and initiatives.

COFFS HARBOUR CITY COUNCIL



Our Ref: 5590466

12 May 2015

Mr Rod McKelvey
Chairman
City Centre Master Plan Committee

Dear Mr McKelvey

City Centre Master Plan Committee - Terms of Reference

Council executive and internal committee members have considered the Draft Terms of Reference for the City Centre Master Plan Committee and wish to table the following items for discussion.

To strengthen the advocacy for the City Centre Master Plan, it is suggested that the Committee includes an elected representative. By a Councillor being a Committee member it is envisaged that there will be an increased endorsement and ownership of the outcomes within the CBD and a stronger advocacy for the Committee in the Chamber.

Clause 7, Term of Office within the Terms of Reference speaks of the term and rotation of the Committee membership. It is requested that the provisions regarding term and membership be enacted to ensure that the Committee remains inclusive and accessible to potential qualified parties moving forward. It is noted that there will be no more than a 50% membership turnover which will ensure a continuity of process and direction in the future.

Could the Committee please provide comment on these matters and do not hesitate to contact Mr Michael Herraman, Group Leader Strategic Asset Management on 6648 4411 if you require further information.

Yours faithfully

Allan Hindmarsh
Acting Director
Sustainable Infrastructure

- Communications to: The General Manager, Locked Bag 155, Coffs Harbour 2450 • Administration Building, 2 Castle Street, Coffs Harbour • Tel: (02) 6648 4000
- Fax: (02) 6648 4199 • ABN 79 126 214 487
- Email: coffs.council@chcc.nsw.gov.au
- Website: www.coffsharbour.nsw.gov.au



CBD MasterPlan Committee

Attachment 4

c/Locked Bag 155

Coffs Harbour NSW 2450

Your Ref No 5590466

The General Manager
Coffs Harbour City Council
Locked Bag 155
Coffs Harbour 2450

29 May 2015

City Centre Masterplan Committee – Terms of Reference

Dear Allan

The City Centre Masterplan Committee discussed Council's letter, dated 12 May 2015, at our meeting, Thursday 28 May, and resolved the following:

Regarding Clause 4, Composition of the Committee: the Committee welcomes the inclusion of an elected representative to the Committee, and in saying so, we make the following recommendation.

Given the high-level, strategic importance to the Local Government area of the CBD, we believe Councillors should be represented at their highest level. Hence we're recommending that the Mayor be the elected representative on the Committee.

In reference to that appointment, the Terms of Reference should subsequently note that the elected representative on the Committee will be obliged to represent the Committee consensus position during any internal Council discussions.

Regarding Clause 7, Term of Office: To ensure all Committee Members are appointed under the new Terms of Reference, the Committee resolved to all step down. Once the new Terms of Reference are adopted by Council, Council can then seek expressions of interest from the former Committee members only, to decide those Committee members who will carry over under the new terms.

After the carry-over appointments, if there are any unfilled positions, we recommend expressions of interest be called for those membership categories, as was done in 2012.

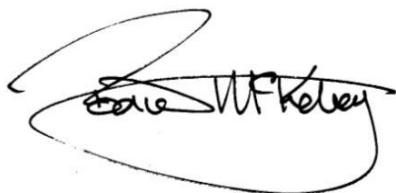
In addition, we also recommend that an interview process be introduced, should the need arise, to avoid the criticism Council received in 2012, for drawing a name from a hat when multiple nominations were received for one particular membership category.

The Interview Panel should include some of the re-appointed carry-over Committee Members to ensure appropriate skills are represented.

Finally, Regarding Clause 11, Expenditure: The Committee recommends as an additional safeguard, a dot point 'e' be added, to read:

e. Council may not expend City Centre Special Rate Funds without first seeking a recommendation from the City Centre Masterplan Committee.

Regards

A handwritten signature in black ink, appearing to read 'Rod McKelvey', enclosed within a large, loopy circular flourish.

Rod McKelvey
Chair
City Centre Masterplan Committee



REPORT TO ORDINARY COUNCIL MEETING

ROAD CLOSURE - PART CASTLE STREET, COFFS HARBOUR

REPORTING OFFICER:	Property Development Manager
DIRECTOR:	Director Sustainable Infrastructure
COFFS HARBOUR 2030:	LP3.2 Develop the City Centre as a social and cultural focus for Coffs Harbour
ATTACHMENTS:	Att 1 – Plan of road proposed to be closed

Recommendation:

That Council

1. **Apply to Crown Lands to close that section of road identified on the plan attached to this report.**
 2. **Upon formal closure of the road, consolidate the resulting land with Lot 1 DP 1204362 which adjoins.**
 3. **Classify the land created from the closure as operational under the Local Government Act 1993.**
 4. **Execute any documents under the common seal of Council as may be required.**
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EXECUTIVE SUMMARY

The purpose of this report is to gain Council approval to close a small section of Castle Street and to consolidate the resulting land with the adjoining Council owned land upon which the Castle Street multi-deck car park exists. The closure is required because there is an encroachment by the lift and toilets associated with the recent improvements to the car park facility. The construction of the lift and toilets was undertaken in good faith on Council property. It was not until the connection of electricity to the toilet block was pursued that the property boundary became a factor, restricting electricity connection.

The closure and consolidation of the road is required to not only ensure the whole of the car park facility is erected within the property boundary, but also to ensure that the requirements of Essential Energy are met with regard to electrical installation.

Failure to facilitate the requirements of Essential Energy would mean power cannot not be supplied to the facility. It is therefore recommended Council approve the closure and consolidation.

REPORT

Description of Item:

The purpose of this report is to obtain approval to make application to Crown Lands for a small road closure of Castle Street as identified on the attached plan which will be approximately 3.26 metres wide.

Council has recently undertaken improvement works to the Castle Street Car Park including roofing works on the top level, toilets and the installation of a lift. The works associated with the lift and toilet block have however encroached onto part of Castle Street. Although not a major issue, due to the fact that Council owns the land associated with Castle Street, the issue of electrical installation to the facility has triggered a problem. The fact that the building currently sits across a property boundary is in breach of Essential Energy requirements. This can be rectified by removing the encroachment, however financially and design wise this is not a viable option. The only other way to resolve the issue is to close a section of Castle Street and consolidate the resulting land with the land upon which the car park currently sits, which is described as Lot 1 DP 1204362.

Issues:

The Council has given an undertaking to Essential Energy to proceed with the road closure process to remove the encroachment. The undertaking was given on the basis formal Council approval be obtained and also the approval of the relevant State Minister. The undertaking has allowed electrical works to be completed in a timely manner so that the facility can be made operational.

Should Council not proceed with the proposed closure, it is likely the offending encroachment of the lift and toilet block may have to be removed at a significant cost and relocated.

Options:

There is only considered one viable option and that is to proceed with the closure and consolidation.

The only other option is to remove the lift and toilet block at a significant cost and to attempt to redesign and construct it in a separate location.

• Economic

Broader Economic Implications

Closure of the road and consolidation with the adjoining Council land will have no broader economic impacts.

Delivery Program/Operational Plan Implications

The costs associated with the closure and consolidation could amount to approximately \$6,000. This amount can be covered within the allocated budget for the car park upgrade.

Risk Analysis:

There is little financial risk in proceeding with the closure. There is far greater risk in not proceeding and facing the possibility of having to remove the lift and toilets and construct them in an alternate location.

The Council's approval of the matter means an application can be made to Crown Lands and the Minister would need to provide final approval to the closure.

Consultation:

The matter has been discussed with the Project Manager within the Sustainable Infrastructure Directorate.

As part of the road closure process, the matter will need to be advertised in the local media.

Related Policy, Precedents and / or Statutory Requirements:

Council must follow a formal road closure process which includes advertising the proposal should Council proceed. Section 34(1)(b) of the Roads Act 1993 affords Council as the roads authority, the powers to make application to close the road.

Implementation Date / Priority:

The matter will be actioned immediately.

Conclusion:

The report requests Council approval to proceed with a formal road closure application which if approved in due course will facilitate the consolidation of the resulting land with the adjoining car park site. The consolidation will subsequently remove an encroachment of recent works and as such allow Essential Energy requirements to be complied with.

